

PRO-FONSI-13-006

FINDING OF NO SIGNIFICANT IMPACT

Environmental Assessment

**Newton Service Canal Modification Project
Cache County, Utah**

**United States Department of the Interior
Bureau of Reclamation
Provo Area Office
Provo, Utah**

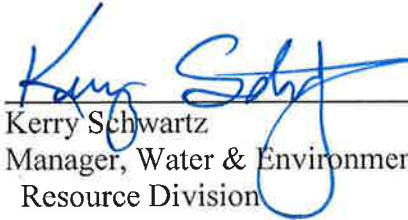
Prepared by: Rick Baxter

Recommended by:



Beth Reinhart
Environmental Group Chief

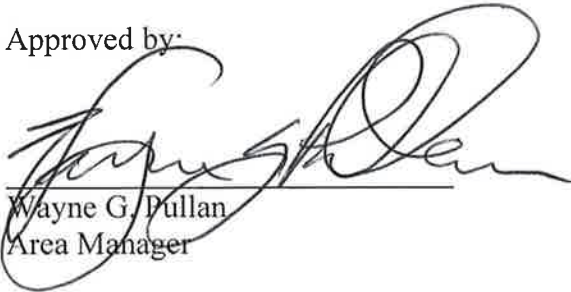
2/6/15
Date



Kerry Schwartz
Manager, Water & Environmental
Resource Division

2/6/15
Date

Approved by:



Wayne G. Pullan
Area Manager

06 FEB 2015
Date

FINDING

The Bureau of Reclamation, Provo Area Office has determined that implementing the proposed action analyzed in the Newton Service Canal Modification Project Environmental Assessment (EA), would not have a significant impact on the quality of the human environment and an Environmental Impact Statement is not required. This decision was based on a thorough review of the EA. This decision is in accordance with the National Environmental Policy Act (NEPA) of 1969 (Public Law 91-90), as amended, and both the Council of Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR 1500-1508), and the Department of the Interior regulations implementing NEPA (43 CFR Part 46).

DECISION

Reclamation has decided to permit the Newton Water Users Association to modify the Newton Canal by enclosing the canal, connecting to the pipeline to the dam, changing the location of one of the siphons, modifying a portion of the alignment, and completing the rest of the proposed action as described in the Environmental Assessment.

REASONS FOR THE DECISION

The Finding of No Significant Impact (FONSI) and decision to authorize this project is based on the following:

1. The proposed action will not have significant long or short-term adverse effects on the human environment. Minor, short-term, almost negligible impacts may occur to prime and unique farmland, floodplains, groundwater resources, soils, wildlife and sensitive species, wetlands and riparian vegetation, and access roads as a result of the proposed action. However, the expected minor impacts would be reduced further due to the environmental commitments outlined in Chapter 4 of the EA. There would be beneficial effects to prime and unique farmlands, water resources, and water quality.
2. Public health and safety were evaluated and no significant effects were identified. No minority or low income community would be disproportionately affected by the proposed action.
3. Though short-term effects to unique and prime farmland may occur, the proposed action would lead to a beneficial effect in the long-term. There are no park lands, wild and scenic rivers, or wilderness areas that would be affected by the proposed action.
4. The effects on the quality of the human environment are not likely to be highly controversial because there is no known scientific controversy over the impacts of the project.

5. There are no predicted effects on the human environment that are considered highly uncertain or that involve unique or unknown risks.
6. The action will not establish a precedent for future actions, or represent a decision in principle about a future consideration.
7. No past, present, or reasonably foreseeable actions are expected to result in cumulative effects (EA, Section 3.4.17)
8. The action will not adversely affect cultural resources.
9. The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973, as described in the EA Table 3.4 (EA, section 3.4.8).
10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered.

Reclamation has analyzed the environmental effects, public comments, and the Action Alternative in detail. Reclamation has determined that the Action Alternative best meets the purpose and need described in the EA.

PUBLIC INVOLVEMENT AND AGENCY COORDINATION

Reclamation obtained information from the U.S. Fish and Wildlife Service (FWS) website regarding possible endangered species. Ute Ladies'-tresses (ULT) were identified as potentially occurring in Cache County where the project area occurs. Subsequent surveys by Reclamation and a third-party contractor did not discover the species during the time it should have been blooming. That information was put into the EA and sent to FWS. No comments were received.

Reclamation coordinated with the Newton Water Users Association throughout the NEPA process.