

United States Department of the Interior
Bureau of Reclamation
Western Colorado Area Office
Grand Junction, Colorado

FINDING OF NO SIGNIFICANT IMPACT

CATTLEMAN’S DITCHES PIPING PROJECT, MONTROSE COUNTY, COLORADO

In accordance with the National Environmental Policy Act of 1969, as amended, and the Council on Environmental Quality’s Regulations for implementing the procedural provisions of the National Environmental Policy Act (40 CFR Part 1500-1508), the Bureau of Reclamation (Reclamation) has prepared an Environmental Assessment (EA) for the Cattleman’s Ditches Piping Project (Project) near Crawford, Colorado. The EA assesses a No Action alternative and a Proposed Action alternative. Based on the following, Reclamation has determined that the proposed action, with implemented environmental commitments, will not result in a significant impact on the human environment.

Background

Reclamation is working with the U.S. Department of Agriculture, the Bureau of Land Management (BLM), and the seven Colorado River Basin states through the Colorado River Basin Salinity Control Program to implement many salinity control projects on the Colorado River. The program’s overall goal is to cost-effectively reduce the amount of salinity in the Colorado River.

Reclamation’s Basinwide Salinity Control Program opened the program to competition through a “Funding Opportunity Announcement” process. New salinity control projects are funded through a cooperative agreement between Reclamation and the Project sponsor. The facilities will continue to be owned, operated, maintained, and replaced by the project sponsors.

Cedar Canon Iron Springs Ditch & Reservoir Company

The Cedar Canon Iron Springs Ditch & Reservoir Company (CCISDRC) of Crawford, Colorado is a private, non-profit, mutually funded irrigation company that manages several miles of conveyance ditches and canals in Montrose County, Colorado. CCISDRC has received a grant through Reclamation, in association with the Basinwide Salinity Control Program, aimed at reducing the amount of salt and selenium that reaches the Colorado River. The grant was awarded to CCISDRC for the improvement of 8.5 miles of Cattleman’s Ditches by piping the earthen laterals with a total of approximately 6.4 miles of buried irrigation pipe.

Purpose and Need

The Colorado River and its tributaries provide municipal and industrial water to about 27 million people and irrigation water to nearly four million acres of land in the United States, and another 2.3 million people and 500,000 acres in Mexico. Elevated salinity concentrations in the River are a major concern in both the United States and Mexico. Elevated salinity levels have impacts to agricultural, municipal, and industrial water users.

In June 1974, Congress enacted the Colorado River Basin Salinity Control Act (Salinity Control Act), Public Law 93-320, which directed the Secretary of the Interior to proceed with a program to enhance and protect the quality of water available in the Colorado River for use in the United States and Republic of Mexico. In October 1984, Congress amended the original act by passing Public Law 98-569 to address wildlife habitat issues, including fish and wildlife values foregone, project funding, and operation and maintenance of habitat.

Public Law 104-20 of July 1995 authorizes the Secretary of the Interior, acting through the Bureau of Reclamation, to implement a basinwide salinity control program. The Secretary may carry out the purposes of this legislation directly, or make grants, enter into contracts, memoranda of agreement, commitments for grants, cooperative agreements, or advances of funds to non-federal entities under such terms and conditions as the Secretary may require. The need and purpose for the proposed action is salinity control in the Colorado River Basin, in compliance with the Salinity Control Act, as amended.

Scoping/Public Involvement

Reclamation's scoping was primarily limited to the Cedar Canon Iron Springs Ditch & Reservoir Company, U. S. Bureau of Land Management (BLM), U. S. Fish and Wildlife Service (FWS), U.S. Army Corps of Engineers, Colorado Parks and Wildlife, Colorado Water Conservation Board, and the Colorado Historic Preservation Officer. Reclamation had previously funded similar irrigation system improvements in the Crawford area, and previous EAs were also used as a source to identify potential issues and concerns. A draft EA was prepared and distributed on July 16, 2015, to 21 local, state, and federal agencies and organizations, and 33 property owners within ½ mile of the Cattleman's Ditches.

Two comments on the Draft EA were received by Reclamation.

No Action Alternative

Under the No Action Alternative, Reclamation would not authorize funding to CCISDRC to pipe the Cattleman's Ditches. Irrigation practices and seepage from these structures would continue to contribute to salt and selenium loading in the Colorado River basin. Riparian and wetland habitats associated with the ditches would likely remain in place and continue to provide benefits to local wildlife.

