

Finding of No Significant Impact

Acquisition of Grant County Parcel 170934000; Potholes Supplemental Feed Route

Columbia Basin Project, Grant County, Washington

U.S. Department of the Interior
Bureau of Reclamation
Columbia-Pacific Northwest Region
Columbia-Cascades Area Office

PN FONSI # 21-1

Introduction

The Bureau of Reclamation (Reclamation) has prepared the *Acquisition of Grant County Parcel 170934000; Potholes Supplemental Feed Route (PSFR) Environmental Assessment (EA)* consistent with the purpose and goals of the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 et seq.) and pursuant to the Council on Environmental Quality's implementing NEPA regulations at 40 CFR Parts 1500-1508. Additionally, this EA was prepared consistent with the Department of the Interior NEPA regulations (43 CFR Part 46); longstanding federal judicial and regulatory interpretations; and Administration priorities and policies including Secretary's Order No. 3399 requiring bureaus and offices to use "the same application or level of NEPA that would have been applied to a proposed action before the 2020 Rule went into effect." The EA is tiered¹ to, and incorporates by reference,² Reclamation's 2007 *Potholes Reservoir Supplemental Feed Route Environmental Assessment (PSFR EA)*, and documents and discloses potential effects to the quality of the human environment which could result from the proposed acquisition and related actions.

The federal action is to acquire, in-fee simple, Grant County Parcel 17093400 (Land Acquisition Parcel) and complete other associated actions including possible issuance of a use authorization (license) for residential occupancy, residential and non-residential relocation, and remediation³ of the

¹ 40 CFR 1501.11

² 40 CFR 1501.12

³ Remediation is an action of reversing or stopping environmental damage. For the purposes of this document, remediation will also include activities that are generally referred to as reclamation activities which restore land that has been degraded by human activities to its natural state. Reclamation activities may include removal of structures, remediation of contamination, restoration (e.g., revegetation), and other activities that would restore natural functions and ecosystems.

Land Acquisition Parcel. The acquisition⁴ of the Land Acquisition Parcel will make progress towards full buildout and implementation of the Crab Creek portion of the PSFR. Reclamation's purchase of the Land Acquisition Parcel is to mitigate the impacts on the Land Acquisition Parcel of increased water flows in Crab Creek, which will make continued private ownership incompatible with the operation of the PSFR, and to ensure a reliable supply of water to SCBID in the southern half of the Columbia Basin Project (CBP).

Background

The CBP is a multi-purpose, federally authorized Reclamation project which directly benefits local, state, and national economies. The CBP is the largest Reclamation Project in the Pacific Northwest and delivers irrigation water to approximately 680,000 acres in east central Washington (Figure 1). Irrigation water is delivered by three federal irrigation districts: East Columbia Basin Irrigation District (ECBID), Quincy Columbia Basin Irrigation District (QCBID), and South Columbia Irrigation District (SCBID). Irrigation water from the CBP is often used more than once before it returns to the Columbia River near Pasco. Potholes Reservoir collects runoff from the north, via drains and wasteways that empty into the canal system, to be reused by farms in the south. Irrigators use about 2.5 million acre-feet of Columbia River water each year. Reusing water gives irrigators an additional 1 million acre-feet of water, for a total of 3.5 million acre-feet of water use.

Based on current irrigation water projections, the Crab Creek portion of the PSFR is likely to be required to be operational as soon as the 2024 irrigation season. On July 14, 2021, a drought emergency⁵ was declared for most of the state of Washington, including Grant, Adams, and Franklin Counties that are served by the CBP. Reclamation has acknowledged that use of the Crab Creek portion of the PSFR during the 2021 irrigation season would have been beneficial if it had been operational.

In accordance with Reclamation's 2007 decision to implement Alternative 2 – Crab Creek and Frenchman Hills Wasteway, from the *Potholes Reservoir Supplemental Feed Route Finding of No Significant Impact and Environmental Assessment* (PSFR FONSI and EA; Reclamation 2007), Reclamation is actively pursuing the full buildout of the Potholes Supplemental Feed Route (PSFR; Figure 1). The PSFR is a water conveyance feature associated with the CBP and is being developed to ensure Reclamation's ability to deliver irrigation water as the CBP develops and matures. The PSFR consists

⁴ Reclamation acquires land and/or interests in land for project purposes by purchase, donation, exchange, patent reservations, withdrawals, and condemnation (Reclamation Manual Directives and Standards (D&S LND 06-01). See Section 1.5, Legal Authority, of this EA for more information.

