

*Finding of No Significant Impact
For
Klamath Irrigation District Infrastructure Modernization Project
Klamath County, Oregon*

I. Introduction

The Klamath Irrigation District Infrastructure Modernization Project is a federally assisted action authorized for planning under Public Law 83-566, the Watershed Protection and Flood Prevention Act. This act authorizes the Natural Resources Conservation Service (NRCS) to provide technical and financial assistance to local project sponsors. The local sponsor of the Project is the Klamath Irrigation District (KID or the District).

This environmental document was initiated using the 40 CFR 1500-1508 (2020) and 7 CFR 650 regulations. These regulations have recently been rescinded and replaced with USDA regulations found under 7 CFR 1b. However, in a good-faith effort to fulfill NEPA's requirements, including Congressional timeline and considerations of fiscal restraints, the agency decided to continue to use 40 CFR 1500-1508 (2020) and 7 CFR 650. This is permissible per the USDA policy guidance issued in the Final Rule's preamble. The Federal Register notice said: "If an EA publishes to a USDA website within 45 calendar days of this final rule publishing, the USDA subcomponent has discretion to continue applying the versions of NEPA regulations being applied or to switch to applying 7 CFR 1b as published in this final rule." 91 FR 17062 (April 3, 2026). In the NRCS's expert opinion, it has thoroughly considered the factors mandated by the statute and the regulatory frameworks it used; and that, in the responsible federal official's judgment, the analysis contained herein is adequate to inform and reasonably explain findings regarding the proposed action and selected alternative.

An environmental assessment (EA), attached and incorporated by reference into this finding, was undertaken in conjunction with the development of the watershed plan (Plan). The Plan-EA was conducted in consultation with local, state, and tribal governments, federal agencies, and interested organizations and individuals.

II. Recommended Action

The proposed action under consideration would modernize irrigation infrastructure within KID. The proposed action would include construction activities associated with upgrading the Stukel and Adams Pumping Plants, lining portions of the Main D Canal and D-3 Lateral, and piping the D-2 Lateral, D-3 Lateral, D-12 Lateral including the D-12A and C spurs, D-14 Lateral, D-16 Lateral, D-16A Spur Lateral, D-18 Lateral, D-19 Lateral, and D-20 Lateral.

The purpose of the proposed project is to enhance agricultural water management by upgrading District infrastructure in a manner that improves water conveyance efficiency, improves drought resilience, and reduces damage to crops resulting from inconsistent water deliveries. Implementation of the Preferred Alternative would improve District water management operations, reduce KID operation and maintenance costs, and increase District water and energy efficiency.

I must determine if the Preferred Alternative will or will not be a major Federal action significantly affecting the quality of the human environment. The Plan-EA accompanying this finding has provided the analyses needed to assess the significance of the potential impacts from the selected alternative.

III. Alternatives

A large number of alternatives were initially considered. When formulating an alternative, it was analyzed for satisfaction of the purpose and need statement, and against four criteria: completeness, effectiveness, efficiency, and acceptability. Some of the initial alternatives considered did not meet the formulation criteria and were eliminated from further analysis (see the Plan-EA Appendix D). Alternatives that met the formulation criteria, but did not address the purpose and need for action, did not achieve the Federal Objective and Guiding Principles, or were unreasonable because of cost, logistics, existing technology, or social or environmental reasons were removed from consideration, as described in the Plan-EA Section 5.2.

The No Action Alternative and one Action Alternative (Modernization Alternative) were fully analyzed.

No Action Alternative – construction activities associated with the project would not occur and KID would continue to operate and maintain its existing system in the current condition. This alternative assumes that modernization of the District’s system to meet the purpose and need of the project would not be reasonably certain to occur. The No Action Alternative is a near-term continuation of the District’s standard operating procedures.

Modernization Alternative (Preferred Alternative) – KID would implement the proposed infrastructure improvements, which include:

- Adams Pumping Plant Pump Replacement (three pumps; 270 total HP): These pump

upgrades would include improvements such as replacement of the pump and motor, VFD installation, and traveling screen or trash rake installations.

