U. S. Department of the Interior
Bureau of Reclamation

Mid-Pacific Region
Lahontan Basin Area Office
Carson City, Nevada

Finding of No Significant Impact and Environmental Assessment

Truckee River Below Derby Dam Riparian Ecosystem Restoration

Washoe County and Storey County, Nevada

April 2009

FONSI NO. LO-09-02

Prepared by: Caryn Huntt DeCarlo Date: 4/6/09
Caryn Huntt DeCarlo
Natural Resources Specialist

Recommended: Carol A. Grenier Date: 4/6/09
Carol Grenier
Desert Terminal Lakes Program Manager

Approved: Kenneth L. Parr Date: 4/9/09
Kenneth L. Parr
Area Manager

FINDING OF NO SIGNIFICANT IMPACT

Truckee River Below Derby Dam
Riparian Ecosystem Restoration
Environmental Assessment

I. Background

The Bureau of Reclamation, Lahontan Basin Area Office, and the Cities of Reno and Sparks (Cities), Nevada, propose to implement a riparian ecosystem restoration project on the Truckee River below Derby Dam under a Reclamation Desert Terminal Lakes (DTL) grant. The project area is located along the 0.7 mile reach below Derby Dam in Washoe and Storey counties, approximately 20 miles east of Reno, Nevada. This project is part of a larger network of restoration projects on the river, funded by Reclamation's DTL Program, that collectively include the permanent transfer of 250 acre-feet of water from the Cities to the lower Truckee River and Pyramid Lake.

The Environmental Assessment (EA) for this Finding of No Significant Impact (FONSI) analyzed planting of native vegetation, treating noxious weeds, and improving an eroded portion of the streambank to create a healthier and more natural riparian ecosystem than currently exists. The restoration is designed to shade the channel, lower water temperature during summer low flow periods, improve water quality conditions, and benefit terrestrial wildlife and fish habitat in the project area.

II. Purpose and Need

The purpose of the proposed action is to improve the riparian ecosystem conditions along the reach of the lower Truckee River just below Derby Dam as well as provide water to Pyramid Lake through the permanent transfer of 250 acre-feet of water annually from the Cities to the lower Truckee River and Pyramid Lake. A riparian ecosystem with multi-layered vegetation community will benefit both aquatic and terrestrial species in the project area.

The change in normal flow patterns caused by water management of the dam does not favor natural cottonwood or other riparian species reproduction below the dam. Altering the natural seasonal flood regime has led to a significant loss of multi-layered riparian forest in this reach of the Truckee River. The limited shade provided by existing riparian vegetation in this reach of the river is a factor contributing to increased water temperatures and related low dissolved oxygen concentration.

III. Alternative Descriptions

Alternative 1. No Action Alternative

Under this alternative, the proposed streambank improvements, noxious weed control, and native vegetative enhancement adjacent to the Truckee River below Derby Dam would not be implemented. Without the restoration actions the stream channel in this

reach of the river would not be shaded and fish and wildlife habitat would continue to be degraded.

Alternative 2. Proposed Action Alternative - Riparian Ecosystem Restoration

This alternative includes riparian corridor revegetation to provide for a more functional and diverse riparian habitat and to shade this reach of the river. Native species, including cottonwood trees, willows, rose and currents will be planted in strategic locations on approximately 3.1 acres along the streambank to provide bank stabilization and shade in the long term at plant maturity.

Revegetation techniques will include pole plantings, containerized plants, willow-wattles and seeding. Slopes will be re-contoured along 250 feet of streambank to create a suitable surface for planting. A native seed mix will be applied by hydroseeding in some areas to provide weed control, habitat improvement, and to restore areas disturbed during restoration actions. A temporary irrigation system will be used to assist in plant establishment.

A noxious weed program to treat tall whitetop in the upland areas adjacent to the river channel will be undertaken to reduce and control the spread of tall whitetop and to assist with establishment of native species.

