

# RECLAMATION

*Managing Water in the West*

## Cottonwood Creek Crossing Upgrade Project

Klamath Basin Restoration Program Grant  
# 07FG200133 - Northern California Resource Center

Klamath Project, Oregon  
Mid Pacific Region

### Finding of No Significant Impact



FONSI No.: KBAO-FONSI-1-005



U.S. Department of the Interior  
Bureau of Reclamation

October 2011

 ORIGINAL

 APPROVED



## FINDING OF NO SIGNIFICANT IMPACT

### Cottonwood Creek Crossing Upgrade Project

#### INTRODUCTION

The United States Bureau of Reclamation (Reclamation) has prepared an Environmental Assessment (EA), dated October 2011 entitled *Cottonwood Creek Crossing Upgrade Project* (Project). The EA describes the environmental effects associated with providing funding to upgrade a crossing on Cottonwood Creek and was prepared to satisfy the procedural requirements of the National Environmental Policy Act (NEPA) (P.L. 91-190, as amended).

#### PROPOSED ACTION

Reclamation proposes to provide funding to the Northern California Resource Center to implement the activities as described in the Klamath Basin Restoration Program Grant # 07FG200133 entitled *Cottonwood Creek R-Ranch Fish Passage Improvement* and the subject EA. The Project would consist of the removal of an existing low water ford and placement of a single span prefabricated bridge.

The purpose of the proposed action is to provide funding to NCRC to replace an existing low water ford with a pre-constructed single span bridge. The replacement of the ford is needed to remove a flow mediated fish barrier that prevents coho salmon, chinook salmon, and steelhead from migrating to areas upstream where additional habitat improvements have been performed including sediment reduction and fish screening of diversions on private and public lands.

#### SUMMARY OF EFFECTS

The environmental impacts described and analyzed in the EA are not anticipated to have any significant adverse impacts on the human or natural environment. The effects and consequences to various resources with the potential to impact the human and natural environment were analyzed and presented in the EA. Evidence of coordination with the appropriate Federal, state, and local agencies and their comments are also included in the EA and its appendices. The Finding of No Significant Impact is based upon the following:

**Surface Water Resources** – The Proposed Action includes activities that would occur within the surface water resource of Cottonwood Creek. Protection measures, as described in detail in Chapter 3.4.1 of the associated EA would be taken to limit any potential impacts to water quality as a result of the project activities. Any potential water quality impacts including increases in turbidity would be temporary in nature and would only persist during construction activities.

The grantee shall be responsible for acquiring any required permits supplemental or in addition to those already obtained prior to implementation of project activities. Further, the grantee shall ensure that all required stipulations as described in the attached permit documentation are followed throughout project implementation.

The activities associated with the proposed project are not expected to have an effect on the quantity of the surface water resource. Therefore, no significant impacts to surface water resources would occur as a result of the Proposed Action.

**Biological Resources** – The Proposed Action area is located within Cottonwood Creek, on the R-Ranch, a privately owned, gated ranch and recreational community near Hornbrook, California. The project area is highly disturbed by recreational use and private residences. Upstream of the project area, the land use is primarily agriculture and timber lands located on private and public lands. Potential impacts associated with the Proposed Action could occur both within the stream and in the adjacent upland staging area.

Through informal ESA consultation activities with NCRC and NMFS, Reclamation determined the proposed action may affect, but is not likely to adversely affect ESA listed coho salmon, nor adversely modify critical habitat. Reclamation submitted a letter to the NMFS on September 13, 2011 requesting NMFS' concurrence with this determination. On September 28, 2011, written concurrence was received from NMFS. Effects minimization measures would be implemented throughout the proposed project to avoid negative impacts to fisheries and water quality as described in Section 3.4.2.

Resource Management (a contractor hired by NCRC) performed two separate biological investigations for the project area. Both of the reports produced negative findings for the project location when considering rare, threatened, or endangered species.

The proposed project is not expected to have an impact on migratory birds protected under the Migratory Bird Treaty Act because vegetation will be inspected prior to removal to determine presence of nesting between the dates of March 15 and August 31.

The project activities would not have any effect on Bald or Golden Eagles because no trees are proposed to be impacted by the proposed activities and the project is scheduled to be performed outside the seasonal restriction timeframes.

