ENVIRONMENTAL ASSESSMENT

Minnesota L75 Lateral Salinity Control Project
Delta County, Colorado

Prepared For

U.S. Bureau of Reclamation
Colorado River Basin Salinity Control Program
and
The Minnesota L75 Lateral Company

Prepared By
Rare Earth Science, LLC
PO Box 1245
Paonia, Colorado 81428

November 2017

Cover Photograph:

Looking west along L75 Road and the existing
Minnesota L75 Lateral Ditch in June 2016.
(The ditch is between the road and the fence.)

FINDING OF NO SIGNIFICANT IMPACT

United States Department of the Interior
Bureau of Reclamation
Western Colorado Area Office
Grand Junction, Colorado

Minnesota L75 Lateral Salinity Control Project

Introduction

In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), the Bureau of Reclamation (Reclamation) has conducted an environmental assessment (EA) for a Proposed Action of authorizing the use of Federal funds to implement the Minnesota L75 Lateral Salinity Control Project in Delta County, Colorado. Reclamation is providing funding for the project through the Colorado River Basinwide Salinity Control Program, and is therefore the lead agency for the purposes of compliance with the NEPA for this Proposed Action.

The EA was prepared by Reclamation to address the potential impacts to the human environment due to implementation of the Proposed Action.

Alternatives

The EA analyzed the No Action Alternative and the Proposed Action Alternative to authorize and fund the implementation of the Minnesota L75 Lateral Salinity Control Project.

Decision and Finding of No Significant Impact

Based upon a review of the EA and supporting documents, Reclamation has determined that implementing the Proposed Action will not significantly affect the quality of the human 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 this Proposed Action. This finding is based on consideration of the context and intensity as summarized in the EA. Reclamation's decision is to implement the Proposed Action Alternative.

Context

The Colorado River and its tributaries provide municipal and industrial water to about 35 million to 40 million people and irrigation water to nearly 4.5 million acres of land in the United States, and another 3.3 million people and 500,000 acres in Mexico. Elevated salinity concentrations in the River are a major concern in both the United States and Mexico. Elevated salinity levels have impacts to agricultural, municipal, and industrial water users.

In June 1974, Congress enacted the Colorado River Basin Salinity Control Act (Salinity Control Act), Public Law 93-320, which directed the Secretary of the Interior to proceed with a program to enhance and protect the quality of water available in the Colorado River for use in the United States and Republic of Mexico. In October 1984, Congress amended the original act by passing Public Law 98-569 to address wildlife habitat issues, including fish and wildlife values foregone,

project funding, and operation and maintenance of habitat. In July 1995, Public Law 104-20 was enacted, authorizing the Secretary of Interior, through Reclamation, to implement a basinwide salinity control program and enter into contracts, memoranda of agreement, commitments for grants, cooperative agreements, or advances of funds to non-federal entities under such terms and conditions as may be required. Reclamation is one of the agencies working through the Colorado River Basin Salinity Control Program to implement salinity control projects in the Colorado River Basin. The program's overall goal is to cost-effectively reduce the level of salinity in the Colorado River.

The Minnesota L75 Lateral Company of Paonia, Colorado, (Company) is a private, non-profit, mutually funded irrigation company. The Company has received a grant from Reclamation, through the Basinwide Salinity Control Program, to replace approximately 0.58 mile of the unlined, open Minnesota L75 Lateral irrigation ditch with approximately 0.68 mile of buried irrigation pipe. The Minnesota L75 Lateral is located in the lower Gunnison River watershed of the upper Colorado River basin, in soils derived from Mancos Shale. The Mancos Shale is a Cretaceous-age saline marine deposit, which contributes salts to irrigation water. The purpose and need of the Proposed Action is to eliminate seepage and reduce salinity in the Colorado River basin by an estimated 129 tons of salt per year.

Intensity

The following discussion is organized around the 10 significance criteria described in 40 CFR 1508.27. These criteria were incorporated into the resource analysis and issues concerned in the EA.

1. **Impacts may be both beneficial and adverse**. The Proposed Action will impact resources as described in the EA. Mitigating measures were incorporated into the design of the action alternative to reduce impacts. The predicted short-term effects of the Proposed Action include impacts to wildlife resources and habitat, due to ground and vegetation disturbance during construction and until revegetation is completed. The predicted long-term effects are loss of the Minnesota L75 Lateral's artificial wetland and riparian habitat and water depletions to downstream critical habitat for Colorado River endangered fishes. The long-term loss of artificial wetland and riparian habitat is being mitigated with a habitat replacement project. The Upper Colorado River Endangered Fish Recovery Program serves as mitigation for impacts to critical habitat of the Colorado River endangered fishes, as identified by U.S. Fish and Wildlife Service's 2009 Final Gunnison River Basin Programmatic Biological Opinion (PBO). The historic water depletions of the Minnesota L75 Lateral are covered under a Recovery Agreement between the U.S. Fish and Wildlife Service and Minnesota Canal and Reservoir Company (the holder of the irrigation water rights distributed in the Minnesota L75 Lateral). The Recovery Agreement ensures that the historic depletions comply with the U.S. Endangered Species Act and fit under the umbrella of the 2009 PBO.

   Implementation of the Proposed Action will result in beneficial effects related to reduction of salt and selenium loading in the Gunnison and Colorado River basins.

None of the environmental effects discussed in detail in the EA are considered significant. None of the effects from the Proposed Action, together with other past, current, and reasonably foreseeable actions, rise to a significant cumulative impact.

2. **The degree to which the selected alternative will affect public health or safety or a minority or low-income population**. The Proposed Action will have no significant impacts on public health or safety. No minority or low income populations would be disproportionately affected by the Proposed Action.

3. **Unique characteristics of the geographic area**. There are no unique park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas that would be negatively affected by the Proposed Action.

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 and local governments, public and private organizations, and individuals regarding the Proposed Action and its effects on resources. Based on the responses received, the effects of the Proposed Action on the quality of the human environment are not highly controversial.

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.

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**. Implementing the action will not establish a precedent for future actions with significant effects and will not represent a decision in principle about a future consideration.

7. **Whether the action is related to other actions which are individually insignificant but cumulatively significant**. Cumulative impacts are possible when the effects of the Proposed Action are added to other past, present, and reasonably foreseeable future actions as described under related NEPA documents; however, significant cumulative effects are not predicted, as described in the EA in Section 3.13.

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**. No cultural resources were identified in the Proposed Action Area. The Colorado State Historic Preservation Officer has concurred with a determination that the Proposed Action would have no effect on historic properties.

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**. The Proposed Action may affect the four endangered Colorado River fishes. The fishes occur downstream of the Proposed

Action Area in the Gunnison and/or Colorado River basins, and may be indirectly affected by historic water depletions caused by consumptive use of water by the Minnesota L75 Lateral. Reclamation previously consulted with FWS on Colorado River Basin historic water depletions caused by the direct diversions from Minnesota Creek by the Minnesota Canal and Reservoir Company (the holder of the adjudicated rights for the water conveyed in Minnesota L75 Lateral), which affect downstream critical habitat for Colorado River Endangered fishes (File ES/GJ-6-CO-09-F-001-GP-020 TAILS 06E24100-2012-F-0208). As a result of that consultation, the Minnesota Canal and Reservoir Company executed a Recovery Agreement with FWS to ensure compliance with the Endangered Species Act for water depletions in the basin. The annual depletion rate is not expected to change as a result of the Proposed Action. Therefore, it is expected that the Proposed Action would not destroy or adversely modify designated critical habitat for the Colorado River endangered fishes.

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 Proposed Action does not violate any federal, state, local, or tribal law, regulation, or policy imposed for the protection of the environment. In addition, the Proposed Action is consistent with applicable land management plans, policies, and programs. State, local, and interested members of the public were given the opportunity to participate in the environmental analysis process.

Environmental Commitments

- Pursuant to the funding agreement between the Company and Reclamation, the Company shall permanently dewater, remove from irrigation service, and render incapable of irrigation water delivery those open ditches abandoned as part of the Proposed Action.

- Best Management Practices (BMPs) shall be implemented, as specified in the EA, to protect water quality and soils; to minimize ground and vegetation disturbance; to protect wildlife resources; to protect recreation, visual, agricultural, and grazing resources; and to minimize the spread of weeds (Section 4 of the EA is incorporated here by reference).

- Required permits, licenses, clearances, and approvals shall be acquired prior to implementation of the Proposed Action (see Section 4.12 of the EA).

- If previously undiscovered cultural or paleontological resources are discovered during construction, construction activities must immediately cease in the vicinity of the discovery and Reclamation must be notified. In this event, the SHPO shall be consulted, and work shall not be resumed until consultation has been completed, as outlined in the Unanticipated Discovery Plan in the MOA.

- In the event that threatened or endangered species are discovered during construction, construction activities shall halt until consultation is completed with the U.S. Fish and Wildlife Service and protection measures are implemented.

- In order to avoid "take" of migratory birds protected under the Migratory Bird Treaty Act, the Proposed Action shall adhere to the timing restrictions outlined in Section 4.11 of the EA.

Approved by:

Ed Warner
Area Manager, Western Colorado Area Office

Date

This page intentionally left blank.