- Stukel Pumping Plant Pump Replacement (three pumps; 500 total HP): These pump upgrades would include various improvements such as replacement of the pump and motor, VFD installation, and traveling screen or trash rake installations.
- Pipe the D-2 Lateral from just north of the Adams Pumping Plant to the end of the lateral (approximately 0.5 mile).
- Line the D-3 Lateral from just north of the Adams Pumping Plant to the end of the lateral (approximately 1.1 miles).
- Pipe the D-12 Lateral, including the D-12A and C spurs, from east of Adams Point along Highway 50 to the end of the lateral on Gaines Road (approximately 2.4 miles).
- Pipe the D-14 Lateral from east of Adams Point along Old Malin Highway (approximately 0.7 mile).
- Pipe the D-16 Lateral from east of Paygr Road and along Harpold Road (approximately 2.4 miles).
- Pipe the D-16A Spur Lateral from the D-16 Lateral from north of Jellnek Road and southward towards Highway 50 (approximately 1.2 miles).
- Pipe the D-18 Lateral from east of Harpold Road and west of McCulley Road (approximately 1.3 miles).
- Pipe the D-19 Lateral along McCulley Road (approximately 1.6 miles).
- Pipe the D-20 Lateral along Drazil Road (approximately 1.3 miles).
- Line the Main D Canal in the Adams Point area (approximately 0.9 mile).
- Line the Main D Canal starting at McKoen turnout (D-14 Lateral), west of Malin city limits, to Paygr Road (approximately 0.9 mile).

Based on the evaluation in the Plan-EA, I have identified the Modernization Alternative as the agency's Preferred Alternative. I have considered that the Preferred Alternative meets the criteria listed above and is the most practical means of addressing the purpose and need. No significant adverse environmental impacts will result from installation of the measures, it is the project sponsor's Preferred Alternative, and it has been identified as the National Economic Efficiency Alternative.

When choosing the agency's Preferred Alternative, in accordance with the CEQ's "40 Most Asked Questions" guidance on NEPA, Question 37(a), NRCS has considered "which factors were weighed most heavily in the determination." Based on the Plan-EA, potential impacts to water, vegetation, fish and wildlife, and human resources were heavily considered in the decision. As a result, the agency's Preferred Alternative would result in short- and long-term beneficial impacts to the environmental resources potentially impacted by the Preferred Alternative.

IV. Effects of the Recommended Action- Finding of No Significant Impact

NEPA and NRCS regulations require that federal actions be examined for their impacts on the human environment. To determine the level of NEPA analysis (categorical exclusion, EA, or environmental impact statement), the proposed action and alternatives are analyzed for their level of significance. This preferred alternative does not meet one of the specified NRCS categorical exclusions, therefore the significance was evaluated. Upon review of the NEPA criteria for significant effects and based on the analysis in the Plan-EA, I have determined that the action to be selected, the Preferred Alternative, would not have a significant effect upon the quality of the human environment.

Therefore, preparation of an environmental impact statement on the final action is not required under Section 102(2)(c) of NEPA, CEQ implementing regulations (40 CFR Part 1500-1508, Section 1508.13), or NRCS environmental review procedures (7 CFR Part 650). This finding is based on the following factors from CEQ's implementing regulations at 40 CFR Section 1508.27 and from NRCS regulations at 7 CFR Part 650: The environmental impacts of constructing the Preferred Alternative are not significant for the following reasons:

- 1) The Plan-EA evaluated both beneficial and adverse impacts of the Preferred Alternative. It is anticipated that the Preferred Alternative will result in long-term beneficial impacts to the human environment including natural resources (such as water, fish, and wildlife) and social and economic considerations. As shown in the analysis (discussed in detail in the Plan-EA Section 6 and incorporated by reference), the Preferred Alternative does not result in significant adverse impacts to the human environment.
- 2) The Preferred Alternative does not significantly affect public health or safety. The direct and indirect effects associated with the implementation of the Preferred Alternative are anticipated to provide long-term, beneficial impacts that improve natural ecosystem functions and reduce public safety risks.
- 3) As analyzed in the Plan-EA Section 6, there are no anticipated significant effects to unique characteristics of the geographic area. This includes historic properties or cultural resources, fish and aquatic resources, park lands, prime farmlands, floodplains, wetlands, wild and scenic rivers, ecologically critical areas, land use, public safety, recreation, socioeconomic resources, vegetation, water resources, and wildlife

resources. NRCS regulations (7 CFR Part 650) and policy (Title 420, General Manual, Part 401), require that NRCS identify, assess, and minimize or mitigate effects to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. In accordance with these requirements, avoidance, minimization, or mitigation have been incorporated into the Plan-EA Section 6 and 8.3. Unlike the No Action Alternative, the Preferred Alternative is expected to reduce environmental risks associated with past, present, and future actions.