This project is part of a larger network of restoration projects on the river, funded by Reclamation's DTL Program, that collectively include the permanent transfer of 250 acre-feet of water from the Cities to the lower Truckee River and Pyramid Lake.

Best Management Practices (BMPs) will be implemented to protect water quality during project implementation. An aquatic herbicide approved for use near the river will be used along with required adherence to herbicide label instructions, including proper mixing and spraying protocols. Appropriate dust control measures will be applied throughout project implementation. The City of Reno's contractor will be required to monitor and replace vegetation that does not survive in the first year. After the first year the City will monitor and maintain the site as practicable to promote success. Permits required for implementation of the project are the responsibility of the Cities.

Coordination with the Reno Sparks Indian Colony and other affected Tribes for discoveries of cultural resources on federal land will be according to 36 CFR 800.13 regulations, Reclamation Manual Directive and Standards LND 07-01 Inadvertent Discovery of Human Remains on Reclamation Lands, and the Native American Graves Protection and Repatriation Act (NAGPRA). Discoveries on private land will be in accordance with State law.

The Reno Sparks Indian Colony will have on-site Tribal monitoring of the project's ground disturbing activities.

IV. Summary of Impacts

The EA analysis indicates that implementation of the Proposed Action would have only limited and short term environmental impacts and no significant effects on any resource. Beneficial environmental impacts are expected for most resources. The proposed project would have no effect on water resources, socioeconomics, land use and land ownership or geology. A summary of the impacts for resources considered in detail in the EA are as follows:

Water Quality: The riparian restoration project could adversely affect water quality in the short-term during the restoration actions. However, Best Management Practices (BMPs) would be applied to minimize surface water contact with exposed cuts and fills, and minimize or eliminate possible associated impacts. Any potential increases in sediment loads are anticipated to return to pre-existing conditions once the work is complete. Herbicide use during restoration activities could affect water quality from overspray or spills, however proper spray protocols and BMPs would be implemented and no water contamination is expected.

Restoration of the multi-layered riparian habitat along the banks of the river would create more shaded areas and lower water temperatures, as well as reduce erosion of the riverbanks and consequently reduce the amount of total sediment entering the river over time. Improved water quality conditions would ultimately contribute to improving the overall quality of aquatic habitat for fish and other water dependent organisms.

Vegetation Communities: The riparian restoration project would create or enhance approximately 3.1 acres of riparian vegetation. Noxious weeds would be removed and native species planted. At plant maturity, a multi-layered riparian forest would improve habitat conditions and more closely resemble the historic native plant community of the area.

Noxious Weeds: The Proposed Action combines mechanical and herbicide treatments to reduce and control tall whitetop. Existing upland, riparian and wetland conditions would be improved by the removal of noxious weeds. An aquatic herbicide approved for use near the river will be used along with required adherence to herbicide label instructions, including proper mixing and spraying protocols, and BMPs to minimize any potential impacts to aquatic or wildlife habitat.

Wildlife: The riparian restoration project activities could generate short-term adverse effects by displacing or disturbing individual resident and migratory wildlife; however, wildlife species displaced by the project area are expected to return following restoration activities.

Implementation of the Proposed Action would have long-term beneficial effects on wildlife species in the riparian ecosystem. Natural habitats would be expanded and enhanced by multi-layered canopy cover which would support a more diverse population of plants and wildlife. Over the long term the vegetative restoration effort would provide shade to help lower water temperatures in the project area, thus improving the quality of habitat for fish and other aquatic species.

Threatened and Endangered Species: The analysis concluded that the proposed action has a No Effect determination on the two federally listed fish species that may occur in the project area, Lahontan cutthroat trout (threatened) and Cui-ui (endangered). Any water quality impacts from the project are expected to be minimal or non-existent and short-term in nature. The project is expected to improve fish habitat over the long-term in this reach of the river by providing shading to the river.