⁵ Governor Inslee and the Washington State Department of Ecology (Ecology) issued a drought advisory for 29 counties in May 2021. On July 14, 2021, Ecology declared a drought emergency for most of the state (Ecology 2021a), including Grant, Adams, and Franklin counties. The Order and Determination by the Director can be accessed at: <https://ecology.wa.gov/DOE/files/40/408b30b3-0d96-4d57-aad8-36e675448b08.pdf>.

of the Frenchman Hills Wasteway⁶ and utilizing the middle reach of Crab Creek⁷ for conveying irrigation water to Potholes Reservoir to then be reused in the southern end of the CBP. Reclamation has completed construction of the Frenchman Hills Wasteway and has been acquiring land in support of the Crab Creek portion of the PSFR.

The PSFR FONSI and EA disclosed the effects of operating the PSFR and anticipated Reclamation working with landowners to mitigate the impacts of the PSFR. This mitigation was disclosed and could involve purchasing land, constructing dikes, purchasing easements, land improvement, or other measures (e.g., removal of solid waste, closure of underground storage tanks or septic systems, and removal of any structures, or other appropriate remedial action). The PSFR FONSI committed Reclamation to conduct an All Appropriate Inquiries (AAI⁸) prior to acquisition of property to support the future operation of the PSFR. Reclamation also committed in the PSFR FONSI to remove any hazardous substances⁹ that could be exposed to higher levels of surface or groundwater, prior to final implementation of the PSFR.

Reclamation has been in land purchase discussions with the Property Owners of the Parcel since 2009. Reclamation and the Property Owners have been trying to reach a negotiated settlement.

As part of Reclamation's pre-acquisition AAI, samples were collected from the Land Acquisition Parcel which resulted in the identification of hydrocarbon contamination (a recognized

⁶ Frenchman Hills Wasteway refers to the lowest section of the West Canal that drains irrigation water into Potholes Reservoir. Under the PSFR, the manner in which water was routed into the Frenchman Hills Wasteway changed. More information can be found in the PSFR EA at <https://www.usbr.gov/pn/programs/ea/wash/potholes/ea-potholessup2007.pdf>.

⁷ Crab Creek is a natural, perennial stream (i.e., containing water year-round) in the Columbia basin of central Washington. Reclamation currently uses the southern part of Crab Creek to convey water from the East Low Canal to Potholes Reservoir. The full buildout of the Crab Creek portion of the PSFR will allow Reclamation to utilize the full length of Crab Creek to carry irrigation water to Potholes Reservoir; therefore, reference graphics only show Crab Creek. Sometimes Crab Creek is divided into three parts – Upper Crab Creek, from its source to Brook Lake; Middle Crab Creek, from Brook Lake to and including Potholes Reservoir; and Lower Crab Creek, from below Potholes Reservoir to the Columbia River. More information can be found in the PSFR EA at <https://www.usbr.gov/pn/programs/ea/wash/potholes/ea-potholessup2007.pdf>.

⁸ Reclamation has replaced the Environmental Site Survey terminology used in the PSFR FONSI and EA with an All Appropriate Inquiry (AAI). An AAI is the process of evaluating a property's environmental conditions and assessing potential liability for any contamination. An AAI must be conducted to obtain certain protections from liability under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA). The AAI rule is codified in Code of Federal Regulations (CFR) at 40 CFR Part 312, with reporting requirements provided at 40 CFR 312.21 and 312.22 (EPA 2014).

⁹ The Department of the Interior has established policies for the acquisition of property, or interests in property, for the government to be fully aware of the nature and extent of any associated potential liability. Departmental Manual 602, Chapter 2 requires that a pre-acquisition AAI be completed prior to acquisition of property or interests in property, including those identified as necessary to support operation of the PSFR. The Acquisition Approval Memorandum is the outcome of an approval process Reclamation must take when an acquisition of real property includes known contamination. The Acquisition Approval Memorandum will allow Reclamation to acquire contaminated land and designate appropriated funds towards remediation, if any.

environmental condition (REC)) above regulatory thresholds. The contamination was reported to the Washington Department of Ecology (Ecology). Ecology investigated the release, determined that contamination existed and will need to be cleaned up pursuant to requirements of the Model Toxics Control Act (MTCOA), and notified the Property Owners. In addition, Ecology added the Land Acquisition Parcel to its database of known or suspected contaminated sites that need remedial action. The Land Acquisition Parcel is now identified as cleanup site number 15421 (Ecology 2021d). Discussion of the AAI findings can be found in Section 3.3 of the EA.

Even though Reclamation is authorized by the PSFR FONSI to acquire and remediate land, Reclamation determined that additional environmental compliance is needed for the proposed land acquisition to disclose the findings of the AAIs conducted on the Land Acquisition Parcel because contamination was identified (see Section 3.3 of the EA).