TABLE OF CONTENTS

LIST OF ACRONYMS AND ABBREVIATIONS iii
1 INTRODUCTION 1
1.1 Background 1
1.2 Purpose & Need for the Proposed Action 2
1.3 Overview of Proposed Action & Alternatives 2
1.4 Alternatives Considered But Not Carried Forward 3
1.5 Location & Environmental Setting of the Proposed Action Area 3
1.6 Relationship to Other Projects 3
1.7 Scoping, Coordination, & Public Review 4
2 PROPOSED ACTION & ALTERNATIVES 5
2.1 No Action Alternative 6
2.2 Proposed Action Alternative 6
3 AFFECTED ENVIRONMENT & ENVIRONMENTAL CONSEQUENCES 7
3.1 Water Rights & Use 8
3.2 Water Quality 9
3.3 Air Quality 10
3.4 Access, Transportation, & Public Safety 11
3.5 Vegetative Resources / Habitat 12
3.6 Wildlife Resources 13
3.7 Special Status Species 15
Migratory Birds & Raptors 15
Threatened & Endangered Species & Their Critical Habitats 17
3.8 Cultural Resources 20
3.9 Agricultural Resources & Soils 20
3.10 Cumulative Impacts 22
3.11 Summary of Impacts 27
4 ENVIRONMENTAL COMMITMENTS 30
4.1 Construction Access 30
4.2 Water Quality 30
4.3 Abandoned Irrigation Facilities & Structures 31
4.4 Ground Disturbances 31
4.5 Wildlife Resources 32
4.6 Habitat Disturbance & Loss 32
4.7 Special Status Species 33
4.8 Cultural Resources 33
4.9 Agricultural Resources & Soils 34
4.10 Hazardous Materials, Waste Management & Pollution Prevention 34
4.11 Sequence and Timing of the Proposed Action 35
4.12 Permits, Licenses and Approvals Needed to Implement the Proposal 35
5 CONSULTATION & COORDINATION 36
5.1 Agency Consultation 36
5.2 EA Comments 37
5.3 Distribution 37
6 REFERENCES 37

TABLES

Table 1. Federally-Listed Species Potentially Occurring in or Near the Proposed Action Area..17
Table 2. Cumulative Impacts Analysis Spatial & Temporal Limits by Resource.....22
Table 3. Cumulative Impacts Scenario.....23
Table 4. Summary of Impacts of the Proposed Action.....27

FIGURES (Following Main Text)

1. Regional & Local Locator Maps
2. Regional Salinity Control Projects
3. Topographic Overview Map
4. Aerial Photograph Overview Map
5. Hydrological Units Vicinity Map
6. Landcover Types in the Proposed Action Area
7. Elk Range
8. Mule Deer Range
9. Bald Eagle Range
10. Red-Tailed Hawk Active Nest Location
11. Soils of Agricultural Significance

ATTACHMENTS (Following Figures)

A. Distribution List
B. Section 404 Clean Water Act Exemption Documentation
C. Habitat Assessment Report
D. Habitat Replacement Agreement (aka “Wetlands Habitat Agreement”)
E. Cultural Resources Compliance Documents
F. Environmental Commitment Checklist

LIST OF ACRONYMS AND ABBREVIATIONS

BMP	Best Management Practice
CAA	Clean Air Act
CDOT	Colorado Department of Transportation
CDPHE	Colorado Department of Public Health & Environment
CFR	Code of Federal Regulations
COAHP	Colorado Office of Archaeology and Historic Preservation
Company	Minnesota L75 Lateral Company
CPW	Colorado Department of Natural Resources Division of Parks & Wildlife
CWA	Clean Water Act
CWCB	Colorado Water Conservation Board
EA	Environmental Assessment
EPA	U.S. Environmental Protection Agency
ESA	U.S. Endangered Species Act of 1973, as Amended
FONSI	Finding of No Significant Impact
FWS	U.S. Fish & Wildlife Service
HQS	Habitat Quality Score
HUC	Hydrology Unit Code
LLC	Limited Liability Company
iPaC	Environmental Conservation Online System Information for Planning and Conservation
MCRC	Minnesota Canal and Reservoir Company
MOA	Memorandum of Agreement
mi	Mile
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NPDES	National Pollutant Discharge Elimination System
NRCS	U.S. Department of Agriculture Natural Resources Conservation Service
PBO	Programmatic Biological Opinion
PL	Public Law
PM	Particulate matter
Reclamation	U.S. Department of the Interior Bureau of Reclamation
SHPO	State Historic Preservation Office
SMPW	Selenium Management Program Workgroup
THV	Total Habitat Value
U.S.	United States of America
USACE	U.S. Army Corps of Engineers
USC	U.S. Code
USDA	U.S. Department of Agriculture
USGS	U.S. Geological Survey

This page left intentionally blank.

1 INTRODUCTION

This Environmental Assessment (EA) has been prepared in compliance with the National Environmental Policy Act (NEPA) to disclose and evaluate the potential environmental effects of Minnesota L75 Lateral Company's (the "Company's" or "Applicant's") proposed Minnesota L75 Lateral Salinity Control Project (hereinafter, "Project" or "Proposed Action"). The Proposed Action is located in southeastern Delta County, Colorado, near the Town of Paonia (see Figures 1 and 2 following the main text of this document).

Rare Earth Science, LLC prepared this EA on behalf of the U.S. Department of the Interior Bureau of Reclamation (hereinafter "Reclamation"), which is authorized by the Colorado River Basin Salinity Control Act to provide funding assistance for the Proposed Action.

After a public review period for this EA, Reclamation has determined that no further study and a Finding of No Significant Impact (FONSI) for the Proposed Action are warranted, and an Environmental Impact Statement is not required before the Proposed Action can be implemented.

1.1 Background

The Colorado River and its tributaries provide municipal and industrial water to about 35 million to 40 million people and irrigation water to nearly 4.5 million acres of land in the United States. The river also serves about 3.3 million people and 500,000 acres in Mexico. The threat of salinity loading in the Colorado River basin is a major concern in both the United States and Mexico (Reclamation 2017). Salinity affects water quality, which in turn affects downstream users, by threatening the productivity of crops, degrading wildlife habitat, and corroding residential and municipal plumbing. From 2005 to 2015, an approximate average of 7.5 million tons of salt flowed into the Colorado River annually, and by the year 2035, 1.68 million tons of salt per year will need to be diverted from the system in order to meet water quality standards in the basin (Reclamation 2017). Irrigated agriculture contributes approximately 37 percent of the salinity in the system (Reclamation 2017). Irrigation increases salinity in the system both by depleting in-stream flows, and by mobilizing salts found in underlying geologic formations into the system, especially during flood irrigation practices.

In June 1974, Congress enacted the Colorado River Basin Salinity Control Act, Public Law (PL) 93-320, which directed the Secretary of the Interior to proceed with a program to enhance and protect the quality of water available in the Colorado River for use in the United States and Republic of Mexico. PL 104-20 of July 28, 1995 authorized the Secretary of the Interior, acting through the Bureau of Reclamation, to implement the Colorado River Basinwide Salinity Control Program. The Secretary may carry out the purposes of this legislation directly, or make grants, enter into contracts, memoranda of agreement, commitments for grants, cooperative agreements, or advances of funds to non-federal entities under such terms and conditions as the Secretary may require. PL 110-246 of June 18, 2008 amended the Salinity Control Act, establishing the Basin States Program, and authorizing Reclamation to take advantage of new, cost-effective opportunities to control salinity anywhere in the basin.

Both the Basinwide Salinity Control Program and the Basin States Program fund salinity control projects with a one-time grant that is limited to an applicant's competitive bid. Once constructed, the facilities are owned, operated, maintained, and replaced by the applicant at their own

expense. Figure 2 shows the locations of Program projects recently funded in the vicinity of the Proposed Action.

1.2 Purpose & Need for the Proposed Action

The Proposed Action focuses on an unlined ditch located in the lower Gunnison River watershed of the upper Colorado River basin, in soils derived from Mancos Shale. The Mancos Shale is a Cretaceous-age saline marine deposit, which contributes salts to irrigation water.

The Proposed Action will replace the existing irrigation ditch with a buried pipe delivery system, eliminating seepage and reducing salinity in the Colorado River basin by an estimated 129 tons of salt per year. An additional beneficial effect of the Proposed Action is the potential reduction of selenium in the Colorado River basin (SMPW 2011); however, the amount of selenium reduction has not been quantified.

The Proposed Action is consistent with the Colorado River Basin Salinity Control Act and helps fulfill the goals of the Colorado River Basinwide and Basin States Salinity Control Programs. Salinity reduction in the Colorado River basin will provide benefits for a broad spectrum of downstream water users, as explained in Section 1.1, above.

1.3 Overview of Proposed Action & Alternatives

The Proposed Action would replace the existing unlined Minnesota L75 Lateral irrigation ditch with a buried pipe delivery system, improving the system's efficiency and eliminating ditch seepage in saline soils. The location of the Proposed Action is southeastern Delta County, Colorado, south of the Town of Paonia on Stewart Mesa (Figures 1 and 3), in the Gunnison River watershed of the upper Colorado River basin.

Approximately 0.58 mile of the unlined open Minnesota L75 Lateral would be replaced with a total of approximately 0.68 mile of buried irrigation pipe (Figures 3 and 4). Conceptual maps and construction drawings for the pipeline component of the Proposed Action were prepared by Applegate Group Inc. of Glenwood Springs, Colorado. The Company proposes to construct the pipeline during an approximately 3-week period between October and April, during the irrigation off-season.

The Colorado River Basin Salinity Control Act requires habitat replacement to mitigate for habitat losses which would result from the Proposed Action. A surplus of habitat previously developed at a habitat replacement site for the Minnesota Canal and Reservoir Company (MCRC) Salinity Control Project Phase II would satisfy mitigation requirements for the Proposed Action. The MCRC Phase II Habitat Replacement Site (hereafter, Habitat Replacement Site) is located approximately one mile northeast of the Proposed Action (Figures 3 and 4). The Proposed Action includes the execution of an agreement between MCRC and the Company to collaborate on the management of an existing Habitat Replacement Site to satisfy the habitat replacement requirements.

In accordance with NEPA and the Council on Environmental Quality regulations, a No Action Alternative is presented and analyzed in this EA in order to provide a baseline for comparison to the Proposed Action. Under the No Action Alternative, Reclamation would not provide funding to the Company to pipe the Minnesota L75 Lateral. Seepage from this structure would continue to contribute to salt and selenium loading in the Colorado River basin. Riparian and wetland

habitats associated with the ditch would likely remain in place and continue to provide benefits to local wildlife.

The Proposed Action is described in more detail in Section 2.2 and Figures included with this EA.

1.4 Alternatives Considered But Not Carried Forward

Other minor pipeline alignment alternatives were considered during the conceptual design process for the Proposed Action, but eliminated from detailed analysis in accordance with 40 CFR 1502.14 because they were determined to be technically challenging, more challenging from a right-of-way perspective, or more expensive than the Proposed Alternative.

1.5 Location & Environmental Setting of the Proposed Action Area

The pipeline component of the Proposed Action will be located approximately 3 miles south of the Town of Paonia in southeastern Delta County, Colorado (Figure 1), in the northwest quarter of Section 19 in Township 14 South, Range 91 West of the 6th Principal Meridian (Figure 3). The Habitat Replacement Site lies in the southeast quarter of the northeast quarter of Section 18 and the northwest quarter of Section 17, Township 14 South, Range 91 West of the 6th PM, in Delta County (Figure 3).