Proposed Action Alternative

Under the Proposed Action Alternative, Reclamation will provide funding to CCISDRC to pipe approximately 8.5 miles of open irrigation ditches. It is anticipated that implementation of the project will result in a total annual reduction of 1,855 tons of salt in the Colorado River. Reclamation's funding would also be used to develop replacement wildlife habitat as required by the Salinity Control Act.

Summary of Findings

Reclamation conducted an analysis on a wide range of factors for the No Action and Proposed Action alternatives. Below is a summary of the analysis as discussed in the EA.

The No Action Alternative does not meet the purpose and need as described above.

Under the Proposed Action, Reclamation will approve funding for the Cattleman's Ditches Piping Project, which includes the replacement of approximately 8.5 miles of existing earthen canal with pipe. Summaries of predicted impacts (both beneficial and negative) on environmental resources are discussed below.

Indian Trust Assets and American Indian Sacred Sites

No Indian Trust Assets have been identified within the Project area. No American Indian sacred sites are known within the Proposed Action Area. Neither the No Action Alternative, nor the Proposed Action, will impact Indian Trust Assets or American Indian sacred sites.

Environmental Justice

The Proposed Action would not involve any relocations, health hazards, hazardous waste, property takings, or substantial economic impacts. Neither the No Action Alternative, nor the Proposed Action, would have disproportionately high or adverse human health or environmental effects on minority or low-income populations.

Water Rights and Uses

The Proposed Action would provide for improved system management; however, no changes in water uses are anticipated. The Proposed Action does not include new storage or the irrigation of new lands. Water rights would not be adversely affected.

Water Quality

Implementation of the project is predicted to result in improved water quality. The off-farm improvements included in the Proposed Action are estimated to reduce 1,855 tons of salt annually in the Colorado River. Improvements would also reduce selenium loading in the Gunnison River, although those benefits have not been quantified. Temporary impacts to water quality may occur during construction if culverted embankment crossings are constructed while surface water is flowing in the seasonal and ephemeral drainages; however, this construction is expected to take place during Fall and Winter 2015, when no water is flowing in the stream channels.

Air Quality

The Proposed Action would have a minor, short-term effect on air quality as a result of dust and exhaust which may be created by construction equipment. There would be no long-term impacts from the Proposed Action.

Access, Transportation, & Public Safety

Implementation of the Proposed Action would create minor, temporary delays on local public roadways from construction traffic entering existing roadways. There would be a temporary, brief closure of Colorado Highway 92 to vehicles for two open cut crossings, which could affect emergency vehicle passage. The road closure will be coordinated with the Colorado Department of Transportation and local law enforcement and emergency services. Timing of the cut crossing construction would need to be sensitive for livestock trailing periods.

Recreation Resources

There may be a temporary, short-term disruption of recreational uses, such as big game hunting on BLM lands in and near the Proposed Action Area, due to construction noise and activity. The

level and nature of public use of the BLM lands involved in the Proposed Action Area is unknown, but is expected to be low due to the lack of developed public access routes directly to the Proposed Action Area.

Visual Resources

There would be a short-term temporary effect during construction (i.e. the presence of equipment, spoil piles, etc), with revegetation commencing following completion of the Project. Once vegetation is successfully re-established, the appearance and character of the Project Area landscape would be similar to its appearance and character prior to construction. Any change in visual resources will be low to moderate, and not out of character with the surrounding landforms, or with the rural-agricultural character of the vicinity.

Livestock Grazing

While there would be a temporary effect to livestock grazing during construction, no lands capable of providing grazing will be permanently lost. The Proposed Action may result in a small increase in lands capable of providing livestock grazing by filling and vegetating the ditch prisms. The Proposed Action is proposed to take place on BLM land mostly outside the cattle allotment grazing timeframe. Project personnel will coordinate with the grazing permit holder(s) to avoid conflicts with grazing operations. A livestock water source will be permanently lost on the allotments due to the Proposed Action due to piping of the currently open irrigation ditches.