Cultural Resources: Reclamation performed a survey of the project area and no cultural resources were found within the project boundaries. As required by Section 106 of the National Historic Preservation Act, Reclamation consulted with the State Historic Preservation Officer (SHPO) regarding the proposed action's potential effects on historic properties. Reclamation determined that no historic properties would be affected pursuant to 36 CFR Part 800.4(d)(1), and the SHPO concurred with this finding in a letter dated April 4, 2008.

Indian Trust Assets: There are no identified adverse effects on Indian Trust Assets associated with the Proposed Action. The project would assist in improving water quality, enhancing the riparian forest canopy, and stabilizing the streambank reach of the lower Truckee River. These improvements would enhance river habitat for Pyramid Lake fish species.

Environmental Justice: The Proposed Action would benefit several tribal interests, including improvements in water quality and quantity and improved fish habitat in the Truckee River. No minority or low-income populations or communities are present within the proposed project area.

Recreation: The Proposed Action would have no adverse effects on recreation. Access to the majority of the project area is part of the Derby Dam complex within security fencing and is not open to the public.

Air Quality: The riparian restoration project could temporarily impact air quality during the earthwork and temporary road grading because of exhaust and dust that would be released from equipment and vehicles. Dust control measures and other BMPs would be implemented during project installation. Air quality would return to pre-construction conditions after project implementation has been completed.

Soils: Under the Proposed Action minor temporary effects from earthwork and revegetation work are anticipated from tracked vehicle operation during the grading of channel banks. Temporary effects could include localized soil compaction. Implementation of BMPs prior to the onset and during the work will minimize impacts to soils.

Hazardous Materials: No adverse effects to the environment are expected from hazardous materials. Under the Proposed Action, the management of hazardous materials when re-fueling equipment would be strictly limited and controlled to protect the environment against accidental spills.

Irreversible and Irretrievable Commitment of Resources: There is no known irreversible or irretrievable commitment of resources associated with the project.

Cumulative Effects: The riparian restoration project could have minor adverse effects on air quality, water quality, vegetation and wildlife during project implementation, however BMPs and other mitigation measures will be used to reduce or eliminate potential impacts and any impacts will be short-term. Any potential cumulative adverse impacts are considered less than significant. The Proposed Action involves restoration of a segment of the lower Truckee River, combining with other ongoing river restoration projects, to improve the riparian and aquatic ecosystem. The Proposed Action, in conjunction with reasonably foreseeable future projects, would restore the environmental conditions along the river and provide benefits related to water quality, biological productivity and diversity, and noxious weed eradication.

V. Consultation and Public Involvement

The EA was prepared by HDR Engineering Inc. via a contract with the Cities of Reno and Sparks, Nevada and under direction of Reclamation.

Public scoping included a public workshop in 2007 to gather input on the proposed action and a 30-day scoping comment period. A stakeholder/agency meeting and two meetings with the Truckee-Carson Irrigation District were also held.

Tribal consultation letters, meetings and field trips were held with the Fallon Paiute Shoshone Tribe, Pyramid Lake Paiute Tribe, Reno-Sparks Indian Colony, and the Washoe Tribe of Nevada and California. A June 2007 tribal consultation meeting was attended by representatives from each of the following tribes: Pyramid Lake Paiute Tribe, Reno-Sparks Indian Colony, and the Washoe Tribe of Nevada and California. A joint tribal field trip to the project site was held in September 2007 and attended by the same Tribes. An additional field trip to the site was conducted in September 2008 with the Reno-Sparks Indian Colony as part of a larger Lower Truckee River field trip with other entities.

The EA and Draft FONSI were made available for a 30-day comment period and posted on the Reclamation Mid-Pacific NEPA website.

Comments were received on the EA from the Sierra Club, the Reno-Sparks Indian Colony, the Bureau of Indian Affairs, Nevada State Clearing House (Commission on Minerals and State Historic Preservation Office), Department of Conservation and Natural Resources (Division of Water Resources) and the Tahoe-Pyramid Bikeway organization.