BUREAU OF RECLAMATION

POTHOLES SUPPLEMENTAL FEED ROUTE (PSFR) Columbia Basin Project - Grant County, WA

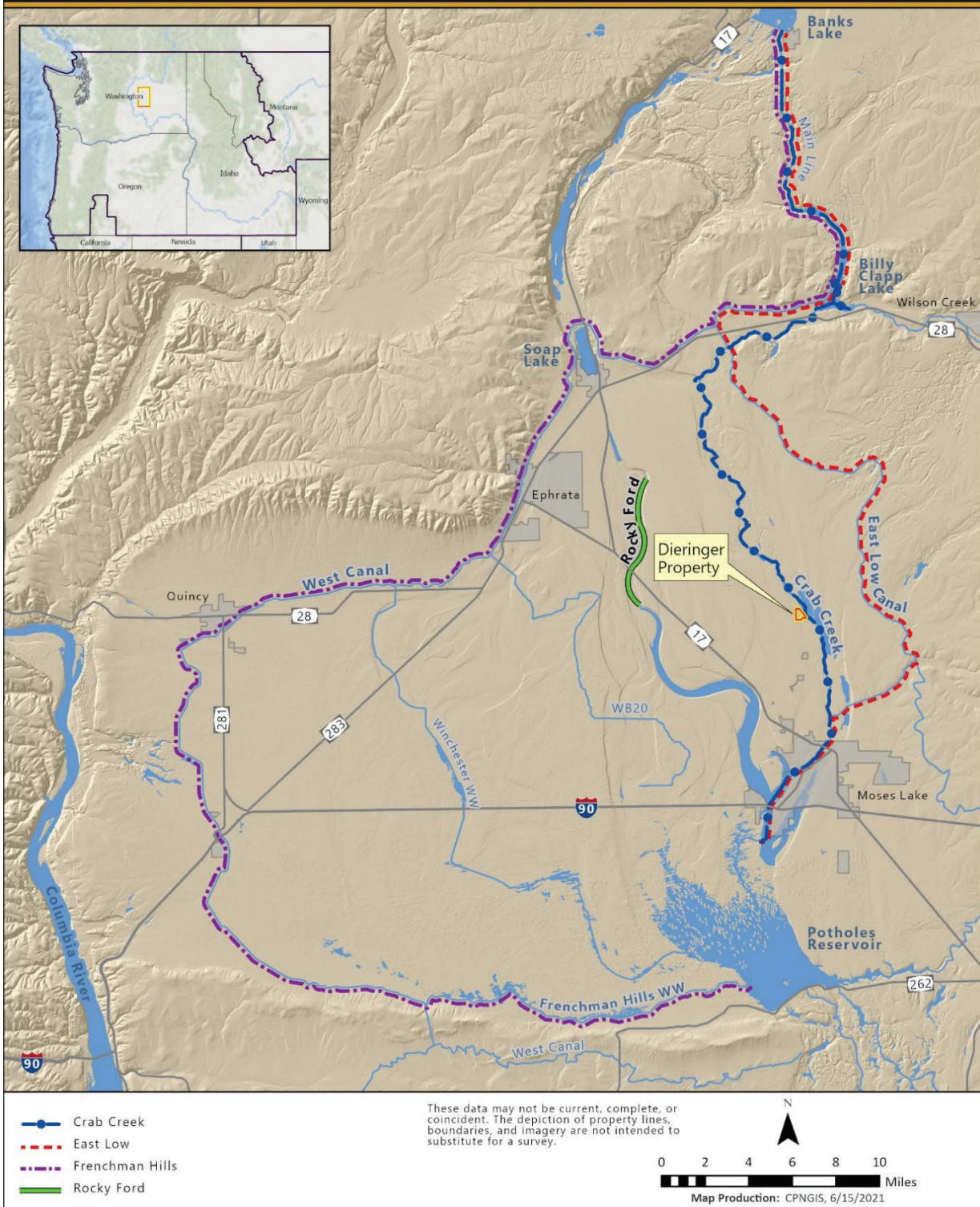


Figure 1. Overview of the PSFR; the Crab Creek portion of the PSFR will utilize the full length of Crab Creek to carry irrigation water to Potholes Reservoir

Alternatives

The EA analyzed the No Action alternative and an action alternative. These alternatives are briefly described below.

Alternative A – No Action

Under Alternative A, Reclamation would not acquire the Land Acquisition Parcel nor accept any financial responsibility for remediation or cleanup of the known contamination. The Property Owners would continue to reside on the parcel and operate their Dairy under their Milk Producer License from the Washington State Department of Agriculture and consistent with their Dairy Nutrient Management Plan (NMP) overseen by the Grant County Conservation District. The Property Owners would be responsible for working with Ecology to address the known contamination.