Vegetative Resources / Habitat

There would be short-term impacts to vegetation where construction would occur in upland areas. Following surface disturbance, appropriate reclamation procedures would be followed in order to revegetate disturbed areas and control noxious weed infestations. Implementation of the Proposed Action would result in the estimated long-term loss of 15.66 habitat value units, due to elimination of seepage from the involved ditch alignments. A Habitat Replacement Plan would be implemented to mitigate for the habitat value lost because of the Proposed Action.

Wildlife Resources

Upland wildlife habitat impacted by the Proposed Action would result in minor temporary impacts to wildlife species within the Project Area. Impacts to big game would include short-term disturbances and periodic displacement while construction is underway. The Proposed Action would remove a source of big game drinking water from the area by decommissioning the ditches that carry non-irrigation season stock water. Impacts to raptors and other bird species would include minor short-term disturbance and displacement during construction, with no long-term impacts after construction. Construction would occur during the period of early Fall 2015 through early Spring 2016, which is outside the nesting season of most species.

Impacts to small animals could include direct mortality and displacement during construction activities. However, the species and habitats that would be impacted are relatively common throughout the area and any loss of individuals and habitat would be minor and temporary.

Bird and amphibian species dependent on wetland and riparian habitat would experience a long-term loss of habitat. A Habitat Replacement Plan would be implemented to mitigate for the long-term loss of riparian and wetland habitat due to the Proposed Action.

Threatened and Endangered Species

The Proposed Action Area lies within designated critical habitat for Gunnison sage-grouse, but not within currently occupied range. Short-term reclaimable impacts would occur to potentially suitable habitat / critical habitat for sage-grouse. Reclamation consulted with the Fish and Wildlife Service regarding impacts to endangered Colorado River fishes and the Yellow-billed cuckoo (*Coccyzus americanus*). In a memorandum dated August 26, 2015 (ES/CO: BR TAILS 06E24100-2015-F-0178), the Fish and Wildlife Service concurred with Reclamation's determination that the proposed action may affect, but is not likely to adversely affect the Yellow-billed cuckoo. The Fish and Wildlife Service also concurred that the proposed action may affect, and is likely to adversely affect the endangered Colorado River fishes, however, the Upper Colorado River Endangered Fish Recovery Program serves as mitigation for impacts to the Colorado River endangered fishes, as identified by the 2009 *Final Gunnison River Basin Programmatic Biological Opinion* (PBO). To ensure their depletions are covered under the umbrella of the PBO, CCISDRC entered into a Recovery Agreement with FWS on August 26, 2015. The Proposed Action would improve water quality for the endangered fishes by contributing to the reduction of selenium loading in the Gunnison and Colorado rivers. The proposed action would have no effect on other listed species.

BLM Sensitive Species

Implementation of the Proposed Action would result in temporary disturbance due to construction activities in winter foraging in irrigated fields for ferruginous hawk and bald eagle, in pinyon-juniper woodlands for northern goshawk, and in early breeding season peregrine falcon foraging. These raptors are spatially flexible in their winter foraging patterns and are expected to avoid the Proposed Action Area during construction. Brewer's sparrow may find nesting habitat in the Proposed Action Area, although the timing of nesting is not expected to correspond with construction timing. Brewer's sparrows, American white pelican, and white-faced ibis may be incidental migratory visitors, and can be expected to avoid the Proposed Action Area during construction. BLM Sensitive bat species could be temporarily displaced by construction activities. Relatively little upland shrubs or woodlands serving as foraging habitat for bats will be lost as a result of the Proposed Action. BLM Sensitive snakes could be affected by project construction. Hibernating northern leopard frog may be present during construction, and implementation of the Proposed Action will result in the loss of their breeding habitat. To the extent that the loss of riparian or wetland habitat will affect foraging opportunities for BLM Sensitive snakes or the northern leopard frog, these habitat losses will be mitigated by the creation of a Habitat Replacement Site.

Cultural Resources

Implementation of the Proposed Action would result in an adverse effect to involved segments of the ditch system, which have been determined eligible to the National Register of Historic Places. Reclamation entered into a Memorandum of Agreement (MOA) with the Colorado State Historic Preservation Officer on June 28, 2015. The MOA includes stipulations to mitigate the adverse impacts to the cultural resources affected by the Proposed Action.