Comments and responses are summarized in the attached comment table. Also attached to this FONSI is an EA Addendum that documents appropriate changes to the EA based on comments received from the public and Tribes.

VI. Decision and Findings

Reclamation's decision is to implement Alternative 2, identified as the Proposed Action alternative in the EA. This decision is based on the environmental analysis contained in the attached EA (January, 2009) and Addendum to the EA completed in accordance with NEPA. Beneficial impacts to fish and wildlife habitat, soil stability, and water quality are expected from the project. Reclamation makes this Finding of No Significant Impact as the project is not a major federal action and there is no evidence to indicate that the Proposed Action will significantly affect the quality of the human or natural environment. Beneficial impacts to the river environment are expected. An Environmental Impact Statement is therefore not required for the Proposed Action.

FONSI Attachment 1

Truckee River Below Derby Dam
Riparian Ecosystem Restoration

Environmental Assessment, January 2009

Summary of Comments and Response to Comments

Comments Received

During the public review period for the environmental assessment, February 9, 2009 through March 13 2009, the Bureau of Reclamation received comments from 7 different entities. Four were received via email and three via letters.

The comments were reviewed and divided into categories relating to the sections of the Environmental Assessment, including General Support, Alternatives, Affected Environment, Environmental Consequences, Environmental Commitments, and Relevant Regulations.

Below is a table summarizing the comments by each entity , category of comment, and Bureau of Reclamation's responses to the comments. An addendum to the EA was prepared noting appropriate changes to the EA based on the comments.

Summary of Comments and Response to Comments

Date and Process	Commenter	Category	Comment	Response
02/11/2009 Via email	Janet R. Phillips, President Tahoe-Pyramid Bikeway Reno, NV	EA Alternatives	In the design and construction of the river restoration below Derby Dam, could you please include a bike/ped path through the length of the project area? It could be a shared use with a maintenance road, provided that public access is allowed.	This restoration project is authorized under the Desert Terminal Lake Program which does not include authorization for bike path construction or other recreation actions. The portion of the project on Reclamation land is in the Derby Dam facilities security area and is fenced off from public access.
02/13/09 Via Email	Tom Strekal Bureau of Indian Affairs Carson City, NV	Draft FONSI	Mr. Strekal provided a track changes version of the FONSI with edits, clarifications, questions, and corrections.	The edits were evaluated and the majority were determined appropriate and were incorporated into the final version of the FONSI.
02/16/09 Via email	Dennis Ghiglieri Toiyabe Chapter Sierra Club Reno, NV	1) General Support	We are in support of ecosystem restoration projects along the Truckee River which accomplish functional restoration of the river and provide renewal of the natural habitats to support native fish and wildlife species. The proposed restoration of 3.12 acres along 0.7 miles of the river below Derby Dam and the transfer of 250 AFA for riparian restoration appears to offer a small, but significant, additional opportunity to accomplish river renewal. The Club supports the river restoration goals and objectives.	No response required
		2) Project Description	The EA contains approximately 2.5 pages of description of the project out of a 90 page document with a single low resolution map. The map image with overlaid schematic of the project (page 30) lacks detail, thus eliminating any opportunity for serious analysis by a reviewer.	The EA written description has the details of the project and the EA map contains the location of the components of the project implementation. At the time of