Alternative B – Acquisition of Grant County Parcel 170934000 (Acquisition)

Under Alternative B, federal acquisition of the Land Acquisition Parcel would typically include the following Reclamation actions:

- Acquisition of the Land Acquisition Parcel (Figure 2) under one of the authorized acquisition methods;
- Possible issuance of a short-term use authorization (license) for the Property Owners to continue to occupy the attached residence, operate their Dairy, salvage certain fixtures from, and/or conduct any required clean-up activities on the Land Acquisition Parcel;
- Payment under the Uniform Relocation Act for the Property Owners and tenant (and family) residential relocations and any eligible non-residential relocation benefits;
- Closure to use by the public; and
- Remediation of the Land Acquisition Parcel.



BUREAU OF RECLAMATION

LAND ACQUISITION PARCEL MAP

Columbia Basin Project - Grant County, WA



 Land Acquisition Parcel

Projection: WA State Plane; NAD83, South Zone
Cartography: Reclamation; CCA Office

Property: Grant County parcel database (2021)
Background: ESRI World Imagery Service (Clarity)

These data may not be current, complete, or coincident. The depiction of property lines, boundaries, and imagery are not intended to substitute for a survey.

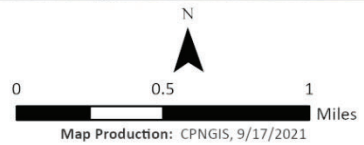


Figure 2. Location of the Land Acquisition Parcel

Decision and Finding of No Significant Impact

Reclamation has determined to implement Alternative B – Acquisition, based upon a review and evaluation of the information contained in the EA, as well as other documents and records affiliated with this proposal. Reclamation will accept the Land Acquisition Parcel with known contamination (See Section 3.3 of the EA) as well as accept clean-up responsibility for the identified RECs and concerns up to \$6 million and as specified in the Administrative Settlement and the Acquisition Approval Memorandum. The implementation of the Acquisition does not constitute a major federal action significantly affecting the quality of the human environment under CEQ’s revised NEPA regulations (40 CFR Parts 1500–1508, 2020). Reclamation arrived at this determination because Reclamation will continue to work with the Ecology’s Voluntary Cleanup Program (VCP) to remediate known hydrocarbon (petroleum) contamination found on the Land Acquisition Parcel to below Model Toxics Control Act (MTCA)¹⁰ cleanup levels.

Should the Property Owners reject Reclamation’s final offer to acquire the Parcel, Reclamation has determined condemnation would be pursued as a continuation of the acquisition process found in the principal authorities governing Reclamation land management and acquisitions as follows (other authorities can be found in Reclamation Manual Directives and Standards LND 06-01 and LND 08-02):

- The Reclamation Act of 1902 (Ch. 1093, 32 Stat. 388), and acts amendatory thereof and supplementary thereto;
- The Act of August 1, 1888 (25 Stat. 357; 40 USC 3113), and acts amendatory thereof and supplementary thereto; and
- Declaration of Taking Act of 1931¹¹ (46 Stat. 1421; 40 USC 3114), and acts amendatory thereof and supplementary thereto.

Reclamation would acquire the Land Acquisition Parcel through an eminent domain proceeding completed through the Department of Justice (DOJ). Acquisition would include Reclamation accepting financial responsibility of up to \$6 million to remediate/clean up the known contamination.¹² A Declaration of Taking would be filed with the DOJ, which initiates condemnation proceedings with the Court. Implementation of Condemnation does not constitute a major Federal action significantly affecting the quality of the human environment under CEQ’s

¹⁰ The MTCA is known as Washington’s environmental cleanup law, and Ecology oversees its implementation. The MTCA is found in Chapter 70.105D of the Revised Code of Washington (RCW).

¹¹ The federal government has the power to acquire private property for public use. The legislation related to this power is the Declaration of Taking Act of 1931. An acquisition under the Declaration of Taking Act of 1931 is done by condemnation. The condemnation or taking of the land is to be done in accordance with constitutional provisions and is carried out under the judicial process for the benefit of the public by the government.

¹² In accordance with Department of the Interior and Reclamation policy, Reclamation has received approval from the Assistant Secretary for Policy, Management and Budget to acquire the property with identified contamination and assume associated financial responsibility.

revised NEPA regulations (40 CFR Parts 1500–1508, 2020). Reclamation arrived at this determination because Reclamation will continue to work with of Ecology’s Voluntary Cleanup Program to remediate hydrocarbon (petroleum) contamination found on the Land Acquisition Parcel to below MTCA cleanup levels.