The Proposed Action Area is located in the Colorado Plateaus physiographic province, in the North Fork of the Gunnison River watershed of the upper Colorado River basin. The climate is semi-arid continental, characterized by low humidity and moderately low precipitation (averaging about 13 inches annually). The average elevation of the Proposed Action is about 5,830 feet above mean sea level (Figure 3).

The Minnesota L75 Lateral receives water diverted from Minnesota Creek approximately 2.5 miles east of the Town of Paonia (Figure 5). The water is conveyed in Minnesota Canal and Reservoir Company's Minnesota Canal Extension (which was recently piped during a different salinity control project). Drainage from lands irrigated by the Minnesota L75 Lateral flows to tributaries of Bell Creek, and eventually to the North Fork of the Gunnison River. The Habitat Replacement Site lies along a seasonal tributary to Reynolds Creek, also in the North Fork of the Gunnison River watershed.

Land cover in the immediate vicinity of the Proposed Action Area consists primarily of irrigated hay meadows and pastures (Figure 6). The water conveyed in the Minnesota L75 Lateral supports a narrow corridor of coyote willow and other wetland/riparian vegetation, as well as pasture grasses and scattered stands of common ruderal weeds. This riparian and/or wetland habitat currently sustained by the irrigation water conveyed in the open irrigation ditch would be lost as a result of the Proposed Action, and this loss would be mitigated at the previously-established Habitat Replacement Site.

County Road L75 lies directly south of the Proposed Action Area. Current uses on lands in the Proposed Action Area are rural residential, irrigated hay production, and livestock grazing.

1.6 Relationship to Other Projects

The Minnesota L75 Lateral is part of the larger Minnesota Canal and Reservoir irrigation water conveyance system, although the physical infrastructure of the Minnesota Lateral and the

Minnesota Canal are owned by two separate companies. The shareholders in Minnesota L75 Lateral Company are stockholders in the Minnesota Canal and Reservoir Company, which holds the adjudicated rights for water conveyed in the system. Minnesota Canal and Reservoir Company Phase I and Phase II Salinity Control Projects recently piped the Minnesota Canal and Minnesota Canal Extension Ditch, which supply water to the Minnesota L75 Lateral.

Other salinity control projects in progress or recently implemented in the general vicinity include the following (Figure 2):

- Lower Stewart Ditch Pipeline Project (near the Town of Paonia in the North Fork of the Gunnison River drainage)
- C Ditch Company's C Ditch/Needle Rock Pipeline Project (3 miles north of the Town of Crawford in the Cottonwood Creek drainage)
- Clipper Irrigation Salinity Control Project 4, Zanni Lateral Pipeline Project, and Center Ditch Pipeline Project (2.5 miles southeast of the Town of Hotchkiss and immediately west of the Town of Crawford in the Cottonwood Creek drainage)
- Grandview Canal Piping Project (just south of the Town of Hotchkiss in the Smith Fork River drainage)
- Rogers Mesa Water Distribution Association's Slack and Patterson Laterals Piping Project (about 3 miles west of the Town of Hotchkiss)
- North Delta Irrigation Canal Project (north of the City of Delta in the Gunnison River drainage)
- Cattleman's Ditches Pipeline Projects Phase I and Phase II (12 miles south of the Town of Crawford, in the Alkali Creek drainage)
- Bostwick Park Water Conservation District's Siphon Lateral Salinity Control Project (near the City of Montrose)
- Forked Tongue/Holman Ditch Company's Salinity Control Project (near the Town of Eckert in the Tongue Creek drainage)
- Uncompahgre Valley Water Users Association Phases 7 and 8

1.7 Scoping, Coordination, & Public Review

Scoping for this EA was completed by Reclamation, in consultation or coordination with the following agencies and organizations during the planning stages of the Proposed Action, to identify the potential environmental and human environment issues and concerns associated with implementation of the Proposed Action and No Action Alternative:

- Colorado Parks and Wildlife, Gunnison, CO
- Colorado Office of Archaeology and Historic Preservation, Denver, CO
- U.S. Army Corps of Engineers, Colorado West Regulatory Branch, Grand Junction, CO
- Colorado Department of Transportation, Grand Junction, CO

Concerns raised during other similar projects (see Section 1.6, above) also helped identify potential concerns for the Proposed Action.

In compliance with NEPA, the Draft EA and Draft FONSI were available for public comment for a 30-day period (see Section 5). The Draft EA was distributed to Company shareholders, private landowners adjacent to the Proposed Action, and the organizations and agencies listed in Attachment A. No comments were received.

Issues determined to be of potential significance, and therefore appropriate for further impacts analysis under this EA, are discussed in Section 3. The following issues were determined to be ***insignificant or not applicable***, and are not analyzed further in this EA:

- Indian Trust Assets and Native American Religious Concerns (not applicable). Indian trust assets may include lands, minerals, hunting and fishing rights, traditional gathering grounds, and water rights. No Indian trust assets have been identified within the Proposed Action Area. The American Indian Religious Freedom Act was enacted to protect and preserve Native American traditional religious rights and cultural practices. These rights include, but are not limited to, access to sacred sites, freedom to worship through ceremonial and traditional rights, and use and possession of objects considered sacred. No Native American sacred sites are known within the Proposed Action Area. Neither the No Action Alternative, nor the Proposed Action, will have an effect on Indian trust assets or Native American sacred sites.

- Environmental Justice & Socio-Economic Issues (not applicable). Executive Order 12898 provides that federal agencies analyze programs to assure that they do not disproportionately adversely affect minority or low-income populations or Indian Tribes. The Proposed Action Area does not occur on Indian reservation lands or within disproportionately adversely affected minority or low-income populations. The Proposed Action would not involve population relocation, health hazards, hazardous waste, property takings, or substantial economic impacts. Therefore, neither the No Action Alternative, nor the Proposed Action, will have an environmental justice effect.

- Jurisdictional Wetlands & Other Waters of the U.S. (not applicable). The Proposed Action would affect surface and shallow subsurface hydrology supplied to wetland and riparian areas along the Proposed Action alignment. As an irrigation construction project, the Proposed Action is exempt from requiring a Section 404 Permit pursuant to the Clean Water Act (33 USC 1344). The applicable exemption from Section 404 of the Clean Water Act is for Farm or Stock Pond or Irrigation Ditch Construction or Maintenance. A copy of the Section 404 Exception Summary and written confirmation of the Proposed Action's exemption has been provided by the U.S. Army Corps of Engineers (Attachment B).

- Wild & Scenic Rivers, Land with Wilderness Characteristics, or Wilderness Study Areas (not applicable). No Wild and Scenic Rivers, land with wilderness characteristics, or Wilderness Study Areas exist in the Proposed Action Area.

2 PROPOSED ACTION & ALTERNATIVES

As explained in Section 1.3, the alternatives evaluated in this EA include a No Action Alternative and the Proposed Action. The resource analyses contained within this document, along with other pertinent information, will guide Reclamation's decision about whether or not to fund the

Proposed Action for implementation. The Proposed Action is analyzed in comparison to a No Action Alternative in order to determine potential effects.

2.1 No Action Alternative

Under the No Action Alternative, Reclamation would not authorize funding to the Company to pipe the Minnesota L75 Lateral. Irrigation practices and seepage from the Lateral would continue to contribute to salt and selenium loading in the Colorado River basin. Riparian and wetland habitats associated with the ditches would likely remain in place and continue to provide benefits to local wildlife.

2.2 Proposed Action Alternative

The Proposed Action would entail replacement of approximately 0.58 mile of the unlined open Minnesota L75 Lateral with a total of approximately 0.68 mile of buried irrigation pipe (Figure 4). The Minnesota L75 Lateral is located directly adjacent to L75 Road (see the cover photograph in this document). The buried pipe would initiate southwest of the intersection of L75 and 4050 Road at a control structure on the Minnesota Canal pipeline, cross L75 Road to the north in an open-cut crossing, continue west parallel to L75 Road in a dedicated easement, then turn north and run along the east side of an existing private driveway to its terminus (Figure 4).

A total of approximately 0.1 mile of pipeline would be buried in the existing ditch alignment (0.02 mile between the Minnesota Canal control structure and the L75 Road crossing at the origin of the project and 0.08 mile in the existing ditch that follows the private driveway at the terminus of the project. The 0.58-mile pipeline segment parallel to L75 Road would be installed outside the existing ditch, approximately 30 feet north of the existing ditch alignment.

The Proposed Action would result in the decommissioning of approximately 0.58 mile of existing irrigation ditch, which would be backfilled and incorporated into the shoulder of L75 Road. Six existing turnouts in poor condition would be replaced and consolidated into one new turnout divider box, and one flume connection structure would be installed at the terminus of the project.

The buried pipe would consist of polyvinyl chloride (PVC) 80-pound pressure irrigation pipe. Pipe diameters would range from approximately 12 to 2 inches.

Equipment required for construction would be determined during the pre-construction bid process, and is anticipated to include track hoes with 18-inch and 24-inch buckets, an excavator with a 12 or 18-inch bucket, a conventional loader, a skid steer loader, a tamper, an end dump, and a low-boy hauler. The choice of equipment will be appropriate to the size and limitations of the construction area. Approximately 200 cubic yards of imported fill would be required for pipeline installation. Fill would be purchased from a local commercial borrow pit by the successful bid contractor and transported to the site with haul trucks.

The Delta County Road and Bridge Department would backfill the existing ditch and contour it as part of the shoulder of L75 Road. The successful bid contractor would decommission the six existing turnouts. Approximately 200 cubic yards of fill would be required for decommissioning the ditch alignment to be abandoned. This fill would be provided by Delta County Road and Bridge Department and transported to the site by Delta County Road and Bridge Department haul trucks.

One proposed construction staging area approximately 0.37 acre in size would be located in an irrigated pasture just north of and adjacent to the proposed pipeline alignment. The staging area would be used to stack and assemble pipe.

No water storage, pump stations, compressor stations, or new irrigated areas would be associated with the Proposed Action.

Pipeline construction activities would be limited to an approximately 50-foot-wide corridor (maximum total width) throughout the Proposed Action alignment. Construction and access footprints would be limited to only those necessary to safely implement the Proposed Action. Following construction, permanent easements for routine maintenance of the completed pipeline would vary from 10 to 15 feet wide.

All access ways for construction of the Proposed Action would be on county roads, existing unpaved private roads, and within the pipeline construction corridor. Some minor re-grading of private roads may be necessary following travel with heavy equipment, but no widening of road alignments would occur.