Agricultural Resources & Soils

The Proposed Action would result in a short-term temporary disturbance to agriculturally important lands, including Prime Farmland if Irrigated, Prime Farmland if Irrigated and Drained, Farmland of Unique Importance, and Farmland of Statewide Importance. No farmlands would

be permanently removed from production as a result of the Proposed Action, with the exception of an approximately 8 acre area on BLM land. In all proposed pipeline alignments, topsoil would be preserved and replaced on the ground surface following pipe installation, and then reseeded with appropriate seed mixes. A weed control program would be implemented in all areas of surface disturbance. Soil erosion from irrigation water conveyance would be significantly reduced where ditches are proposed for decommissioning or replacement with buried pipe. Efficiencies gained from the Proposed Action may result in a longer irrigation season, and potentially in increased agricultural productivity. No direct adverse effects on agriculturally significant lands are expected to occur due to implementation of the Proposed Action.

Cumulative Impacts

Cumulative impacts of past, present, and reasonably foreseeable future actions in and near the Proposed Action area would result in beneficial effects related to the reduction of salt and selenium loading in the Gunnison and Colorado river basins. Overall, cumulative impacts associated with other aspects of the Proposed Action and future projects would be minimal.

Environmental Commitments

The following environmental commitments will be implemented as an integral part of the Proposed Action, and shall be included in the contractor bid specifications.

Construction Access

- All construction activities would be confined to rights-of-way negotiated between the Company and the landowners. Construction staging (for pipe and equipment) will take place in several areas, as shown on Figures 2 and 3 in the Final EA.
- Environmental commitments regarding access will be included in BLM right-of-way authorizations, CDOT authorizations, and agreements with private landowners.

Water Quality

The following standard Best Management Practices (BMPs) and environmental commitments would be implemented to minimize erosion and protect water quality of downstream resources:

- Straw wattles, silt curtains, cofferdams, dikes, straw bales, or other suitable erosion control measures shall be used to prevent erosion from entering water bodies during construction.
- Culverted embankment fill creek crossings shall be conducted during periods when the watercourse is not flowing or flowing at low levels. If a small amount of flow is present, appropriate water control measures shall be employed, such as temporary impoundments or drain ditches, which allow for construction to proceed while minimizing potential for mobilization of silt or erosion. Culverts shall be appropriately sized to allow for normal stream flow, and bedded and stabilized to prevent erosion. Embankments shall be stabilized and appropriately vegetated.
- Concrete pours shall occur in forms and/or behind cofferdams to prevent discharge into waterways. Any wastewater from concrete-batching, vehicle wash down, and aggregate processing shall be contained and treated or removed for off-site disposal.

- Fuels, lubricants, hydraulic fluids, and other petrochemicals shall be stored and dispensed in an approved staging area.
- Equipment shall be inspected daily and immediately repaired as necessary to ensure equipment is free of petrochemical leaks.
- Construction equipment shall be parked, stored, and serviced only at an approved staging area.
- A spill response plan shall be prepared in advance of construction by the contractor for areas of work where spilled contaminants could flow into water bodies. All employees and workers, including those under separate contract, shall be briefed and made familiar with this plan.
- A spill response kit, which includes appropriate-sized spill blankets, shall be easily accessible and onsite at all times.
- Onsite supervisors and equipment operators shall be trained and knowledgeable in the use of spill containment equipment.
- Appropriate federal and Colorado authorities (including BLM) shall be immediately notified in the event of any contaminant spill.

Abandoned Irrigation Facilities & Structures

- Pursuant to the Cooperative Agreement between the Company and Reclamation, the Company shall permanently dewater, remove from irrigation service, and render incapable of irrigation water delivery those open ditches abandoned as part of the Proposed Action.
- The Company shall be responsible for removing all decommissioned irrigation structures (head gates, drops, etc.) by methods described in the construction specifications provided to the contractor.

Ground Disturbances

The following BMPs and environmental commitments would be implemented to minimize and mitigate ground disturbances:

- Ground disturbances shall be limited to only those areas necessary to safely implement the Proposed Action.
- Vegetation removal shall be confined to the smallest portion of the Proposed Action Area necessary for completion of the work.
- Construction limits shall be clearly flagged onsite to avoid unnecessary plant loss or ground disturbance.
- Prior to construction, vegetative material shall be removed by mowing or chopping, and either hauled to a proposed staging area to be burned or chipped, or chipped and mulched onsite. Stumps shall be grubbed and hauled to a proposed staging area to be burned.
- Topsoil shall be stockpiled and then redistributed after completion of construction activities.

