



Natural Resources Conservation Service

U.S. DEPARTMENT OF AGRICULTURE

OR State Office

1201 NE Lloyd Blvd.
Suite 900
Portland, OR 97232

October 1, 2024

Finding of No Significant Impact For

Farmers Irrigation District Infrastructure Modernization Project Hood River County, Oregon

I. Introduction

The Farmers 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 Farmers Irrigation District (FID or District).

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. 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 irrigation infrastructure within FID. The proposed action would include construction activities associated with installing 3.0 miles of buried pipe, deepening the existing attenuation bay by approximately 0.02 acre-feet, installing Supervisory Control and Data Acquisition Systems (SCADA) in six locations, and expanding Forebay 3 by approximately 2 acre-feet.

The purpose of this project is to improve water conservation and water conveyance along District infrastructure and improve operation efficiency to allow FID to better manage water deliveries to patrons. Implementation of the Preferred Alternative would reduce water loss in FID's conveyance systems, improve water delivery and operations efficiencies, improve fish and aquatic habitat, and reduce sediment in irrigation water.

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 analyses 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 (Modernization Alternative) were fully analyzed.

No Action Alternative – construction activities associated with the project would not occur and FID 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. The District would operate diversions to continue to meet all instream flow requirements.

Modernization Alternative— FID would pipe approximately 3.0 miles of open canal; deepen the existing attenuation bay by approximately 0.02 acre-feet; install SCADA at six sites; and expand Forebay 3 by approximately 2 acre-feet.

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 improving water conservation, water conveyance, and operation efficiency. 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

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 (CE), EA, or EIS), the proposed action and alternatives are analyzed for their level of significance. This Preferred Alternative does not meet one of the specified NRCS CEs, 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 and 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 (1/3/2017).
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 6.12 of the Plan-EA.

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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 (36CFR800). In consultation with the State Historic Preservation Office, federally recognized tribes, and Certified Local Governments (CLGs). During consultation, any mitigation or agreements pertaining to the treatment of identified Significant Historic Properties will be formalized and signed in the form of a Memoranda of Agreement (MOA) and shared with consulting parties.
 9. The Preferred Alternative will not adversely affect endangered or threatened species, or designated critical habitat, as discussed in Section 6.9 and Section 6.11 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 May Effect-Not Likely to Adversely Affect determination. On May 15, 2024, the U.S. Fish and Wildlife Service issued a Letter of Concurrence (2024-I-0020), which was received by NRCS on May 15, 2024. On September 24, 2024, the National Marine Fisheries Service issued a Letter of Concurrence (WCRO-2024-00550), which was received by NRCS on September 24, 2024.
 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 1, 2021, through a public notice and subsequent news release. Advertisements announcing the scoping period and associated scoping meeting were placed in a local newspaper. FID posted a notice on their website and mailed a notice to their patrons. A project website: www.oregonwatershedplans.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 virtual public scoping meeting was held on June 16, 2021. During the scoping period, one comment regarding the project was received.

Specific consultation was conducted with the State Historic Preservation Office and with the Confederated Tribes of Warm Springs to maintain the NRCS' government-to-government relationship between tribes. NRCS sent letters to the Confederated Tribes of Warm Springs requesting input and notifying them of the scoping process during the public comments periods as well as engaging the tribe directly. The tribe did not respond with comments in either venue. The Confederated Tribes of Warm Springs identified that due to their active participation in the Plan-EA process and ongoing NHPA

consultation efforts, if they have further comments, they will engage through the SHPO Section 106 process.

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 U.S. Fish and Wildlife Service (FWS) under the provisions of Section 12 of PL83-566 and consulted under the Endangered Species Act with the FWS and National Marine Fisheries Service.

The Plan-EA was transmitted to all participating and interested agencies, groups, and individuals for review and comment from October 25 to November 29, 2023. Virtual and in- person public meetings were held for informational purposes. No 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 Farmers Irrigation District Infrastructure Modernization Project Plan-EA. With these findings, NRCS therefore has decided to implement the Preferred Alternative.

Sincerely,

GREG BECKER
State Conservationist