

U.S. Department of the Interior
Bureau of Reclamation
Western Colorado Area Office

FINDING OF NO SIGNIFICANT IMPACTS

For The
Environmental Assessment
Of the
La Plata West Water Authority's Raw Water Project

Approvals:

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8/18/16
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Grand Junction, CO

8/19/16
Date



In compliance with the National Environmental Policy Act of 1969 (NEPA), as amended, the U.S. Bureau of Reclamation (Reclamation), Western Colorado Area Office (WCAO), has conducted an environmental assessment (EA) of a proposed action to determine if the action would have any potentially significant impacts. La Plata West Water Authority (LPWWA) has a license agreement with the Bureau of Reclamation (Reclamation) for phased construction, operation and maintenance of a rural domestic water system (RDWS). The first phase of the water system included construction of the water intake and associated facilities, and was completed prior to reservoir filling at Lake Nighthorse, which began in 2009. The Proposed Action is for the next phase of the water system, which includes a 4.6-mile-long pipeline and associated facilities to transport raw water from Lake Nighthorse to Lake Durango in La Plata County, Colorado (Project). Reclamation is the lead federal agency under the NEPA because of the location of the Project. Reclamation's Western Colorado Area Office (WCAO) is the approval agency for issuing the license agreement and NEPA compliance.

The EA was prepared by SWCA Environmental Consultants to address the impacts of construction for the proposed action in accordance with NEPA guidelines. The Draft EA was posted on Reclamation websites, and letters of notification were mailed to potential reviewers and commenters. This public notice process elicited only two comment letters. Colorado Parks and Wildlife provided some guidance on measures to reduce impacts to wildlife affected by the project. These measures would be employed during the construction process. The Southern Ute Indian Tribe provided comment on process items that have been incorporated into the project record.

The Proposed Action and Alternatives

The EA analyzed the no action alternative and the proposed action alternative of construction and operation of the LPWWA Raw Water Project. Construction would consist of disturbing a 50 foot-wide corridor through Reclamation and private lands along the proposed pipeline alignment which is 4.6 miles in length. The Proposed Action also includes construction of a structure at the site of the existing intake, a booster station, an access road, and buried electrical line, as well as installation of fish screens on two existing underwater intake openings. The EA also analyzed the effects of a connected action, the construction and operation of an overhead electrical distribution line. Construction is anticipated to occur from mid-2016 to 2017. The proposed action pipeline would transfer water from Lake Nighthorse to Lake Durango, in total the proposed action would disturb approximately 26 acres.

The proposed alignment chosen for the pipeline route has been derived from various alternative route considerations – the originally proposed alignment was modified in several locations to avoid impacts to cultural resources and other sensitive areas.

Related NEPA Documents

Lake Nighthorse is a feature of the Animas-La Plata (ALP) Project, constructed and operated by Reclamation. ALP Project lands have been studied within the Final Supplemental Environmental Impact Statement for the Animas-La Plata Project (FSEIS), signed in 2000. This Proposed Action to construct and operate the raw water pipeline is related to the existing license agreement governing use of Reclamation lands for the phased construction, operation, and maintenance of an RDWS, including the existing intake on Lake Nighthorse. The existing license agreement for the intake (Phase 1) was analyzed in EA No. WCAO-DUR-02-2008 signed on September 12, 2008 (Reclamation 2008).

Summary of Impacts

Several issues were identified for analysis in the EA, the most crucial issues were: impacts to wetlands below Lake Durango; impacts to cultural resources, and impacts to wildlife, vegetation, and soils from ground disturbance and removal of vegetation. Site specific mitigation and avoidance for all of the above impacts has been developed in coordination with the proponent and relevant agencies. Mitigation plans for wetlands have been developed and would be implemented prior to the beginning of construction. Re-vegetation of the construction corridor and other soil stabilization techniques would be employed following construction to mitigate landscape ecology impacts. Cultural resources impacts to eligible sites have been fully avoided through minor adjustments to the route.

Determination of Impact Significance

After weighing values and considerations, as well as the potentially significant environmental effects analyzed in this EA along with the 2000 FSEIS and 2008 EA No. WCAO-DUR-02-2008, Reclamation has determined that this proposed action would not produce any new significant effects on the quality of the human environment as defined by 40 CFR 1508.2; and, thus no further NEPA documentation is needed. This finding is based on consideration of the context and intensity of impacts upon the human environment as summarized here:

Context

The project involves 4.6 miles of ROW on private lands and lands administered by Reclamation in southwest Colorado as shown on Figure 2.1 of the EA, which in this location does not have national, regional, or state-wide importance.