Potentially Affected Environment

In considering the potentially affected environment (Per 1501.3(b)(1)), Reclamation considered, as appropriate to the Proposed Action, the affected area and its resources (See Table 1).

Degree of Effect of the Action

In considering the degree of the effects (Per 1501.3(b)(2)), Reclamation considered the effects discussed below, as appropriate to the Proposed Action.

Short and Long-Term Effects

Table 1 presents a summary of impacts to resources for both alternatives. Acquiring the Land Acquisition Parcel will have long-term effects tied to the remediation of the hydrocarbon contamination, restoration of the parcel to a more natural state, and possible increased inundation rates with operation of the PSFR. The following resources will experience both short- and long-term effects: land use and agricultural setting, soils and geology, surface water, and wetlands. Following the acquisition, Reclamation will conduct an initial environmental compliance audit, and the Property Owners will participate in the Environmental Compliance Audit Program (ECAP). The Ephrata Field Office will manage the land in accordance with CBP land management practices and federal, state, and local laws as applicable.

The Property Owners and tenant (and family) will likely experience short-term effects due to relocation. The Property Owners may also experience short- or long-term effects with the relocation of the Dairy operations or the closure of the Dairy.

Beneficial and Adverse Effects

Selection of Alternative B will have beneficial effects tied to the remediation of the hydrocarbon contamination, restoration of the parcel to a more natural state, and possible increased inundation rates with operation of the PSFR. The following resources will experience beneficial effects: land use and agricultural setting, soils and geology, surface water, and wetlands.

Selection of the Alternative B will have adverse impacts to the Property Owners associated with relocating or closing their Dairy operations. Based on the analysis, using the loss of the Dairy as the worst-case scenario, the impact will be localized to the Property Owners and the tenant (and family). Under the Uniform Relocation Act, the Property Owners are eligible for both residential and non-residential benefits, and the tenant (and family) are eligible for residential benefits.

Selection of Alternative B will result in the displacement of a minority family residing on the Land Acquisition Parcel. However, the family will be eligible to receive relocation benefits in accordance with the Uniform Relocation Act, which includes compensation and assistance for finding

comparable housing. Therefore, the family will be fairly compensated for the impact of displacement.

Effects on Public Health and Safety

Selection of the Proposed Action Alternative will not modify or impact public safety, access, and transportation, or affect minority or low-income populations as a result of title transfer.

Hydrocarbon contamination is localized to the Land Acquisition Parcel and has not been detected in groundwater. Reclamation will work with Ecology's VCP to remediate the Land Acquisition Parcel in compliance with federal, state, and local laws until receipt of a No Further Action Opinion.

Effects that would Violate Federal, State, Tribal, or Local Law Protecting the Environment

Selection of the Proposed Action will not violate any federal, state, local, or Tribal law, regulation, or policy imposed for the protection of the environment. The Confederated Tribes of the Colville Reservation and the Confederated Tribes and Bands of the Yakama Nation were consulted to the extent practicable and consistent with other acquisitions associated with the PSFR. The Tribes have not identified any historic properties, Indian Trust Assets, or Indian sacred sites that will be affected by the acquisition of the Land Acquisition Parcel.

Any future undertakings on the Land Acquisition Parcel, including decommissioning of existing facilities, will be subject to National Historic Preservation Act (NHPA) Section 106 review requirements once further actions are determined on the Land Acquisition Parcel. In addition, as remediation or restoration actions are contemplated and more clearly identified, Reclamation will evaluate the need for completing additional NEPA compliance.

Cumulative Effects

"Cumulative impact" was defined in CEQ's 1978 NEPA implementing regulations, at 40 CFR 1508.7, as the "impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions." CEQ issued updated NEPA implementing regulations on July 16, 2020 which eliminated the definition of "cumulative" impacts and sought to clarify the meaning of "effects," consistent with the Supreme Court's holding in *Public Citizen*, 541 U.S. at 767-68, as those reasonably foreseeable and having a reasonably close causal relationship to the proposed action or alternatives. This section provides discussion of cumulative impacts consistent with both regulations.

Reclamation is pursuing other actions, identified specifically or generally in the PSFR EA, to prepare for the implementation of the PSFR. Reclamation is reviewing each PSFR project against the PSFR EA to determine if NEPA coverage exists for the undertaking; if not, Reclamation is completing NEPA compliance for the specific undertaking prior to implementation. Some of the work underway involves construction of an interceptor drain and gates at the Troutlodge Fish Hatchery; analysis, design, and future construction to mitigate for elevated groundwater levels at the Port of Moses Lake; channel modification work along the west channel of Crab Creek; monitoring and

forecasting work; and a handful of land acquisitions. The aforementioned actions are consistent with the full buildout of the PSFR and would be foreseeable under all alternatives presented in this EA. Given the localized impacts of contamination on the Land Acquisition Parcel and Reclamation's intent to remediate, Reclamation does not anticipate modifications or additional impacts to resources. The reasonably foreseeable future impacts would be the same for all alternatives.