Construction of the Proposed Action would occur between October and April, and would require up to 3 weeks for completion. Certain activity restrictions within this timeframe would apply to protect breeding migratory birds and raptors (see Section 3.7).

All surface disturbances caused by construction of the Proposed Action would be reclaimed. The construction footprint within the irrigated pasture areas, along the private driveway, and in the project origin area would be revegetated with an irrigated pasture seed mix subject to Reclamation's requirements and agreements between the Company and individual land owners. Reseeding would be accomplished by hand or using small farm equipment. L75 Road would be returned to its pre-existing condition at the site of the open-cut pipeline crossing. The decommissioned ditch parallel to L75 Road would be incorporated into the shoulder of L75 Road with gravel.

Best Management Practices (BMPs) would be used to control erosion, minimize harm to wildlife, and minimize the spread of weeds during and following construction. Noxious weeds would be controlled in disturbed areas according to the Delta County Noxious Weed Management Plan (www.deltacounty.com/DocumentCenter/View/1013). A small amount of vegetation slash (brush along the ditch) would be produced by construction of the Proposed Action. Slash would be chipped or burned onsite or hauled to a local landfill.

In accordance with the Colorado River Basin Salinity Control Act, habitat replacement would be required to mitigate for riparian and wetland habitat lost as a result of the Proposed Action. The Proposed Action includes the execution of an agreement between MCRC and the Company to collaborate on the management of an existing Habitat Replacement Site to satisfy the habitat replacement requirements.

3 AFFECTED ENVIRONMENT & ENVIRONMENTAL CONSEQUENCES

This section discusses resources that may be affected by the Proposed Action and the No Action Alternative. During preparation of this EA, information on issues and concerns was received from the Company, resource agencies, and other interested parties, as noted in the subsections below.

For each resource, the potentially affected area and/or interests are identified, existing conditions described, and potential impacts and environmental consequences predicted under the No Action and Proposed Action Alternatives. This section is concluded with a summary of impacts and environmental consequences.

3.1 Water Rights & Use

The Minnesota L75 Lateral receives water from Minnesota Creek, a tributary of the North Fork of the Gunnison River, in the Gunnison River basin. The Gunnison River basin is approximately 7,800 square miles in size. Information on water rights within the Gunnison basin in general can be found in the report entitled "*Gunnison River Basin Information, Colorado's Decision Support Systems*" (CWCB 2004).

The Minnesota L75 Lateral is part of the larger Minnesota Canal and Reservoir system, although the physical infrastructure of the Canal system and the Lateral are owned by two separate privately owned, non-profit, mutually-funded irrigation companies incorporated and operating in Delta County. The Minnesota Canal and Reservoir Company was established in 1903, and the Minnesota L75 Lateral Company was established in 2015. The shareholders in the Minnesota L75 Lateral Company are stockholders in the Minnesota Canal and Reservoir Company, which holds the adjudicated rights to the water conveyed in the system.

The Minnesota Canal and Reservoir Company holds several absolute decreed water rights totaling 59.857 cubic feet per second (cfs), most of which were appropriated in the late 1800s (Applegate Group, Inc. 2014). The water is diverted from Minnesota Creek approximately 2.5 miles east of the Town of Paonia (approximately 7 miles upstream on the system from the Proposed Action), and is conveyed to the Proposed Action Area in a buried pipe installed during Phase I and Phase II of the Minnesota Canal Piping Project. Reservoir storage in the Minnesota Creek and Beaver Creek (a Minnesota Creek tributary) drainages compensates for shortages in Minnesota Creek between July and October. The Minnesota Canal and Reservoir system irrigates approximately 2,136 acres of grass and alfalfa hay and pasture across Lamborn, Stewart, and Bone mesas. On-farm water distribution is accomplished with a combination of methods including open ditches, gated pipe, and sprinklers. The irrigation season is approximately 163 days long (typically mid-April through mid-October).

The Minnesota L75 Lateral itself conveys an average of 2.21 cfs daily for a total average of 713 acre-feet during irrigation season, and irrigates approximately 220 acres of hay crops and pasture. Irrigation with water conveyed by Minnesota L75 Lateral is primarily accomplished by flood methods or gated pipe. No new storage structures or diversions are associated with the Proposed Action. No new lands would be irrigated as a result of the Proposed Action.

> No Action: The No Action Alternative would have no direct effect on water rights and uses within the Gunnison River Basin. The Minnesota L75 Lateral would continue to function as it has in the past.
>
> Proposed Action: Under the Proposed Action Alternative, the capacity of the Minnesota L75 Lateral would be maintained. The Company would have the ability to better manage its water rights with efficiencies gained from eliminating seepage by piping the Lateral. Efficiencies gained may result in more water availability during the irrigation season; however, the Proposed Action does not include new storage or the irrigation of new lands. There would be no new diversions or water storage associated with the piping

project. Therefore, no direct adverse effects on water rights in the Gunnison River Basin are expected to occur due to implementation of the Proposed Action.

3.2 Water Quality

Irrigation practices in the region and in the Proposed Action Area contribute to high downstream salinity levels and create an adverse effect on the water quality of the Colorado River basin (see Section 1.1). Fish habitat in the Gunnison and Colorado Rivers is also threatened by selenium levels. Selenium is an element that occurs in the region's soils in soluble forms such as selenate, which is leached into rivers by runoff and irrigation practices. Though trace amounts of selenium are necessary for cellular functioning of many organisms, it is toxic in lightly elevated amounts. Selenium loading has not been quantified for the Proposed Action Area, but it is potentially contributing to an adverse effect on the water quality of the Colorado River basin.

The Proposed Action Area is located within the North Fork drainage of the Gunnison River watershed. The Gunnison River is a major tributary of the Colorado River in west-central Colorado.

The pipeline and habitat replacement components of the Proposed Action Area lie in the Reynolds Creek-North Fork Gunnison River unit (HUC 140200040503) tributary to the North Fork of the Gunnison River (Figure 5). Unnamed tributaries to Bell Creek, also in the Reynolds Creek-North Fork Gunnison River unit, receive irrigation runoff from farmlands irrigated by the Minnesota L75 Lateral. The water supplying the Minnesota L75 Lateral originates from Minnesota Creek in the Miller Creek hydrologic unit (Hydrologic Unit Code [HUC] 140200040407) to the northeast, in the North Fork of the Gunnison River watershed (Figure 5).

Current regulatory stream classifications for the mainstem of the North Fork of the Gunnison River below Black Bridge include coldwater aquatic habitat (Class I – capable of sustaining a wide variety of coldwater biota), recreation (existing primary contact use 4/1 – 9/30, potential primary contact use 10/1 – 3/31), water supply, and agriculture (CDPHE 2016). Stream classifications for Minnesota Creek and reservoirs supplying the Minnesota Canal and Reservoir Company system (and in turn, the Minnesota L75 Lateral) are coldwater aquatic habitat (Class I), recreation (existing primary contact use), water supply, and agriculture (CDPHE 2016a).

Current regulatory stream classifications for all North Fork of the Gunnison River tributaries south of the mainstem and not within National Forest boundaries (including Reynolds Creek and Bell Creek) are warmwater aquatic habitat (Class II – not capable of sustaining a wide variety of biota due to physical characteristics, or water flows or levels), recreation (potential primary contact use), and agriculture (CDPHE 2016).

Currently, none of the stream segments in hydrologic units named above that are potentially influenced by the Proposed Action are on the Colorado Department of Public Health and Environment's (CDPHE's) 303(d) list of water quality impaired waters in the State of Colorado (CDPHE 2016b). Impaired waters do not meet regulatory numeric water quality standards in one or more respects.

No Action: Under the No Action Alternative, the estimated 129 tons of salt annually contributed to the Colorado River basin from the Minnesota L75 Lateral would continue. Current selenium loading levels would continue.

Proposed Action: The Proposed Action would eliminate seepage from the Minnesota L75 Lateral open ditch, reducing salt loading to the Colorado River basin at an estimated rate of 129 tons per year, at a cost-effectiveness value of approximately $49.57 per ton (as per the Funding Application). The Proposed Action is also expected to reduce selenium loading into the Gunnison River basin (a goal of the Gunnison Basin Selenium Management Program [SMPW 2011]); however, these benefits have not been quantified. Improved water quality would likely benefit downstream aquatic species by reducing salt and selenium loading in Bell Creek, which receives irrigation tail water from the Proposed Action Area, and respectively in the North Fork, Gunnison, and Colorado rivers. No change in water quality would occur to Minnesota Creek (the source of irrigation water). In the short-term, construction activities in waterbodies have the potential to mobilize sediments. Burial of irrigation pipe in the existing ditch alignment and decommissioning of the abandoned stretch of ditch would occur during the irrigation off-season (while no water is flowing in the ditch). Water quality construction BMPs and permanent stabilization and revegetation of the filled ditch would be environmental commitments for the Proposed Action. An exemption from Section 404 of the Clean Water Act applies to the Proposed Action, and has been verified in writing by the U.S. Army Corps of Engineers (see Attachment B); therefore, no Section 401 Water Quality Certification is required for the Proposed Action.

3.3 Air Quality

The National Ambient Air Quality Standards (NAAQS) established by the U.S. Environmental Protection Agency (EPA) under the Clean Air Act (CAA) specify limits for criteria air pollutants. Criteria pollutants include carbon monoxide, particulate matter (PM 10 and PM 2.5), ozone, sulfur dioxide, lead, and nitrogen. If the levels of a criteria pollutant in an area are higher than the NAAQS, the airshed is designated as a nonattainment area. Areas that meet the NAAQS for criteria pollutants are designated as attainment areas. Delta County is in attainment for all criteria pollutants.

No Action: There would be no effect on air quality in the Proposed Action Area from the No Action Alternative. The Minnesota L75 Lateral would continue to operate in its current configuration. Dust and exhaust would occasionally be generated by vehicles and equipment conducting routine maintenance and operation.

Proposed Action: There would be no long-term impacts to air quality from the Proposed Action. Dust and vehicle exhaust from construction activities would have a temporary, short-term effect on the air quality in the immediate Proposed Action Area. Dust would be generated by excavation activities and the movement of construction equipment on unpaved roads. BMPs would be implemented to minimize dust, and would include measures such as watering the construction site and access roads, as appropriate. Impacts on air quality would be temporary and would cease once construction is complete. Following construction, impacts to air quality from routine maintenance and operation activities along the pipeline corridor would be similar in magnitude or less than those currently occurring for the existing ditch alignment. Impacts to air quality from routine maintenance include dust and vehicle exhaust from occasional use of light vehicles along the Project corridor.