Date and Process	Commenter	Category	Comment	Response
	(CONTINUED) Dennis Ghiglieri Toiyabe Chapter Sierra Club Reno, NV			finalizing the EA, additional detailed design had not been prepared; it is common not to have 100% design completed at the time of the EA. More detailed maps and designs have been developed to support the restoration project procurement process.
		3) EA Alternatives	The alternatives analysis is lacking since only the preferred alternative and no action alternative are present. The EA provides a lot of interesting information, but there's no indication of how it is relevant to the proposed project.	Environmental Assessments often have only a preferred alternative and no action alternative; this is allowed under NEPA regulations. Since the project area is very small and confined, no additional alternatives were deemed feasible or necessary. Two additional alternatives were, however, also considered and are discussed under EA Section 2.3 Alternatives Considered but Eliminated from Further Study.
		4) EA Env. Consequen-ces	Agency monitoring is described in section 4.4.2 does not include what contingency actions the agency intends to implement if the monitoring results don't live up to expectations.	In response to this comment contract specifications and the EA project description (as noted in the Addendum to the EA attached to the FONSI) now include that the contractor must monitor and vegetation that does not survive in the first year will be replaced by the contractor at contractor's expense. After this 1st year the City of Reno will be responsible to monitor and maintain the site as practicable to promote success.

Date and Process	Commenter	Category	Comment	Response
		5) Env. Consequen-ces	Also, there is no definition of what constitutes a successful restoration. Will it be when a certain fish species occupy the river? When a certain level of riparian vegetation is established? When river water temperatures drop? When nutrient loading drops?	The project is a low impact revegetation project designed to reduce noxious weeds, increase native vegetation and subsequently improve local wildlife and aquatic habitat and species diversity in this reach of the river. Survival and plant replacement is required for one year and the City of Reno will monitor and maintain as practicable in the future after the first year. This project is also designed to provide future shade to the river which in the long term at plant maturity is expected to reduce temperatures and increase dissolved oxygen.
03/12/09 Via letter	State of Nevada Clearing House Department of Administration Carson City, NV	General Support	The following agencies support the EA document as written: Commission of Minerals State Historic Preservation Office	No Response required.
03/12/09 Via letter	Reno-Sparks Indian Colony Reno, NV	1) General Support	At this time the RSIC has no concerns or objections to the restoration project as it is stated in the EA. The RSIC recognizes that this proposed project is to help re-establish the physical and biological back to the Truckee River in the project area.	No Response required
		2) Affected Env.	RSIC noted incorrect data and information in the EA for RSIC's water rights, land base acreages and locations, number of tribal members, and number of residences and tribal community facilities. RSIC provided the correct information for these attributes.	An Addendum to the EA attached to the FONSI includes the corrections noted for these RSIC attributes.

Date and Process	Commenter	Category	Comment	Response
	(CONTINUED) Reno-Sparks Indian Colony Reno, NV	3) Affected Env.	RSIC pointed out the incorrect title was used for the Truckee River Flood Management Project (TRFMP) and that the EA section on TRFMP was out of date, including information that the TRFMP, in partnership with the RSIC, is currently constructing the first structural flood control project.	An Addendum to the EA attached to the FONSI includes the corrections noted.
		5) Env. Commitment	The RSIC pointed out that although no cultural resources were identified during the survey, it is possible they may be encountered during ground disturbance activity. RSIC requests that before the FONSI is finalized it is important to address how unanticipated discovery of Native American cultural resources and human remains will be managed and recommend a plan be incorporated into the cultural resources section of the EA. RSIC requested additional language be incorporated into the EA pertaining to the proposed action of Native American cultural resources and ancestral human remains. RSIC also requested that qualified Tribal monitors be on site during ground disturbance activity/sub-surface excavation.	An Addendum to the EA attached to the FONSI added information on how Reclamation handles discoveries of cultural resources and human remains during project implementation; this information is also in the contract specifications for the project. The Addendum to the EA and the contract specifications also include in the Project Description on-site Tribal monitoring by RSIC coordinated by the City of Reno.
03/12/09 Via letter	Joseph E. DiTucci Department of Conservation and Natural Resources Division of Water Resources Carson City, NV	Relevant Regulations	The Department of Conservation and Natural Resources, Division of Water Resources is the State agency responsible for maintenance of the channel of the Truckee River from the Glendale Street Bridge to Wadsworth. The Operation and Maintenance Manual for the Truckee River and Tributaries requires that the maintained channel convey a flow of 6,000 cfs within the bed and banks of the river between Reno and Wadsworth, Nevada. Any impacts to channel flow capacity as a result of this project will be the responsibility of Reclamation, City of Reno and Sparks or their successors to mitigate these effects. A letter of authorization must be requested from the DCNR, Division of Water Resources, before work can begin around the river.	A letter requesting authorization will be forwarded by the City of Reno or its representatives.