Reclamation has completed a majority of the land acquisitions in support of the PSFR. Reclamation evaluated each acquisition to determine compliance with the PSFR EA and completed additional NEPA, if necessary, for these acquisitions. If additional actions were required for an acquired property, such as building disposal, the appropriate level of NEPA and supporting analysis, such as cultural resources and evaluation of hazardous materials, was conducted prior to implementation of the required actions. These acquisition actions are consistent with the full buildout of the PSFR and would be foreseeable under all alternatives. The impacts of these past acquisitions were covered in the PSFR EA and would be the same for all alternatives.

Table 1. Summary of impacts to resources for Alternative B

Resource	Summary of Resource Impacts
Land Use and Agricultural Setting	Reclamation anticipates indirect long-term beneficial effects on the Land Acquisition Parcel as a result of acquiring and returning the parcel to a more natural state through remediation, restoration, and implementation PSFR operations. The license will require the Property Owners to comply with all federal, state, and local laws, including the Dairy's Milk Producer License and NMP, no new impacts are expected. With Reclamation's acquisition of the Land Acquisition Parcel and issuance of a license, land use will become subject to federal oversight and additional laws and regulations, including Reclamation's ECAP. Reclamation will undertake remediation and restoration actions and will evaluate the need for additional environmental compliance once additional actions are determined.
Hazardous and Toxic Materials	Short-term effects are expected as Reclamation works with the VCP to remediate the hydrocarbon contamination. Approval for the acquisition has been obtained in accordance with Departmental Manual 602, Chapter 2. As a condition of the license, Reclamation will require the installation of secondary containment for the three above-ground storage tanks (ASTs). With Reclamation's acquisition of the land and any issuance of a license, the use of the land will become subject to federal oversight and additional laws and regulations, including Reclamation's ECAP. The first ECAP audit will most likely occur within a month of Reclamation taking title.
Soils and Geology	Soil contamination with hydrocarbons above MTCA cleanup levels was identified in three locations on the property: at the ASTs, at the manure handling system, and in the sludge of the effluent lagoons. Additional sampling may be required to verify subsequent test results. Contaminated soils will require remediation. Reclamation has received Department of the Interior approval to acquire with known contamination and accept financial responsibility to remediate it. Reclamation will work with Ecology under the

Resource	Summary of Resource Impacts
	VCP until a No Further Action opinion is issued for the Land Acquisition Parcel.
Surface Water Resources	<p>Surface water quality will improve over time under Alternative B. The number of coliform bacteria present in the surface water will decrease after the cattle are removed from the Land Acquisition Parcel. Surface water quality will likely improve once the Dairy is decommissioned and once nutrients are no longer stored on or applied to the land. The elimination of heavy livestock grazing will also likely improve soil stability and reduce erosion. PSFR flows through Crab Creek will likely increase the inundation rate and size of the emergent wetland on the Land Acquisition Parcel. Over time, it is possible that because of the hydrologic connectivity to Crab Creek, and the additional flow, the wetland may become a permanent wetland rather than an ephemeral (seasonal) wetland. Reclamation will identify any improvements needed to operate the PSFR. This may include seeding, drainage or channel improvements, and noxious weed treatments. The types of improvements needed for the Land Acquisition Parcel cannot be fully identified until after acquisition. These improvements may result in temporary impacts to water quality due to construction. Redamation will evaluate the need for additional environmental compliance once additional actions are determined.</p>
Groundwater Resources	<p>Groundwater on the site is within regulatory standards, indicating the groundwater beneath the property presents little environmental risk to the property itself or downgradient properties (White Shield 2020a). Reclamation anticipates that the groundwater quality will remain unchanged or improve slightly under Alternative B. Once the Dairy was decommissioned, groundwater quality (e.g., nitrate concentrations) might improve because nutrients will no longer be stored on or applied to the Land Acquisition Parcel. PSFR flows through Crab Creek will likely increase the inundation rate and size of the emergent wetland on the Land Acquisition Parcel.</p>
Wetlands	<p>Reclamation anticipates no change to the wetland during continued Dairy operations and decommissioning, and remediation actions. Long-term beneficial effects are expected after implementation of the PSFR. PSFR flows through Crab Creek will likely increase the inundation rate and size of the emergent wetland on the Land Acquisition Parcel. Over time, it is possible that because of the hydrologic connectivity to Crab Creek, and the additional flow, the wetland may become a permanent wetland rather than an ephemeral (seasonal) wetland. Benefits of a year-round wetland would include water filtration and storage, processing of nutrients (e.g., carbon), stabilization of shorelines, and support of plants and animals. Large numbers of waterfowl utilize the wetlands in the Crab Creek reach. Reclamation will work with Ecology's VCP to design a remediation plan for the Land Acquisition Parcel that included protection of WOTUS, including the emergent wetland.</p>