- Straw wattles, silt curtains, cofferdams, dikes, straw bales, or other suitable erosion control measures shall be used at the edges of ground disturbance to minimize soil erosion and prevent soil erosion from entering water bodies during construction.
- Following construction, all disturbed areas shall be smoothed, shaped, contoured and reseeded to as near to their pre-project conditions as practicable.
- Seeding shall occur at appropriate times with weed-free seed mixes per Reclamation specifications and the BLM right-of-way stipulations. Specifically, a BLM-prescribed seed mix shall be used to reseed all disturbances on BLM lands, and on private lands in Gunnison sage-grouse habitat (these areas shall be detailed in contractor specifications and/or construction drawings). On other disturbed areas, the “Stirrup Bar Ranch Seed Mix” developed by NRCS may be used.
- Weed control shall be implemented by the Company or the Company’s contractor in accordance with BLM right-of-way stipulations and current Montrose County weed control standards (Attachment H in Final EA).

Wildlife Resources

The following BMPs and environmental commitments would be implemented to minimize and mitigate disturbances to wildlife:

- Construction areas shall be confined to the smallest feasible area and within approved construction limits/rights-of-way to minimize disturbance to wildlife within the Proposed Action Area.
- Pipeline trenches left open overnight shall be kept to a minimum and covered to reduce potential for hazards to the public and to wildlife. Covers shall be secured in place and strong enough to prevent livestock or wildlife from falling through. Where trench covers would not be practical, wildlife escape ramps shall be utilized.
- Vegetation disturbing activities are currently not planned for implementation during the nesting season of migratory birds protected under the Migratory Bird Treaty Act. However, if the schedule for the Proposed Action shifts, and vegetation disturbing activities would occur during the nesting season of migratory birds, further conservation measures may be necessary to protect these species, such as pre-construction nest surveys.

Habitat Disturbance & Loss

The Salinity Control Act requires that no net loss of wildlife values result from projects under its authorization. With the assistance of Wildlife and Natural Resource Concepts & Solutions, LLC, the Company has developed a Reclamation-approved wildlife Habitat Replacement Plan to mitigate fish and wildlife values that would be foregone as a result of the Proposed Action. The Habitat Replacement Site location is on Hart Double H Ranch, less than one mile northeast of the Proposed Action Area (Figures 2 and 3 in Final EA). The complete Reclamation-approved Habitat Replacement Plan is provided in Attachment G in the Final EA.

- Habitat replacement would be implemented concurrently with or prior to the implementation of the Proposed Action. The Habitat Replacement Plan involves enhancing (improving the functions and values of) an existing approximately 14-acre

wetland and mesic meadow area. Improvements would include creating shallow emergent wetlands by excavating “potholes,” and planting a variety of native wetland and mesic shrubs and trees on site.

- Woody plantings would include species such as cottonwood, peachleaf willow, three-leaf sumac, wild rose, chokecherry, native plum, and silver buffaloberry. Woody plantings would be protected with 8-foot-tall big game fencing to exclude deer, elk, and cattle while the plantings are establishing. Wire mesh would be installed around the bases of woody plantings to protect them from small herbivores, until the plantings become established.
- A weed treatment program will be implemented to meet standards set by Montrose County (Attachment H in Final EA) and the State of Colorado.
- The Company will be responsible for maintaining the Habitat Replacement Site and ensuring the objectives of the Habitat Replacement Plan are met.

Federally-Listed Species

- If the schedule for the components of the Project affecting potential sage-grouse habitat shifts to the breeding or nesting periods of sage-grouse, the Company will contact FWS and CPW terrestrial biologists prior to construction to confirm the Proposed Action Area remains unoccupied by the species, and that a documented active lek does not lie within 0.6 mile of the Proposed Action.
- During construction in sagebrush areas, topsoil shall be saved and then redistributed after completion of construction activities, and disturbed areas shall be seeded with a suitable seed mix that is beneficial for grouse habitat (a BLM-prescribed mix of appropriate bunch grasses, forbs, and sagebrush).
- In the event that other listed species are encountered during construction, the Company shall stop construction activities until Reclamation has consulted with FWS to ensure that adequate measures are in place to avoid or reduce impacts to the species.