- 4) The effects on the human environment are not considered controversial for the Preferred Alternative. There are no impacts associated with the proposed action that would be considered controversial as defined in 40 CFR 1508.27.
- 5) The Preferred Alternative is not considered highly uncertain and does not involve unique or unknown risks.
- 6) The Preferred Alternative will not establish a precedent for future actions with significant effects, nor does it represent a decision in principle about future considerations.
- 7) Particularly when focusing on the significant adverse impacts that NEPA is intended to help decision-makers avoid, minimize, or mitigate, the Preferred Alternative does not result in significant adverse cumulative impacts to the environment, as discussed in Section 6.11 of the Plan-EA.
- 8) The Preferred Alternative will not cause the loss or destruction of significant cultural or historical resources as addressed in Section 6.1 of the Plan-EA. NRCS will adhere to the federal regulations outlined in the National Historic Preservation Act (36 CFR 800), which require NRCS to identify Historic Properties within the project area and evaluate the potential adverse effects of its undertaking. Any direct or indirect effects are avoided or mitigated through the processes outlined in the National Historic Preservation Act (36 CFR 800), in consultation with the State Historic Preservation Office, federally recognized tribes, and Certified Local Governments.
- 9) The Preferred Alternative may affect but is not likely to adversely affect endangered or threatened species, or designated critical habitats, as discussed in Section 6.7 and Section 6.9 of the Plan-EA. The Preferred Alternative will not jeopardize the continued existence of any endangered or threatened species, or designated critical habitat. NRCS requested initiation of Section 7 consultation from U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) on April 27, 2026. USFWS sent a letter of concurrence on May 14, 2026. NMFS sent a letter of concurrence on May 8, 2026. Section 7 documentation can be found in Appendix E.7.3 of the Plan-EA.
- 10) The Preferred Alternative does not violate Federal, State, or local law requirements

imposed for protection of the environment as noted in Section 8.5 of the Plan-EA. The major laws identified with the selection of the Preferred Alternative include the Clean Water Act, Endangered Species Act, Magnuson-Stevens Act, National Historic Preservation Act, Bald and Golden Eagle Protection Act, and Migratory Bird Treaty Act. The Preferred Alternative is consistent with the requirements of these laws.

V. Consultation - Public Participation

NRCS announced the public scoping process on January 23, 2023 through a public notice and subsequent news release. Advertisements announcing the scoping period and associated scoping meeting were placed in a local newspaper. KID mailed a notice to their patrons and a project website, watershedplans.org, was launched to inform the public and share information.

The scoping process followed the general procedures consistent with NRCS guidance and Public Law 83-566 requirements. A public scoping meeting was held on February 7, 2023. During the scoping period, eight comments regarding the project were received.

Specific consultation was conducted with the Oregon State Historic Preservation Office, Klamath Tribes, Modoc Nation, Yurok Tribe, Burns Paiute Tribe, Cow Creek Tribe, Confederated Tribes of the Warm Springs Reservation of Oregon, Fort Bidwell Indian Community, and Karuk Tribe to maintain the NRCS' government-to-government relationship between Tribes. NRCS sent letters to the Klamath Tribes, Yurok Tribe, Modoc Nation, and the Karuk Tribe requesting input and notifying them of the scoping process. Consultation letters regarding the proposed area of potential effect for cultural resources were sent to the Klamath Tribes, Modoc Nation, Yurok Tribe, Burns Paiute Tribe, Cow Creek Tribe, Confederated Tribes of the Warm Springs Reservation of Oregon, Fort Bidwell Indian Community, and Karuk Tribe. Consultation will continue with the Klamath Tribes through the planning and implementation process for the KID Modernization Project.

As part of Public Law 83-566 planning requirements and in recognition of the need for evaluation of fish and wildlife resources impacts and opportunities, NRCS solicited input from the USFWS for Section 12 compliance and consulted under the Endangered Species Act with the USFWS and NMFS.

The Plan-EA was transmitted to all participating and interested agencies, groups, and individuals for review and comment from March 27 to April 24, 2026. A public meeting was held for informational purposes on April 9, 2026. Five comments were submitted during the review period.

VI. Conclusion

The Modernization Alternative has been selected as the Preferred Alternative for implementation based upon best meeting the purpose and need while maximizing net economic benefits. The Modernization Alternative is also the sponsor's Preferred Alternative. The Plan-EA accompanying this finding has provided the analyses needed to assess the significance of the potential impacts from the Preferred Alternative. The decision on which alternative is to be

implemented, and the significance of that alternative's impacts, are summarized in Section 6 of the Plan-EA (Environmental Consequences). Based upon a review of the Plan-EA and supporting documents, the Preferred Alternative is not a major Federal action significantly affecting the quality of the human environment. I have determined that implementing the Preferred Alternative will not significantly affect the quality of the human and/or natural environment, individually or cumulatively with other actions in the area. No environmental effects meet the definition of significance, in context or intensity, as defined at 40 CFR 1508.27 (1/3/2017). Therefore, an environmental impact statement is not required for the Project. This finding is based on the consideration of the context and intensity of impacts as summarized in the Klamath Irrigation District Infrastructure Modernization Project Plan-EA. Based on these findings, NRCS has decided to implement the Preferred Alternative.

_____ (signature) _____ (date)

Greg Becker, State Conservationist