3.4 Access, Transportation, & Public Safety

The existing Minnesota L75 Lateral currently operates in a prescriptive easement, all on private lands. Three of the six landowners in the footprint of the Proposed Action have provided dedicated easements for the new pipeline alignment parallel to L75 Road, via a subdivision agreement with Delta County. The landowner in the west portion of the Proposed Action area has agreed to dedicate an easement for the Proposed Action. The two properties adjacent to the L75 Road crossing in the west portion of the Proposed Action Area lie within the existing prescriptive easement for the Minnesota L75 Lateral, which will remain prescriptive. Construction activities would be limited to a total of an approximately 50-foot-wide corridor throughout the pipeline alignment. Following construction, permanent easements for routine maintenance of the completed pipeline would vary from 10 to 15 feet wide. The established easements for the Proposed Action and their specific locations would be clearly marked on the construction drawings. The easement in the west part of the Proposed Action Area currently under negotiation would be surveyed following construction and recorded with Delta County. No roads would be established along permanent easements following Project construction. Access to turnouts would be provided via the established easements.

All access ways for construction of the Proposed Action would be on county roads, existing unpaved private roads, and within the pipeline construction corridor. Some minor re-grading of private roads may be necessary following travel with heavy equipment, but no widening of road alignments would occur.

The primary public transportation resource in the Proposed Action Area is County Road L75, a paved road that parallels the existing Minnesota L75 Lateral immediately to the south and provides a non-primary connector between Crawford Road and 4050 Road (Figure 3). These roads provide access and mobility for residents traveling in the immediate area.

A Delta Montrose Electric Association overhead power service line parallels the Proposed Action along L75 Road. The powerline will remain in place at its current location—no adjustments will be necessary as a result of the Proposed Action. A buried Black Hills Energy natural gas line and a Bone Mesa domestic waterline exist at the road crossing site.

The Delta County Sheriff, the North Fork Ambulance Service, and the North Fork Volunteer Fire Department provide public services to the Proposed Action Area.

> No Action: There would be no effect to public safety, transportation, or public access from the No Action Alternative.
>
> Proposed Action: The Proposed Action Area would be accessed using the existing Delta County Road L75, connecting directly to the Project area or to existing private roads on private lands. All landowners with private roads that will be used to access the Project have given permission to the Company to access the Proposed Action Area. There would be no need for construction of new access roads for the Proposed Action, as construction access would be on existing roads and within construction easements. There are no known bridges around the Proposed Action Area with weight restrictions that would be used by construction vehicles. Implementation of the Proposed Action may cause limited delays along L75 Road and private driveways adjacent to the Proposed Action Area from construction vehicles entering and exiting the local roadways. One open cut pipeline crossing of L75 Road is proposed for the Project, through a right-of-way administered by Delta County. A permit for the road crossing would be coordinated

with Delta County Road and Bridge Department. A brief road closure at the site of the crossing may be necessary during construction, and would be coordinated with Delta County and local law enforcement and emergency services to ensure public safety. A closure of L75 Road at the site of the crossing would not impede local traffic from accessing L75 Road on either side of the closure, since L75 Road can be accessed both from Crawford Road and 4050 Road (Figure 3). All utilities would be located and marked prior to any ground-breaking activities in the Proposed Action Area, and pipeline construction coordinated with the owner-entities as appropriate.

3.5 Vegetative Resources / Habitat

The general landcover types in and around the Proposed Action Area include irrigated agricultural (hayfields and/or pastures), greasewood flats, pinyon pine-Utah juniper woodlands, big sagebrush shrublands, mixed salt-desert scrub, and semi-desert and invasive grasslands (Figure 6). Both the proposed pipeline and the proposed staging area for the Proposed Action lie in irrigated pasture. A significant portion of the current ditch alignment lies very close to the shoulder of L75 Road (a paved public road). Within the matrix of irrigated pasture (Figure 6), the existing ditch banks are vegetated with scattered patches of coyote willow, wild rose, cattails, vetches, pasture grasses, and an occasional small-stature Russian olive, Gambel oak, hawthorn, or salt cedar.

Currently the flowing water in the irrigation ditch and the county road are a vector for the spread of weeds. Stands of common ruderal and noxious weeds along the ditch include Canada thistle, milkweeds, chicory, dandelion, and kochia. These weeds are typical and widespread in the region, and tend to thrive in moist and/or disturbed ground.

Public Laws 98-569 and 104-20 require that the Secretary of the Interior “shall implement measures to replace incidental fish and wildlife values foregone” and develop a program that “shall provide for the mitigation of incidental fish and wildlife values that are lost.” In order to determine the incidental fish and wildlife values foregone, a habitat evaluation was performed for the Proposed Action Area by Wildlife & Natural Resource Concepts & Solutions, LLC to quantify potential wetland and riparian habitat values that would be lost in the Proposed Action Area due to Project implementation (Attachment C). The evaluation followed methodology outlined in Reclamation’s March 2013 “Basinwide Salinity Control Program: Procedures for Habitat Replacement.” In accordance with the evaluation method, Total Habitat Value (THV) is calculated for each affected wetland or riparian habitat area by multiplying its acreage by its habitat quality score (HQS), which is assigned based on a series of criteria. The HQS criteria include vegetative diversity, degree of stratification, presence of native vs. non-native vegetation, presence of noxious weeds, overall health/condition, degree of interspersion of vegetation with open water, connectivity with other habitat types, uniqueness, water supply, and degree of human alteration.

The predicted total of THV units affected due to implementation of the Proposed Action is estimated as the sum of the THVs across the Proposed Action Area. A total of approximately 0.18 acres of wetland or riparian habitat (equating to a total wetland and riparian habitat value of 0.47 units based on Habitat Quality Scoring) were identified as involved in the Proposed Action (Attachment C).

No Action: There would be no effect on existing vegetation or habitat from the No Action Alternative.

Proposed Action: The Proposed Action would result in the permanent loss of riparian and wetland vegetation associated with open ditches that are to be replaced with buried pipe, and the ditch alignment to be decommissioned by backfilling. Temporary, reclaimable disturbances of upland vegetation or irrigated lands (grass pasture) would also occur along the construction alignment and at the staging area. These vegetation resources support or contribute to the support of aquatic wildlife, terrestrial wildlife, and migratory birds. Backfilling of the ditch would result in permanent loss of approximately 0.18 acres (0.47 Habitat THV units) of wetland and riparian habitat because the open ditch and ditch seepage would be eliminated and would no longer provide flowing surface water or wetland hydrology to adjacent areas. The newly constructed pipeline alignment and the backfilled ditch alignment would be graded, seeded, and put into irrigated agricultural production (grass pasture) in accordance to easement agreements with landowners.

Piping the ditch would remove an important vector of weed seed transport. Downgradient seeps from ditches that support herbaceous noxious weeds would be dried and the ability of the environment to support these weeds would be diminished. Because ditch conversion to pipe would be occurring through irrigated farmland, the areas of invasive plants would likely decrease, because the ground over the newly buried pipe alignment and along the backfilled ditch could be irrigated and farmed with the surrounding area. The entire construction footprint for the Proposed Action lies outside native plant communities; therefore, the Proposed Action is not likely to create conditions for weeds to spread into native plant communities. Construction BMPs (such as cleaning vehicles and equipment prior to bringing them onsite) would help minimize the risk of weed infestations, and ongoing weed management efforts by the Company would be implemented during revegetation of the construction alignment.

Noxious weed infestations would be controlled according to Delta County standards (www.deltacounty.com/DocumentCenter/View/1013). Construction of the Proposed Action would follow BMPs to minimize the construction footprint, protect water quality, and minimize soil erosion. The Company consulted with the U.S. Army Corps of Engineers regarding the Proposed Action and received written concurrence that the Proposed Action meets Clean Water Act agricultural exemption requirements (Attachment B) and would not require a permit under Section 404 of the Clean Water Act. In compliance with the Colorado River Basin Salinity Control Act, the wetland and riparian habitat value that would be lost due to implementation of the Proposed Action would be mitigated with surplus habitat created at the nearby existing Habitat Replacement Site, established by the Minnesota Canal and Reservoir Company during their Phase II Salinity Control Project. The Minnesota Canal and Reservoir Company and the Minnesota L75 Lateral Company executed an agreement to secure the surplus habitat credit for mitigation for the Proposed Action (Attachment D).

3.6 Wildlife Resources

In the Proposed Action Area, the open Minnesota L75 Lateral ditch provides riparian and wetland habitat within a matrix of irrigated pastures (Section 3.5). Vegetation and water resources supported by the ditch, in association with adjacent irrigated land and a narrow margin of riparian vegetation, provide nesting, breeding, foraging, cover, and movement corridors for an array of wildlife. Note: migratory birds are discussed in Section 3.7.

Colorado Parks & Wildlife (CPW) describes the Proposed Action Area (mostly irrigated agricultural lands) as elk severe winter range (Figure 7). A mule deer resident population area and severe winter range are mapped across the entire Proposed Action Area (Figure 8). The Proposed Action Area also falls within overall range of black bear and mountain lion (CPW 2016). A variety of small mammals, reptiles, and amphibians also inhabit the general area. Those that would be likely to use the existing ditch, ditch margins, or adjacent pastures include ground-dwelling rodents, such as white-tailed prairie dog, several species of mice, voles, shrews, and bats, cottontail rabbit, striped skunk, raccoon, red fox, coyote, badger, bobcat, western terrestrial garter snake, smooth green snake, Woodhouse's toad, northern leopard frog, and tiger salamander.

No Action: Under the No Action Alternative, terrestrial and aquatic wildlife habitat would remain in its current condition, and no displacement of wildlife would occur. Salinity and selenium loading of the Colorado River drainage would continue at current rates, which will continue to affect water quality within the drainage, potentially affecting the wildlife using the area.