Cultural Resources

- Reclamation and the Colorado State Historic Preservation Office (SHPO) have entered into a Memorandum of Agreement (MOA) to mitigate the Proposed Action’s adverse effects to cultural resources (Attachment F in Final EA). The MOA commits Reclamation to complete historic resource documentation of the existing ditch and structures prior to construction activities in accordance with the guidance for Level I documentation found in “Historic Resource Documentation, Standards for Level I, II and III Documentation” (COAHP 2013). The Company and BLM are consulting parties in the MOA.
- In the event that cultural and/or paleontological resources are discovered during construction, the Company must stop construction activities until Reclamation has completed consultation with the SHPO and appropriate measures are implemented to protect or mitigate the discovered resource. The MOA must be fully executed prior to initiating construction activities for the Proposed Action.

Agricultural Resources & Soils

The following BMPs and environmental commitments would be implemented to minimize and mitigate impacts to agricultural resources and soils:

- During construction, topsoil shall be saved and then redistributed after completion of construction activities.
- Straw wattles, silt curtains, cofferdams, dikes, straw bales, or other suitable erosion control measures shall be used to minimize soil erosion and prevent soil erosion from entering water bodies during construction.
- All disturbed areas shall be smoothed, shaped, contoured and reseeded to as near their pre-project conditions as practicable.
- Lands previously in agricultural production shall be returned to agricultural production following construction, with the exception of the small currently irrigated meadow on BLM land (Figure 4a in Final EA).

Recreation & Visual Resources

The following BMPs and environmental commitments would be implemented to minimize and mitigate impacts on recreation and visual resources:

- During construction, individuals may be recreating on BLM land involved with the Proposed Action. Pipeline trenches left open overnight shall be kept to a minimum and covered to reduce potential for hazards to the public and to wildlife. Covers shall be secured in place and strong enough to prevent livestock, wildlife, or the public from falling through. Where trench covers would not be practical, wildlife escape ramps shall be utilized.
- Following construction, the Proposed Action Area shall be graded and vegetated to match the surrounding landscape as much as possible.

Livestock Grazing

The timing of grazing on the BLM cattle allotments would not largely coincide with construction of the Proposed Action; however, the following commitments shall be implemented to mitigate impacts to livestock grazing allotments:

- Notification to the grazing permit holder(s) shall be made if construction is to occur during a grazing period. Project personnel shall cooperate with the grazing permit holder(s) to avoid conflicts with grazing operations.
- Pipeline trenches left overnight shall be kept to a minimum to reduce potential entrapment of livestock.
- Construction holes or pipeline trenches left open overnight shall be covered. Covers shall be secured in place and strong enough to prevent livestock or wildlife from falling through. Where trench covers would not be practical, wildlife escape ramps shall be utilized.
- Access to the grazing allotments shall not be affected by the Proposed Action.

- Temporarily disturbed BLM lands shall be revegetated with a BLM-recommended seed mix containing grasses and forbs palatable for forage.

Hazardous Materials, Waste Management & Pollution Prevention

The following BMPs and environmental commitments would be implemented with regard to hazardous materials, waste management, and pollution prevention:

- The construction contractor shall transport, handle, and store any fuels, lubricants, or other hazardous substances involved with the Proposed Action in an appropriate manner that prevents them from contaminating soil and water resources.
- Portable secondary containment shall be provided for any fuel or lubricant containers staged on BLM land within the Proposed Action Area. Any staging of fuel or lubricants, or fueling or maintenance of vehicles or equipment, will not be conducted within 100 feet of any live water or drainage.
- A spill response plan shall be prepared for areas of work where spilled contaminants could flow into water bodies. All employees and workers, including those under separate contract, will be briefed and made familiar with this plan. The plan will be developed prior to initiation of construction.
- A spill response kit, which includes appropriate-sized spill blankets, shall be easily accessible and onsite at all times.
- Onsite supervisors and equipment operators shall be trained and knowledgeable in the use of spill containment equipment.
- All spills, regardless of size, shall be cleaned up promptly and contaminated soil shall be disposed of at an approved facility.
- Appropriate federal and Colorado authorities shall be immediately notified in the event of any contaminant spill. Any spills on BLM lands will be reported to BLM promptly. Any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any federal agency or state government as a result of a reportable release or spill of any toxic substances shall be furnished to BLM concurrent with the filing of the reports to the involved Federal agency or State government.