Overall, the proposed project is being performed in an effort to benefit Coho salmon in the long term by potentially providing access otherwise inaccessible to approximately 15 miles of habitat. Therefore, based on the information included and analyzed in the EA, no significant impacts to biological resources are expected as a result of the Proposed Action.

**Cultural Resources** – Pursuant to 36 CFR Part 800.4, various efforts to identify historic properties at the project location were performed. NCRC engaged a consultant to conduct an archeological survey for the purpose (undated, though survey dates are listed as April 09, 2009, and March 17, 2010). In summary, a records search was completed with the Northeast Information Center at California State University Chico and Native American Tribes and individuals who may have an interest in the project or have knowledge of historic properties which may be affected by the proposed action were contacted by letter. No cultural resources were identified as a result of these efforts. On August 1, 2011, Reclamation cultural resources staff conducted a cultural resources survey of the project area. Further, pursuant to 36 CFR Parts 800.(c)(2)(B) and 800.3(f), Reclamation consulted with the Quartz Valley Indian Reservation, the Karuk Tribe of California, and the Shasta Indian Nation in an effort to identify sites of religious and cultural significance that may be affected by the proposed project. No historic properties were identified as a result of this effort.

Based on the identification efforts and investigations, Reclamation concluded that the proposed project would result in no affect to historic properties pursuant to the regulations at 36 CRF Part 800.4(d)(1). Reclamation submitted this finding to the California SHPO for concurrence on August 29, 2011 and received concurrence on October 4, 2011. Therefore, Reclamation concludes that the Section 106 process has been completed. Pursuant to Reclamation's determination that no historic properties would be affected by the proposed project, the Proposed Action would result in no impact to cultural resources.

**Land Use and Recreation** - Implementing the proposed action would not result in alteration of current land use practices or recreational use. The proposed project location is located on a private ranch where access is limited to paying members. Therefore, implementing the proposed project would not affect current practices at the project site. Further, the proposed project would be beneficial by providing safe passage for foot, equestrian, and ATV traffic across Cottonwood Creek for R Ranch members. The project would also be beneficial by limiting current potentially occurring impacts to the surface water and fishery resources.

Reclamation's KBRP funding provided to NCRC for the proposed project does not give the Federal Government explicit or implied authority to regulate and/or enforce land use activities in the immediate or adjacent affected project area.

Implementation of the Proposed Action Alternative is not expected to result in negative impacts to land use or recreation.

**Indian Trust Assets** - Reclamation is required to consider the impacts of project activities on Indian Tribal Trust Assets. The proposed project was reviewed by Reclamation's Mid-Pacific Regional Office, Indian Trust Assets Coordinator, Patricia Rivera, on September 28, 2011 and a "no impacts to Indian Tribal Trust Assets" concurrence was received. Therefore, implementation of the Proposed Action would not result in significant impacts to Indian Trust Assets.

**Climate Change** – The Proposed Action would not result in any significant changes to the composition of the atmosphere and therefore would not result in significant impacts to climate change.

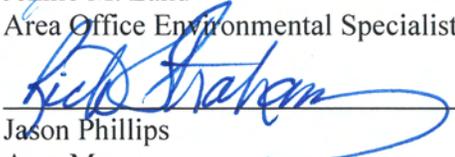
**Environmental Justice** – The Proposed Action would not disproportionately affect minorities or low-income populations and communities. There would not be significant impacts to human health or environmental effects associated with the Proposed Action.

**FINDING**

Based on the analysis of the environmental impacts as described in the EA, Reclamation has determined that the proposed federal action would not significantly affect the quality of the human environment and does not require the preparation of an Environmental Impact Statement. Further, the proposed federal actions are consistent with existing national environmental policies and objectives and do not otherwise include any condition requiring consultation pursuant to Section 102(2)(c) of NEPA.

**DECISION**

It is Reclamation's decision to provide funding for the purpose of upgrading the stream crossing in Cottonwood Creek. Implementation of the proposed action may take place once the appropriate permits have been obtained and mitigation requirements completed as described in this Finding of No Significant Impact and Environmental Assessment. Reclamation believes that the Proposed Action Alternative best meets the purpose and need of the proposal.

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Recommended:	 <u>Jennie M. Land</u> Area Office Environmental Specialist	Date:	<u>10-19-2011</u>
Approved:	 <u>FOR Jason Phillips</u> Area Manager Klamath Basin Area Office Bureau of Reclamation	Date:	<u>10/20/2011</u>