Resource	Summary of Resource Impacts
Cultural Resources	Reclamation's acquisition of the Land Acquisition Parcel and issuance of a license for occupancy will have no effect upon historic properties and qualifies for a Finding of No Potential to Cause Effects as specified in Item Number 20 ¹³ of the Reclamation "NoPE List." ¹⁴ Stipulations pertaining to cultural resources will be included in any license. Any future undertakings on the Land Acquisition Parcel, including decommissioning of existing facilities, will be subject to NHPA Section 106 review requirements.
Indian Trust Assets	No ITAs were identified within a 25-mile radius of the Land Acquisition Parcel; therefore, there will be no impacts on ITAs.
Indian Sacred Sites	The Tribes have not identified any religious or ceremonial sites in the general area around the Land Acquisition Parcel; therefore, there will be no impacts to Indian sacred sites.
Visual and Aesthetic Resources	Initially, views will remain unchanged from current conditions. Once initiated, Dairy decommissioning, remediation, and restoration actions may be visible. Large equipment is commonly visible and associated with the agricultural community, so its presence would not be atypical of other actions occurring within the community. Reclamation's full restoration plans are currently undefined; however, the intent is to return the Land Acquisition Parcel to a more natural state. Reclamation will evaluate the need for additional environmental compliance as restoration plans are developed.
Air Quality, Odor, and Greenhouse Gases	Direct emissions from dairy cattle represent 1.2 percent of total U.S. greenhouse gas (GHG) emissions; the GHG emissions that the Dairy operations produce is nominal and insignificant on a national and local level. It is expected that there will be less dust, odors, and GHG emissions with the cattle removed from the Land Acquisition Parcel; however, the change to air quality, odors, or GHGs will be nominal and insignificant. Fugitive dust may increase and be localized when vehicles or equipment are entering and exiting the Land Acquisition Parcel on dirt roads during decommissioning and remediation actions.
Environmental Justice and Socioeconomics	For analysis purposes, the Dairy was assumed to go out of business. This assumption allowed evaluation of a worst-case scenario. This worst-case scenario may not occur.

¹³ NoPE List, Item Number 20. Acquisition of land or easements for Reclamation purposes.

¹⁴ Creation of the no potential to cause effects list (NoPE list) of undertakings is intended to expedite the Section 106 compliance process by documenting a set of agency actions (undertakings) that will not affect historic properties. The NoPE list frequently indicates that a specific exemption will apply when the undertaking occurs "within previously disturbed areas." The definition for "previously disturbed areas" means an area where past construction or operation and maintenance activity is sufficient in severity and extent to have destroyed the physical nature and integrity of an historic property, assuming such properties are, or were, present prior to the disturbance. The NoPE List was finalized in September 2007.

Resource	Summary of Resource Impacts
	<p>The Property Owners and tenant (and family) will receive payment under the Uniform Relocation Act for residential relocation and any eligible non-residential relocation benefits.</p> <p>The Dairy may cease operations indefinitely or reopen later in a new location. The Property Owners' Dairy is estimated to be 2 percent of Grant County's dairy farming industry; its loss is expected to have negligible adverse impacts. Alternative B is expected to have no significant socioeconomic impacts.</p> <p>A minority family residing on the Land Acquisition parcel will be displaced. However, the family will be eligible to receive relocation benefits in accordance with the Uniform Relocation Act, which includes compensation and assistance for finding comparable housing. Therefore, the family will be fairly compensated for the impact of displacement.</p> <p>Loss of the Dairy is not expected to have adverse impacts on low-income groups. No disproportionately high and adverse human health or environmental effects on minority, Tribal, or low-income populations are expected. No impacts on population, housing, public services, or human health are expected. It is not anticipated that property will be used by the public, at least initially, or be involved in economic activity.</p>
Threatened and Endangered Species	<p>Reclamation analyzed the impacts of the PSFR on threatened and endangered species, in compliance with Section 7 of the Endangered Species Act (ESA), in the 2007 PSFR EA and determined that implementation of the PSFR will have no impact on Upper Columbia spring Chinook salmon (<i>Oncorhynchus tshawytscha</i>), Upper Columbia steelhead (<i>Oncorhynchus mykiss</i>), pygmy rabbit (<i>Brachylagus idahoensis</i>), bull trout (<i>Salvelinus confluentus</i>), and Ute ladies'-tresses (<i>Spiranthes diluvialis</i>). The alternatives were reviewed in context of the ESA conclusions from the 2007 PSFR EA, with consideration given to any potential new or unforeseen impacts related to the current proposed action. After this review, there are no new, different, or previously unconsidered impacts. The proposed actions will have no impact on Endangered Species Act-listed threatened and endangered species or associated critical habitat.¹⁵</p>
State Species of Concern	<p>The Gloyd Seeps area is important for the northern leopard frog (<i>Rana pipens</i>) as it contains the only three confirmed occurrences of this species in the State of Washington since 1995 (Germaine and Hays 2007). The most recent occurrence was found in 2003, approximately 4.5 miles north of the Land Acquisition Parcel. The alternatives will have no impact on the northern leopard frog. There are no new, different, or previously</p>