Sequence and Timing of the Proposed Action

The Proposed Action would take place between early Fall 2015 and early Spring 2016. The following provides an approximate outline of the sequence of construction, in order of priority of activities.

- Vegetation-disturbing activities occurring during the nesting season of migratory birds (April through July), sagebrush-disturbing activities during the breeding season of Gunnison sage-grouse (March through May), or sagebrush-disturbing activities during the nesting season of Gunnison sage-grouse (April through June) would require further

conservation measures prior to initiation (i.e., nest surveys for migratory bird species of concern and/or agency confirmation of sage-grouse non-occupancy).

- Colorado Highway 92 crossings will be completed prior to livestock trailing season (prior to mid-October).
- Buried pipe alignments outside the existing ditch prism (i.e., “overland” pipe alignments), including the culverted embankment fill creek crossings, to be completed prior to March 2016.
- Buried pipe alignments in existing the existing ditch prism, to begin as soon as possible with the irrigation off season (approximately October 1), with work prioritized in the south part (higher elevation part) of the Proposed Action Area, to be completed prior to the 2016 irrigation season.
- Decommission and/or backfill abandoned canals and irrigation structures and conduct final mop-up, with work prioritized in the south part (higher elevation part) of the Proposed Action Area, to be completed prior to the 2016 irrigation season.

Permits, Licenses and Approvals Needed to Implement the Proposal

The following permits, licenses, or approvals (and their statuses) are needed to implement the Proposed Action:

- BLM Right-of-Way Permit, application in progress by the Company.
- Right-of-Way approvals from private landowners with land involved in the Proposed Action, obtained by the Company.
- Stormwater Management Plan, to be submitted to the Colorado Department of Public Health and Environment (CDPHE) by the construction contractor prior to construction disturbance.
- CWA Section 402 Storm Water Discharge Permit compliant with the National Pollutant Discharge Elimination System (NPDES), to be obtained from CDPHE by the construction contractor prior to construction disturbance (regardless of whether dewatering would take place during construction).
- CDOT Highway Right-of-Way Permit, to be obtained by the construction contractor prior to constructing the open cut pipeline crossing of Colorado Highway 92.
- Traffic control measures, to be coordinated by the construction contractor with CDOT, Montrose County Sheriff, and emergency services, prior to constructing the open cut pipeline crossing of Colorado Highway 92
- Utility clearance, obtained by the Company from Western Area Power Authority for work near the high-voltage powerline corridor in the Proposed Action Area. Work approaching WAPA structures or overhead lines closer than 15 feet is not permitted.
- Utility clearances, to be obtained by the construction contractor prior to construction activities from Delta Montrose Electric Association, Cathedral Domestic Water Company, Fruitland Domestic Water Company, and any other utility in the area.

- Montrose County Road & Bridge clearance, to be obtained by the Company / construction contractor prior to crossing Clear Fork Road with buried pipeline or installing buried pipeline in the county road corridor.
- CWA Section 401/404: Because the Proposed Action is exempted from CWA Section 404, no Clean Water Act Section 401 Water Quality Certification would be required; however, water quality BMPs (as outlined above) would be implemented to protect water resources.


Conclusions

Based on the analysis of environmental impacts, coordination with the U.S. Bureau of Land Management, U.S. Fish and Wildlife Service, and other local, state, and Federal agencies, and a review of comments received, Reclamation concludes that implementation of the Cattleman’s Ditches Piping Project will not result in significant impacts on the quality of the human environment or the natural resources in the project area.

This Finding of No Significant Impact has, therefore, been prepared and is submitted to document environmental review and evaluation of the proposed action in compliance with the National Environmental Policy Act of 1969, as amended.

Signatures

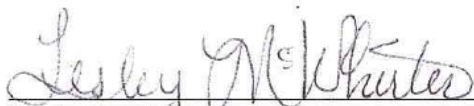
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Sept. 18, 2015
Date

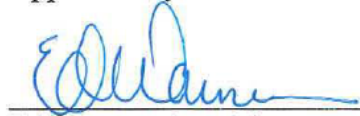
Reviewed By:



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9-18-15
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