FONSI Attachment 2

Addendum to Environmental Assessment

Truckee River Below Derby Dam
Riparian Ecosystem Restoration
January 2009

The following BMPs, mitigations, survival monitoring and plant replacement, management of discoveries of cultural resources, and Reno Sparks Indian Colony tribal monitoring are added to EA Alternative 2 - Proposed Action:

Best Management Practices (BMPs) will be implemented to protect water quality during project implementation. An aquatic herbicide approved for use near the river will be used along with required adherence to herbicide label instructions, including proper mixing and spraying protocols. The City of Reno's contractor will be required to monitor and replace vegetation that does not survive in the first year. After the first year the City will monitor and maintain the site as practicable to promote success. Appropriate dust control measures will be applied throughout project implementation. Permits and authorizations required for implementation of the project are the responsibility of the City.

Coordination with the Reno-Sparks Indian Colony and other affected Tribes for discoveries of cultural resources on federal land will be according to 36 CFR 800.13 regulations, Reclamation Manual Directive and Standards LND 07-01 Inadvertent Discovery of Human Remains on Reclamation Lands, and the Native American Graves Protection and Repatriation Act (NAGPRA). Any discoveries on private land will be in accordance with State law.

The Reno-Sparks Indian Colony will have on-site Tribal monitoring of the project's ground disturbing activities.

The following discussion of the Reno-Sparks Indian Colony replaces EA Section 3.9.5.3:

The Reno-Sparks Indian Colony currently holds approximately 253 acre feet of Truckee River water rights.

The following discussion of the Reno-Sparks Indian Colony replaces EA Section 3.9.2 and the last paragraph of EA Section 3.10 Socioeconomic Resources:

The Reno-Sparks Indian Colony (RSIC) is a federally recognized Indian Tribe located near Reno and Sparks, Nevada. The tribal membership consists of 1,050 members from three Great Basin Tribes - Paiute, Shoshone, and Washoe. The reservation lands consist of the original 28-acre Colony purchased in 1916 and 1927 located in downtown Reno and provides residential homes, community facilities and tribal government offices. In 1982, 1,920 acres were acquired by RSIC in Hungry Valley approximately 17 miles north of Sparks. Within this acreage are approximately 150 residential homes and community facilities. The RSIC has acquired 108

additional acres for economic development at various sites throughout the Reno and Sparks area in Washoe County.

The following title replaces EA section 4.20.1.3 Truckee Meadows Flood Control Project and other areas of the EA where the title or a shortened version of the title were used:

Truckee River Flood Management Project (TRFMP)

The following changes apply to EA Section 4.20.1.3 on the Truckee River Flood Management Project:

-The first sentence of this section is replaced with: "The TRFMP is a joint effort between the cities of Reno and Sparks, Washoe County, the US Army Corps of Engineers and numerous stakeholders to provide increased flood control protection on the Truckee River."

-Added at the end of paragraph 2: "The TRFMP, in partnership with the Reno-Sparks Indian Colony, is currently constructing the first structural flood control project."

-In paragraph 2 second sentence, the words and parentheses "(if approved for construction)" are deleted.

-The following sentences in this section are deleted:

"The project's status is currently in the feasibility and "citizen review" stage of the USACE project development process."

"USACE-led construction projects would not likely start any sooner then one year following congressional authorization of the project."

"Congress must fund the start, continuation and completion of the construction phase. Congress' allocation of funds is therefore critical to timely completion of the construction phase (USACE, 2006)."