Proposed Action: Upland wildlife habitat impacted by the Proposed Action would result in minor temporary impacts to wildlife species within the Project Area. Direct impacts to big game would include short-term localized disturbance during the winter while construction is underway. However, big game wintering habitat in the vicinity of the Proposed Action Area is extensive, and big game species have the ability to move away from disturbances to other similar areas and more suitable areas, such as the McCluskey State Wildlife Area, approximately a quarter mile east of the Proposed Action (Nathan Seward, pers. comm.). During construction, pipeline trenches left open overnight would be kept to a minimum and covered to reduce potential for entrainment of big game or livestock and public safety problems. Covers would be secured in place and strong enough to prevent livestock or wildlife from falling through. Where trench covers would not be practical, wildlife escape ramps would be utilized.

Direct impacts to small animals, especially burrowing amphibians, reptiles, and small mammals, could include direct mortality and displacement during construction activities, both in the irrigated pasture areas and the exiting ditch alignment. However, these species and habitats are relatively common throughout the area and population level impacts would not be likely; therefore impacts would be minor.

The reduction of salt and selenium loading in the North Fork, Gunnison, and Colorado rivers resulting from the Proposed Action would likely benefit downstream fish and amphibians dependent on wetland and riparian habitats.

Wildlife dependent on wetland and riparian habitat in the Proposed Action Area would experience a long-term (greater than five years) loss of local habitat. In compliance with the Colorado River Basin Salinity Control Act, the wetland and riparian habitat value that would be lost due to implementation of the Proposed Action would be mitigated with surplus habitat created at the nearby Reclamation-approved Habitat Replacement Site previously established by the Minnesota Canal and Reservoir Company Phase II Salinity Control Project (see Attachment D for the Habitat Replacement Agreement).

3.7 Special Status Species

Migratory Birds & Raptors

Migratory birds protected under the Migratory Bird Treaty Act (MBTA) find nesting and/or migratory habitat in the Proposed Action Area. Under the MBTA, it is illegal to take, possess, import, export, transport, sell, purchase, or barter any migratory bird, bird parts, nests, or eggs of such birds except by permit. According to a list generated using the U.S. Fish & Wildlife Service's (FWS') Environmental Conservation Online System Information for Planning and Conservation (IPaC) for the Project Area, migratory songbirds of conservation concern protected under the Migratory Bird Treaty Act that could potentially find habitat in the Proposed Action Area and the immediate vicinity include the following: black rosy-finch (migrating), brown-capped rosy finch (migrating, wintering), Cassin's finch (year-round), fox sparrow (breeding), Lewis's woodpecker (year-round), loggerhead shrike (breeding),veery (breeding), Virginia's warbler (breeding), Williamson's sapsucker (breeding), and willow flycatcher (breeding). Destruction of vegetation that harbors active bird nests during nesting season can result in direct loss (i.e., "take") of eggs or young, or cause adult birds to abandon eggs. The primary nesting season for migratory songbirds in the Proposed Action Area is April 1 through July 15.

Common migratory raptors with a high potential to occur in the Proposed Action Area include red-tailed hawk (nesting, foraging, wintering, migrating), great-horned owl (nesting, foraging, wintering, migrating), bald eagle (wintering, foraging, rarely nesting, migrating), and golden eagle (foraging, wintering, migrating). These and other less common but potentially present migratory raptors, including burrowing owl (breeding), ferruginous hawk (wintering), prairie falcon (year-round), Peregrine falcon (breeding), short-eared owl (wintering), and Swainson's hawk (breeding), are protected by the MBTA.

In addition, bald eagles and golden eagles are protected by the Bald and Golden Eagle Protection Act of 1940. The Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." "Disturb" means to agitate or bother a bald or golden eagle to a degree that it causes injury or interferes with normal breeding, feeding, or sheltering behavior.

Bald eagles shelter in communal roost sites, consisting of trees or other tall structures where they gather regularly during the course of a season and shelter overnight or during inclement weather. There is a documented bald eagle roost site approximately 1 mile southwest of the Proposed Action Area (Figure 9). CPW maps the entire Proposed Action Area within bald eagle winter range and winter foraging range, and the pipeline component of the Proposed Action within a bald eagle winter concentration area (Figure 9). Bald eagles and other raptors are common hunters during winter on the local mesas around the Proposed Action, especially on open and agricultural ground where prairie dogs and other burrowing rodents provide prey.

The core nesting season for raptors (hawks, falcons, and owls) in the area is April 1 through July 15; however, individuals may begin courtship and nest construction as early as February. Bald eagles nest during the period between October 15 and July 31, golden eagles nest between December 15 and July 15, and red-tailed hawks can initiate nesting as early as February 15 (CPW 2008). The most common raptors in the area typically choose tall cottonwood trees for nest sites, with the exception of golden eagles and falcons, which typically

choose cliffs, and burrowing owls, which occupy prairie dog dens. Tree-nesting raptors construct substantial stick nests, and generally return to the same nest location annually.

There is one active red-tailed hawk stick nest in a cottonwood approximately 500 feet south of the Proposed Action Area (Figure 10). Suitable nest sites (cliffs) for golden eagles, peregrine falcons or prairie falcons do not exist in or near the Proposed Action Area. Burrowing owls have not been documented in the North Fork Valley area (Jason Beason, Rocky Mountain Bird Observatory, pers. comm.) and their preferred nesting habitat of extensive prairie dog colonies are not present in the Proposed Action Area. Bald eagles are rare nesters in the North Fork Valley, and no CPW-mapped active eagle nests exist within several miles of the Proposed Action Area (CPW 2017). A few tall trees suitable for tree-nesting raptors exist in the vicinity of the Proposed Action, but not in the proposed disturbance footprint. Like migratory songbirds, raptors disturbed during nesting may abandon their eggs or be less successful at feeding their young. A baseline level of disturbance in the area to migratory birds and raptors occurs from residential and farming activities, and from vehicles traveling along L75 Road.

No Action: In the absence of the Proposed Action, migratory songbird and raptor foraging habitat would remain in its current condition, and no temporary displacement of migratory birds or raptors would occur. Salinity and selenium loading in the Colorado River Basin would continue at current rates, which will continue to affect water quality within the drainage, potentially affecting the wildlife using the area.

Proposed Action: Direct impacts to migratory songbirds and raptors would include minor short-term disturbance and displacement from the Proposed Action Area from construction activities during migratory seasons or winter. Wintering and migrating songbirds and raptors are not expected to experience measurable short- or long-term affects due to construction disturbance or displacement because adult birds have the flexibility to move away from disturbances to other suitable areas. Wintering foraging habitat for songbirds and raptors around the North Fork Valley and in the vicinity of the Proposed Action Area is extensive, and foraging habitat not unique or exceptional in the Proposed Action Area compared to surrounding areas.

There would be no direct effect to breeding songbirds since pre-construction vegetation grubbing would occur outside the primary nesting season (potential nesting habitat including scattered shrubs and a few trees lining the ditch would be grubbed and removed outside the period of April 1 through July 15). The long-term loss of potential songbird nesting habitat would be mitigated by a habitat replacement project. In compliance with the Colorado River Basin Salinity Control Act, the wetland and riparian habitat value that would be lost due to implementation of the Proposed Action would be mitigated with surplus habitat created at the nearby Reclamation-approved Habitat Replacement Site previously established by the Minnesota Canal and Reservoir Company Phase II Salinity Control Project. No direct loss of raptor nesting habitat (tall trees) would occur as a result of the Proposed Action.

Project activities taking place outside the recommended buffer distances and seasonal restrictions for Colorado raptors (CPW 2008) would have no measurable effects on raptors. The only known active raptor nest near the Proposed Action Area and inside the recommended buffer zone for the species is a red-tailed hawk nest, approximately 500 feet south of the proposed pipeline corridor (Figure 10). To avoid disturbance to this nest, pipeline and turnout construction activities would either avoid red-tailed hawk nesting season (February 15 through July 15), or pipeline construction activities could

extend past February 15, so long as the activities were initiated prior to February 15, and operated on a daily basis until completion. It is assumed that red-tailed hawks that initiate nesting during ongoing construction activities are tolerant to such activities. Reseeding following construction would potentially take place during the red-tailed hawk nesting season; however, reseeding would be accomplished by hand or with small farm equipment in a manner that is not inconsistent with normal farm activities and levels of human presence that regularly occur within the buffer zone.

There is one documented bald eagle winter roost approximately 1 mile southwest of the Proposed Action (Figure 9), without direct line-of-sight to the Proposed Action Area. This distance lies outside the recommended buffer distance of ¼ mile for a bald eagle roost from human disturbance (CPW 2008), and is therefore not likely to be affected by the Proposed Action. If an active raptor nest or bald eagle roost site is discovered within ¼ mile of the Proposed Action during construction activities, construction would cease until Reclamation could complete consultations with FWS and CPW.

Threatened & Endangered Species & Their Critical Habitats

The Endangered Species Act (ESA) of 1973 protects federally listed endangered, threatened and candidate plant and animal species and their critical habitats. Table 1 presents the federally-listed species and species proposed for listing that may occur within or near the Proposed Action area, briefly explains habitat requirements of each species, and indicates whether the species range or distribution intersects the Proposed Action Area.

The species presented in Table 1 were generated from the FWS Environmental Conservation Online System Information for Planning and Conservation (IPaC) for a Threatened & Endangered Species Inventory (Rare Earth 2017), prepared as a background document for this EA and summarized below. Unless otherwise specified, all information related to the species descriptions and discussions below was obtained from resources accessed through iPaC.