¹⁵ Reclamation consulted on the effects to aquatic listed species and designated critical habitat caused by CBP withdrawals of water from and return flows to the Columbia River, including those that might enter and leave the PSFR, under the Columbia River System Operations biological opinions. The Columbia River System includes Grand Coulee Dam, which includes among its many purposes serving as the primary diversion structure for the CBP. Reclamation is currently consulting with the U.S. Fish and Wildlife Service on the effects of CBP operations on ESA-listed terrestrial species and critical habitat.

Resource	Summary of Resource Impacts
	<p>unconsidered impacts. Reclamation continues to work with the Washington State Department of Fish and Wildlife to manage lands along Crab Creek, which may include methods to mitigate impacts caused by increased flows and exploring opportunities for habitat improvement (Reclamation 2007). Reclamation will evaluate the need for additional environmental compliance if additional actions are determined.</p>
Fish and Wildlife	<p>Reclamation analyzed fish and wildlife in the 2007 PSFR EA. There are no new, different, or previously unconsidered impacts. Reclamation continues to work with the Washington State Department of Fish and Wildlife (WDFW) to manage lands along Crab Creek, which may include methods to mitigate impacts caused by increased flows and exploring opportunities for habitat improvement (Reclamation 2007). Reclamation will evaluate the need for additional environmental compliance if additional actions are determined.</p>
Floodplains	<p>While the Land Acquisition Parcel was identified in the 2007 PSFR as experiencing increased ponding as a result of PSFR test flows, acquiring the parcel will have no impact on the floodplain. Reclamation will determine if floodplain modifications actions are needed for conveying PSFR flows and will evaluate the need for additional environmental compliance if additional actions are needed.</p>
Hydrology	<p>Reclamation analyzed the changes to the hydrology in the 2007 PSFR EA. There are no new, different, or previously unconsidered impacts. Acquiring the Land Acquisition Parcel will have no impact on the hydrology.</p>
Vegetation including Invasive Species/Noxious Weeds	<p>Vegetation modifications were analyzed in the 2007 PSFR EA and included the removal or treatment of noxious weeds and revegetation of disturbed areas with native grasses, shrubs, and trees. A site visit was completed in early April 2020. At that time, heavy cattle grazing made it difficult to identify plants in the area. Reclamation will evaluate the existing site conditions once the cattle have been removed and vegetation is growing to assess the presence of noxious weeds and other vegetation. The need for additional environmental compliance will be evaluated as existing vegetation is known and as restoration actions are determined. As mentioned in the PSFR EA, Reclamation will work with WDFW to incorporate the Land Acquisition Parcel into the management plan, which includes invasive species/noxious weed controls.</p>
Paleontology	<p>No known paleontological resources exist on the Land Acquisition Parcel.</p>
Recreation	<p>Recreational use of the Land Acquisition Parcel does not currently exist outside of the Property Owners' use. The Land Acquisition Parcel will be closed upon acquisition due to the known RECs, the residential occupancy license, and the need for Reclamation to conduct remediation. Since public recreation does not currently exist on the Land Acquisition Parcel, a change in ownership and the closure of the property will not impact recreational opportunities. However, if the closure is later removed, recreational opportunities will be expanded to the Land Acquisition Parcel.</p>

Approved:

TALMADGE
OXFORD

 Digitally signed by TALMADGE
OXFORD
Date: 2021.11.19 10:43:59 -08'00'

Talmadge Oxford
Area Office Manager
Columbia-Cascades Area Office
U.S. Department of the Interior
Bureau of Reclamation
Columbia-Pacific Northwest Region

Date