

*Finding of No Significant Impact
For
East Fork Irrigation District Infrastructure Modernization Project
Hood River County, Oregon*

I. [Introduction](#)

The East Fork 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. The East Fork Irrigation District Infrastructure Modernization Project incorporates a portion of the East Fork Hood River Watershed Restoration Project, a project funded through the Regional Conservation Partnership Program (RCPP). This RCPP is a federally assisted action authorized for planning under Public Law 83-566, the Watershed Protection and Flood Prevention Act, and the RCPP authorized by Subtitle I of Title XII of the Food Security Act of 1985, as amended by Section 2401 of the Agricultural Act of 2014. These acts authorize the Natural Resources Conservation Service (NRCS) to provide technical and financial assistance to local project sponsors. The local sponsor of the Project is the East Fork Irrigation District (EFID).

An environmental assessment (Plan-EA), attached and incorporated by reference into this finding, was undertaken in conjunction with the development of the watershed plan. The Plan-EA was conducted in consultation with local, State, and Tribal Governments; Federal agencies; and interested organizations and individuals. Bonneville Power Administration (Bonneville) participated in the preparation of this Plan-EA as a cooperating agency for NEPA compliance purposes. Data developed as part of the assessment are available for public review at the following location:

U.S. Department of Agriculture
Natural Resources Conservation Service
1201 NE Lloyd Blvd; Suite 900
Portland, Oregon 97232

II. [Recommended Action](#)

The proposed action under consideration would modernize up to 56 miles of EFID's irrigation canals and laterals and construct a sediment settling basin as part of an agricultural water-conveyance efficiency project. The purpose of this project is to improve water conservation in District infrastructure, water delivery reliability, and public safety along District infrastructure. Implementation of the Preferred Alternative would improve water delivery reliability for EFID's patrons, conserve water for instream uses, reduce EFID's operation and maintenance costs, reduce electricity costs from pumping, improve irrigation water quality, and improve public safety.

I must determine if the NRCS' 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 analysis needed to assess the significance of the potential impacts from the selected alternative. The decision on which alternative is to be implemented and the significance of that alternative's impacts are discussed under part IV of this finding.

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 were fully analyzed.

No Action Alternative – construction activities associated with the project would not occur and EFID would continue to operate and maintain its existing canals and pipe system in the current condition. The need for the project would still exist; however, EFID would only modernize its infrastructure on a project-by-project basis as public interest and funding becomes available. This funding is not reasonably certain to be available under a project-by-project approach at the large scale necessary to modernize EFID's infrastructure.

Piping Alternative— EFID would pipe approximately 56 miles of their system, replacing 17.5 miles of open canals and upgrading 38.5 miles of existing pipes with gravity-pressurized HDPE buried pipe. A new sediment-settling basin would be installed for additional sediment removal.

Based on the evaluation in the Plan-EA, I have identified the Piping 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 improving water conservation, water delivery reliability, irrigation water quality, and public safety on 56 miles of District-owned canals and laterals. 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 Council on Environmental Quality's (CEQ) "40 Most Asked Questions" guidance on National Environmental

Policy Act (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

To determine the significance of the action analyzed in this Plan-EA, the agency is required by NEPA regulations, at 40 CFR Section 1508.27, and NRCS regulations, at 7 CFR Part 650, to consider the context and intensity of the proposed action. 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 vegetation), cultural resources, and social and economic considerations. As a result of the analysis (discussed in detail in the Plan-EA Section 6 and incorporated by reference), the Preferred Alternative does not result in significant impacts to the human environment, particularly significant adverse impacts, which NEPA is intended to help decision-makers avoid, minimize, or mitigate.
- 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 mitigate public safety risks. Specifically, water, fish and wildlife, vegetation, and human resource issues will be improved and protected through selection of the Preferred Alternative.
- 3) As analyzed in the Plan-EA Section 6, there are no anticipated significant effects to historic or cultural resources, fish and aquatic resources, land use, public safety, socioeconomic resources, vegetation, visual resources, water resources, wetland and riparian areas, or wildlife resources from selection of the Preferred Alternative. 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.
- 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 follows the procedures developed in accordance with a nationwide programmatic agreement between NRCS, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers, which called for NRCS to develop consultation agreements with State historic preservation officers and federally recognized tribes (or their designated tribal historic preservation officers). These consultation agreements focus historic preservation reviews on resources and locations that are of special regional concern to these parties.
- 9) The Preferred Alternative will not adversely affect endangered or threatened species, or designated critical habitat, as discussed in Section 6.8 of the Plan-EA. During Section 7 informal consultation, the U.S. Fish and Wildlife Service and the National Marine Fisheries Service offered no additional information that would necessitate reconsideration of our determination.
- 10) The Preferred Alternative does not violate Federal, State, or local law requirements imposed for protection of the environment as noted in Section 8.4 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 June 16, 2017 through a public notice and subsequent news release. Advertisements announcing the scoping period and associated scoping meeting were placed in two local and regional newspapers. EFID posted a notice on their website and mailed a notice to their patrons. A project website, oregonwatershedplans.org, was launched to inform the public and share information. In December 2018, Bonneville joined the planning effort as a cooperating agency for NEPA compliance purposes.

The scoping process followed the general procedures consistent with NRCS guidance and Public Law 83-566 requirements. A scoping meeting was held October 18, 2018 in Hood River, Oregon. During the scoping period, a total of 44 comments regarding the project were received. These comments were received from 33 individuals, the Confederated Tribes of Warm Springs, a non-governmental organization, a local water district, and two EFID representatives.

Tribal consultation was initiated in accordance with the National Historic Preservation Act of 1966, as amended, and Executive Order 13007, Executive Order 13175, Secretarial Order 3206, and Presidential Memoranda (April 29, 1994 and November 5, 2009), to maintain and strengthen the government-to-government relationship between the NRCS and local tribes. NRCS sent letters to the following tribes requesting input and notifying them of the scoping process: the Confederated Tribes of Warm Springs, the Confederated Tribes of the Umatilla Indian Reservation, and the Confederated Tribes and Band of the Yakama Nation. None of the notified Tribes responded with comments; however, the Confederated Tribes of Warm Springs identified that due to their active participation in the Plan-EA process they had no comments.


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 reached out to the U.S. Fish and Wildlife Service for Section 12 consultation and Endangered Species Act (ESA) consultation and the National Marine Fisheries Service for ESA consultation. Specific consultation was also conducted with the State Historic Preservation Office.

The Plan-EA was transmitted to all participating and interested agencies, groups, and individuals for review and comment from January 8 to February 13, 2020. A public meeting was held on January 29, 2020, in Hood River, Oregon to obtain public input for the plan and environmental evaluation. During the review period, 104 comments regarding the project were

received. These comments were received from 26 individuals and one state agency (Oregon Department of Fish and Wildlife). Although it did not provide comment on the plan, the U.S. Army Corps of Engineers chose to defer commenting and consulting to the implementation stage of the proposed projects rather than commenting and consulting on the Plan-EA, based on guidance provided by the U.S. Army Corps of Engineers for a similar irrigation modernization plan (Andrea Wagner 11/28/2020).

VI. Conclusion

The Piping Alternative has been selected as the Preferred Alternative for implementation based upon best meeting the purpose and need while maximizing net economic benefits. The Piping Alternative is also the Preferred Alternative of the sponsors. 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 (the Effects of the Recommended Action). 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. 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 East Fork Irrigation District Infrastructure Modernization Project Plan-EA. With these findings, NRCS therefore has decided to implement the Preferred Alternative.

 (signature) 07/16/2020 (date)

Ronald Alvarado, State Conservationist