Table 1. Federally-Listed Species Potentially Occurring in or Near the Proposed Action Area

Name	Status	Habitat Requirement Summary	Range in Project Area?	Habitat in Project Area?
FISHES				
Greenback cutthroat trout *Oncorhynchus clarkia stomias*	Threatened	High elevation cold water streams and cold water lakes with adequate stream spawning habitat present during spring. No spawning habitat or perennial water exist in the Project area. The nearest known populations are upgradient and upstream of the Project Area in the Minnesota Creek and Terror Creek drainages near Paonia (Dare et al. 2011).	Yes	No, (there are no perennial coldwater streams in project area)
Bonytail *Gila elegans*	Endangered	Although no habitat is present within the project area for these four species, downstream designated critical habitat on the Colorado & Gunnison Rivers is affected by consumptive use of water for agricultural irrigation.	No	No, but designated critical habitat is down-stream
Colorado pikeminnow *Ptychocheilus lucius*				
Humpback chub *Gila cypha*				

Name	Status	Habitat Requirement Summary	Range in Project Area?	Habitat in Project Area?
Razorback sucker *Xyrauchen texanus*				
PLANTS				
Colorado hookless cactus *Sclerocactus glaucus*	Threatened	Known range limited to alluvial river terraces and Mancos Shale formation of the Gunnison River valley from near Delta, Colorado, to southern Mesa County, Colorado; and alluvial river terraces of the Colorado River and in the Plateau and Roan Creek drainages in the vicinity of DeBeque, Colorado. Plant associations include semi-desert shrublands, big sagebrush shrublands, and sagebrush-juniper woodland transition areas. None observed during inspection of project area.	No	--
MAMMALS				
North American wolverine *Gulo gulo luscus*	Proposed Threatened	Wolverines do not specialize on vegetation or geological aspects of habitat, but instead select areas that are cold enough to reliably maintain deep persistent snow during winter and late into the warm season, namely boreal, alpine, and arctic regions (Copeland et al. 2010). Therefore, in the southern portion of the species' range (i.e., western Colorado) where ambient temperatures are warmest, wolverine distribution is restricted to high elevations. Deep, persistent, and reliable spring snow cover (April 15 to May 14) is the best overall predictor of wolverine occurrence in the contiguous United States.	Yes (Historic)	No (restricted to high-elevation habitat with persistent spring snow cover)

No suitable habitat for greenback cutthroat trout is within the Proposed Action area or located downstream (see Table 2). The Proposed Action area has no documented occurrences of Colorado hookless cactus and the Proposed Action Area has no suitable habitat for Colorado hookless cactus. The nearest known population of Colorado hookless cactus to the Proposed Action Area is approximately 18 miles away, on the south slope of Redlands Mesa, northwest of the Town of Hotchkiss in Delta County (observed by the preparer of this EA). The Proposed Action area lacks suitable habitat for the North American wolverine (see Table 2). Furthermore, there are no viable populations of wolverine in western Colorado. Only one individual has been documented in the Southern Rocky Mountains (in north-central Colorado) since 1919.

The Colorado River basin has four endangered fishes: the bonytail, the Colorado pikeminnow, the humpback chub, and the razorback sucker. Decline of the four endangered fishes is due at

least in part to habitat destruction (diversion and impoundment of rivers) and competition and predation from introduced fish species. In 1994, the FWS designated critical habitat for the four endangered species at Federal Register 56(206):54957-54967, which in Colorado includes the 100-year floodplain of the upper Colorado River from Rifle to Lake Powell, and the Gunnison River from Delta to Grand Junction. None of the four endangered Colorado River fishes occur in or near the Proposed Action Area and the Proposed Action Area does not occur within or adjacent to designated critical habitat. The closest designated critical habitat and the closest potential populations of the Colorado pikeminnow and razorback sucker are in the Gunnison River, approximately 20 direct (aerial) miles west-by-northwest of the Proposed Action Area.

Currently, the potential impacts to Colorado River endangered fishes result from continued irrigation water depletion from Minnesota Creek and the North Fork of the Gunnison River, which drain to the Gunnison River in the greater Colorado River basin. Water depletion in these drainages has the potential to diminish backwater spawning areas and other habitat in downstream designated critical habitat. The total average rate of annual diversions of irrigation water through the Minnesota Canal and Reservoir system (including Minnesota L75 Lateral) is approximately 3,190 acre-feet, for irrigation of approximately 2,136 acres of hay crops and pasture (FWS 2012).

No Action: In the absence of the Proposed Action, historic water depletions would continue, salt and selenium loading from the Proposed Action Area would continue at current rates, and there would be no effects to threatened or endangered species or their critical habitats.

Proposed Action: A threatened and endangered species inventory (Rare Earth 2017) was completed for the Proposed Action/Proposed Action Area, and used by Reclamation as a background document for this EA. The results of the inventory are summarized as follows:

- **Colorado River Basin Endangered Fishes**. The Proposed Action Area does not lie within the ranges of the endangered Colorado pikeminnow, razorback sucker, humpback chub, and bonytail. Based on previously issued biological opinions that all depletions within the Upper Colorado River Basin may adversely affect the four fishes, it is expected that the Proposed Action may affect, and is likely to adversely affect, the Colorado pikeminnow, razorback sucker, humpback chub, and bonytail.

- **Colorado River Basin Endangered Fishes Critical Habitat**. Consumptive use of water in the Gunnison and Colorado River basins due to agricultural irrigation from the Minnesota Canal and Reservoir system (including the Minnesota L75 Lateral) results in an average annual depletion of approximately 3,190 acre-feet from the upper Gunnison River watershed (FWS 2012), which affects downstream critical habitat in the Colorado River basin for the endangered Colorado pikeminnow, razorback sucker, humpback chub, and bonytail. Reclamation previously consulted with FWS on this annual depletion rate in 2012, as part of the Minnesota Canal and Reservoir Company Salinity Control Project (File ES/GJ-6-CO-09-F-001-GP-020 TAILS 06E24100-2012-F-0208). As a result of that consultation, the Minnesota Canal and Reservoir Company (the holder of the irrigation water rights distributed in the Minnesota L75 Lateral) executed a Recovery Agreement with FWS to ensure compliance with the U.S. Endangered Species Act for depletions to the Gunnison River Basin (available in Appendix C of the Environmental Assessment for the Minnesota Canal and Reservoir Company Salinity Control Project at

https://www.usbr.gov/uc/envdocs/ea/MinnesotaCanal/FEA.pdf). The annual depletion rate resulting from the operation of the Minnesota L75 Lateral is not expected to change as a result of the Proposed Action. Therefore, it is expected that the Proposed Action will not destroy or adversely modify the designated critical habitat for the Colorado River endangered fishes. Furthermore, the potential reduction in selenium loading to the Colorado and Gunnison river basins as a result of the cumulative efforts of the Colorado River Basin Salinity Control Basinwide and Basin States Programs improves water quality within designated critical habitat for the Colorado pikeminnow, razorback sucker, humpback chub, and bonytail throughout the Colorado and Gunnison river basins. Potential reductions in selenium loading to the Gunnison basin as a result of the Proposed Action would also contribute to the overall success of the Gunnison Basin Selenium Management Program (SMPW 2011).

3.8 Cultural Resources

Cultural resources are defined as physical or other expressions of human activity or occupation. Such resources include culturally significant landscapes, prehistoric and historic archaeological sites, isolated artifacts or features, traditional cultural properties, Native American and other sacred places, and artifacts and documents of cultural and historical significance.

In summer of 2016, Alpine Archaeological Consultants, Inc. (Alpine) conducted cultural resource inventory (including a literature search and a site survey) of irrigation features and areas slated for disturbance in the Proposed Action Area (Harrison 2016).

The inventory determined that due to historic use of the Proposed Action Area, “there is low potential for surface sites and little subsurface potential for cultural remains.” No part of the irrigation infrastructure involved in the Proposed Action was determined to be eligible for the National Register of Historic Places. No mitigation was recommended by Alpine as a result of the inventory.

No Action: The No Action Alternative would have no effect on cultural resources.

Proposed Action: No cultural resources were identified within the Proposed Action Area. Reclamation received concurrence (Attachment E) from the Colorado State Historic Preservation Officer (Colorado SHPO) that the Proposed Action would have no effect on historic properties. In the event that cultural and/or paleontological resources are discovered during construction, the Company would stop construction activities until Reclamation has completed consultation with the SHPO and appropriate measures are implemented to protect or mitigate the discovered resource.

3.9 Agricultural Resources & Soils

It is the policy of the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) to “maintain and keep current an inventory of the prime farmland and unique farmland of the Nation…the objective of the inventory is to identify the extent and location of important rural lands needed to produce food, feed, fiber, forage, and oilseed crops” (7 CFR 657.2). NRCS identifies farmlands of national and statewide importance in the region, based on soil types and irrigation status.

Four types of farmlands of national or statewide importance occur in the vicinity of the Proposed Action (Figure 10):

Prime Farmland if Irrigated. Approximately two-thirds of the irrigated lands affected by the Proposed Action are Prime Farmland if Irrigated. According to USDA, Prime Farmland has the best combination of physical and chemical characteristics for producing food, feed, forage fiber and oilseed crops.

Prime Farmland if Irrigated and Drained. None of the irrigated lands affected by the Proposed Action are mapped as Prime Farmland if Irrigated and Drained. As mentioned above, USDA considers Prime Farmland to have the best combination of physical and chemical characteristics for producing food, feed, forage fiber and oilseed crops.

Farmland of Unique Importance. None of the irrigated lands affected by the Proposed Action are mapped as Farmland of Unique Importance. This land type has a special combination of soil quality, location, growing season, and moisture supply required to produce sustained high quality crops when properly managed.

Farmland of Statewide Importance. Approximately one-third of the proposed buried pipe alignment crosses this farmland type. Farmlands of statewide importance have been identified by state agencies as lands that nearly meet the requirements for prime farmland.

No significant farmlands are identified at or around the Habitat Replacement Site. No surface disturbance would occur at the Habitat Replacement Site as a result of the Proposed Action.

All soil types in the Proposed Action Area are derived from Mancos Shale, which formed in a marine environment and now contribute salinity and selenium loading in the Colorado River basin.

No Action: The No Action Alternative would have no effect on soils of agricultural significance. Farmlands in the Proposed Action Area would continue to produce as in the past. Salinity loading from irrigation water contact with Mancos Shale-derived soils in the current irrigation ditch system would continue as it has in the past.

Proposed Action: Under the Proposed Action Alternative, replacement of the Minnesota L75 Lateral with buried pipe would cause temporary disturbance to agriculturally important lands, including Prime Farmland if Irrigated and Farmland of Statewide Importance. These lands are in irrigated agricultural production (grass pastures). No farmlands will be permanently removed from production as a result of the Proposed Action. Livestock grazing on these lands could be disrupted during construction, but could resume immediately afterwards.

Topsoil would be reserved prior to excavation, replaced on the ground surface following pipe installation, then reseeded with hay or pasture cultivars. The backfilled portion of the ditch that is not incorporated into the L75 Road shoulder and other disturbed areas (such as the staging area) would also be seeded with compatible grass pasture species. A weed control program meeting Delta County criteria (www.deltacounty.com/DocumentCenter/View/1013) would be implemented in all areas of surface disturbance.