Intensity

The following analysis is organized around the 10 significance criteria described in the Council on Environmental Quality NEPA regulation at 40 CFR 1508.27. These criteria were considered in determining whether the project might induce new significant impacts not already described in the FSEIS.

1. Impacts may be both beneficial and adverse.

The proposed action would incur both beneficial and adverse impacts as described in the EA. None of the environmental effects, either beneficial or adverse, discussed in detail in the EA

are considered independently significant, nor do the effects exceed those described in the FSEIS.

2. The degree to which the selected alternative will affect public health or safety or a minority or low-income population.

The proposal will have no known negative significant impacts on public health or safety. No communities would be displaced under the Proposed Action, nor would the proposed action have a disproportionately high or adverse effect to low-income or minority populations. Minority or low income communities would be affected to the same degree as all populations living in La Plata County. Populations living near or commuting through the areas of construction would experience short-term construction-related impacts to the landscape and roadways that parallel the ROW. The main purpose of the project construction is to provide the primary beneficial effect of increasing potable water for this region of southwest Colorado. The water supply provided by the proposed pipeline would be a future benefit for all those living in the western portions of La Plata County.

3. Unique characteristics of the geographic area.

There are no park lands, prime farmlands, wild and scenic rivers, or ecologically critical areas that would be affected by the proposal. Two wetlands would be temporarily impacted during project construction; however upon completion of construction, these wetlands would be restored to existing conditions in accordance with the conditions detailed in the NWP 12 submitted to the USACE, and/or Reclamation provided guidance.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Reclamation contacted representatives of other federal agencies, state government agencies, Indian tribes, and individuals, and its effects on resources during the EA scoping period and coordination process. Coordination with these entities for this specific action was also conducted prior to issuance of the EA. In addition, this EA was released for a 30-day public review and no controversial comments were received. Based on these responses received, the effects of the Proposed Action on the quality of the human environment are not likely to be of greater controversy than as described in the EA.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

There are no predicted effects on the human environment that are considered highly uncertain or that involve unique or unknown risks. There is no new technology involved in planning or design, nor proposed construction methods not established in the industry.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

There are no foreseen future actions or considerations likely to occur from any precedent set by this action if environmental commitments provided in the EA are followed.

7. Whether the action is related to other actions which are individually insignificant but cumulatively significant.

Cumulative impacts of the Proposed Action were described in the EA. The proposed action does not create any new significant site-specific effects, nor contribute to cumulative significant effects not already described in the EA.

8. The degree to which the action may adversely affect sites, districts, buildings, structures, and objects listed in or eligible for listing in the National Register of Historic Places (NRHP).

A Class I archival records search was conducted through the Office of Archaeology and Historic Preservation (OAHP) and a Class III inventory of the area of potential effects was completed for the project. Eight cultural sites were identified during the Class III survey, of which four sites are recommended eligible for the NRHP, three are recommended not eligible, and one is recommended as "needs data." Three of the eligible sites and the site with undetermined eligibility are all located outside of the project area and would be avoided during construction. One eligible site is the historic lateral of the Pine Ridge Ditch. Any construction impacts to the ditch would be restored upon completing project construction. A Class I archival records search was conducted for the overhead portion of the proposed electrical distribution line. One NRHP-eligible site is located along the proposed alignment; however, this site will be avoided by design. No other impacts to resources eligible for listing in the NRHP are expected from the proposed action. Reclamation consulted with 24 Tribes and Pueblos about the undertaking, as well as with the Bureau of Indian Affairs and the State Historic Preservation Officers of both Colorado and New Mexico. Notice to proceed for groundbreaking activities is contingent on the successful completion of NHPA Section 106 consultation.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

As documented in the EA, the Proposed Action is not expected to adversely affect threatened or endangered species or their habitat within the project area. Construction activity impacts to the five special-status species that have the potential to occur within the proposed project area are not likely to result in a trend toward federal listing or loss of viability, provided the environmental commitments listed in the EA are implemented.

10. Whether the action threatens a violation of Federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment.

The project does not violate any federal, state, local, or tribal law, regulation, or policy imposed for the protection of the environment. In addition, this project is consistent with applicable land management plans, policies, and programs. Federal, State, and Local and tribal interests participated in the environmental analysis process.

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