Overall, the Proposed Action would give the Company the ability to better manage its water rights with efficiencies gained from piping the system. Efficiencies gained may

result in a longer irrigation season, and potentially in increased agricultural productivity; no new land will be irrigated as a result of the proposed action. Therefore, no direct adverse effects on agriculturally significant lands are expected to occur due to implementation of the Proposed Action. Water contact with Mancos Shale derived soils would be minimized in the irrigation system as a result of the Proposed Action, which would help reduce salinity loading in the Colorado River basin. Soil erosion from irrigation water conveyance would be significantly reduced where ditches are proposed for decommissioning or replacement with buried pipe.

3.10 Cumulative Impacts

Cumulative impacts are direct and indirect impacts on the environment which result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. Cumulative impacts can also be characterized as additive or interactive. An additive impact emerges from persistent additions from one kind of source, whether through time or space. An interactive—or synergistic—impact results from more than one kind of source.

The analysis of cumulative impacts for the No Action and Proposed Action Alternatives considers both spatial (geographic) boundaries and temporal limits of impacts, on a resource-by-resource basis. Spatial and temporal analysis limits vary by resource, as appropriate (see Table 2). Spatial analysis limits were selected to be commensurate with the impacts on, and realm of influence of, each resource type. The temporal limits of analysis were established as 50 years for each resource type (a standard timeframe for cumulative impacts analysis), except for resource types perceived to have only temporary impacts (impacts that end following construction of the Project or within a few seasons following construction).

Table 2. Cumulative Impacts Analysis Spatial & Temporal Limits by Resource

Resource Issue	Spatial Limits of Analysis	Temporal Limits of Analysis
Water Rights and Use	North Fork River drainage	50 years
Water Quality	Colorado River Basin	50 years
Air Quality	Project Area plus 2-mile buffer	Duration of Project
Access, Transportation, & Public Safety	Project Area	Duration of Project
Vegetative Resources / Habitat	North Fork River drainage	50 years
Wildlife Resources	North Fork River drainage	50 years

Resource Issue	Spatial Limits of Analysis	Temporal Limits of Analysis
Special Status Species (Migratory Birds & Threatened and Endangered Species)	North Fork River drainage, except for Colorado River endangered fishes, where the designated critical habitat is considered the spatial limit of analysis	50 years
Cultural Resources	The North Fork River drainage	50 years
Agricultural Resources & Soils	The North Fork River drainage	50 years

Effects of past actions are reflected in the current condition described in the affected environment in each of the resource topics of Section 3. Effects of present, and reasonably foreseeable future actions (planned actions or known proposals for actions in the spatial limits of analysis that would take place within the temporal limits of analysis shown in Table 2), are summarized in Table 3.

Table 3. Cumulative Impacts Scenario

Resource Issue	Existing or Future Activities in the Limits of Analysis and their Contribution to Cumulative Impacts with the Proposed Action
Water Rights and Use	Irrigation water rights in the area will continue to be bought and sold in the future, and used for agricultural purposes. Due to future population growth and increasing subdivisions in the area, agricultural water rights may be converted to municipal or industrial uses. Ongoing and future projects sponsored by NRCS in the Project Area and the area of analysis can be reasonably expected to put irrigation water into sprinkler systems, which could impact irrigation wastewater rights of some downgradient users by reducing or eliminating historic irrigation wastewater runoff. The Proposed Action is not expected to lead to future sprinkler system installations, but would lead to increased efficiency of water delivery to irrigated lands. The Proposed Action is not expected to contribute measurably to cumulative impacts on water rights and use in the area of analysis. The No Action Alternative would have no impact on water rights and water use in the area of analysis.

Resource Issue	Existing or Future Activities in the Limits of Analysis and their Contribution to Cumulative Impacts with the Proposed Action
Water Quality	Three ongoing federal programs at a basin-wide scale are producing significant cumulative beneficial effects on water quality: the Colorado River Basin Salinity Control Program, the Upper Colorado River Endangered Fish Recovery Program, and the Gunnison Basin Selenium Management Program. Collectively and cumulatively, projects funded under the Salinity Control Program result in reduced salt loading in the Colorado River basin. The Recovery Program involves federal, state and private organizations and agencies in Colorado, Utah, and Wyoming, and is working for the benefit of four species of endangered fishes in the Colorado River and its tributaries while allowing water use and development to continue meeting human needs. Reclamation is working with entities in the Gunnison Basin to develop the Gunnison Basin Selenium Management Plan to reduce selenium levels in the Gunnison River at Whitewater, as a conservation measure required by the Gunnison Basin Programmatic Biological Opinion (FWS 2009). Under the No Action Alternative, water quality benefits (an estimated 129-ton salt loading reduction per year in the Colorado River basin) would not be realized by the Project.
Air Quality	Air quality in the area of analysis is affected by vehicular traffic (exhaust gases and road dust), agricultural practices (exhaust gases from farm equipment, dust and smoke from harrowing and ditch/field burning), and occasional controlled burns, wildfires or dust storm events (either local, or blown in from distant locations with the westerly prevailing winds). Dust and exhaust gases related to construction of the Proposed Action are expected to be temporarily elevated in the Project Area, near the Project Area, and east of the Project Area (influenced by the prevailing winds) for the short-term duration of construction. Because salinity and selenium control projects involve piping open ditches, and buried pipe alignments require less maintenance than open ditch systems (would not require burning, re-digging, etc.), it is expected that the long-term cumulative impact of the Proposed Action would be to reduce contributions of dust and exhaust gases to the atmosphere. Under the No Action Alternative, there would be no contribution to the cumulative impact on air quality in the area of analysis.

Resource Issue	Existing or Future Activities in the Limits of Analysis and their Contribution to Cumulative Impacts with the Proposed Action
Access, Transportation, & Public Safety	Proposed Action Area access would be ensured by easement agreements with landowners and by prescriptive easements. Utilities would be properly located and marked prior to ground disturbance. Existing regional traffic near the Project Area is confined primarily to Crawford Road, a paved two-lane county road approximately 0.5 mile west of the Proposed Action. Local traffic in the Proposed Action Area travels L75 Road (paved), 4050 Road (paved), and private graveled or dirt roads/tracks. Existing traffic includes local residents, regional travelers, and very few commercial vehicles. Crawford Road is used by regional travelers between the towns of Paonia and Crawford. County Roads L75 and 4050 and used by local residents and by the local community to reach their residences or the McCluskey State Wildlife Area to the east of the Proposed Action. Construction traffic related to the Project would primarily use L75 Road and 4050 Road (via Crawford Road or Stewart Mesa Road) to reach the Project site. Private driveways could be temporarily blocked by construction traffic and other construction activities. Construction traffic could include heavy vehicles, wide loads, and heavy equipment moving at slow speeds. No new roads would be constructed for Project access, and existing roads would be restored to their current condition or better following construction. Traffic control and notification of emergency authorities would be implemented for road closures or as appropriate for wide, slow-moving loads. These effects would be temporary and would not contribute significantly to cumulative impacts on access, transportation, or public safety in the Project Area. Under the No Action Alternative, there would be no contribution to the cumulative impact on access, transportation, & public safety in the area of analysis.
Vegetative Resources / Habitat	Present and future actions within the analysis area (North Fork River drainage) include infrastructure development and/or maintenance (including public and private roads, and maintenance of a high-voltage transmission corridor east of the Proposed Action), other salinity reduction and NRCS irrigation projects, recreational hunting and outfitting, grazing, motorized recreation, firewood cutting, and subdivision and residential development (on Stewart Mesa, within the Town of Paonia, and around the North Fork Valley), and conversion of native shrublands and woodlands to agricultural uses. Drought and wildfire also will continue to affect the region's vegetative resources and natural habitat in the future, possibly with increasing intensity. The primary vegetation/habitat impact of the Project would be to convert approximately 0.18 acres of riparian and wetland habitat associated with the current ditch to irrigated hay meadow or irrigated pasture. Considering the habitat replacement agreement to be executed and maintained for 50 years to address the loss of riparian and wetland habitat on the Project's ditch alignment, the overall contribution of the Proposed Action to the cumulative effects on the vegetation and habitat in the analysis area are expected to be negligible. Other similar salinity reduction projects in the region are also required to establish habitat replacement projects to functionally replace riparian and wetland habitats affected by the projects. Under the No Action Alternative, there would be no contribution to the cumulative impact on vegetative resources in the area of analysis.

Resource Issue	Existing or Future Activities in the Limits of Analysis and their Contribution to Cumulative Impacts with the Proposed Action
Wildlife Resources	Present and future activities in the analysis area affecting this resource are similar to those described for vegetative resources / habitat, above. The Project Area lies in elk severe winter range and mule deer concentration areas and year-round range. Movements and forage patterns of elk and deer would be temporarily disrupted during construction of the Project. However, deer and elk are widespread, relatively abundant, and readily disperse across the landscape in response to disturbance. The surrounding landscape is relatively open and natural, with ample opportunities for big game dispersal. Small mammals and herptiles would be temporarily displaced during construction of the Proposed Action until revegetation is accomplished. Individual small burrowing mammals and herptiles could be harmed during construction. The negative effects from the Project would be of short duration and magnitude, and would not result in a substantial contribution to cumulative area-wide impacts on population trends of wildlife. Impacts would be mitigated by design features and environmental commitments described elsewhere in this EA. Under the No Action Alternative, there would be no contribution to the cumulative impact on wildlife resources in the area of analysis.
Special Status Species (Migratory Birds and Threatened and Endangered Species)	Present and future activities in the analysis area affecting this resource are similar to those described for vegetative resources / habitat, above. The Proposed Action, when combined with the ongoing or foreseeable future activities in this area, is not likely to contribute to substantial negative long-term cumulative impacts to migratory birds or threatened and endangered species. Migrating and wintering birds are expected to disperse to other areas during construction, and the Proposed Action timing restrictions would be imposed on certain activities to protected breeding birds. The Proposed Action and similar salinity and selenium control projects occurring in the area in the future are not expected to destroy or adversely modify downstream critical habitat for the four species of Colorado River endangered fishes, because the projects will not typically result in an increase in average annual depletion rates of water from the system. Salinity control projects have the unquantified benefit of reducing selenium load in the Colorado River Basin, improving water quality for aquatic wildlife. Under the No Action Alternative, there would be no measurable contribution to the cumulative impact on special status species. Average annual depletions of water from downstream designated critical habitat for the four Colorado River endangered fishes would continue as in the past in the area of analysis.

Resource Issue	Existing or Future Activities in the Limits of Analysis and their Contribution to Cumulative Impacts with the Proposed Action
Cultural Resources	Cultural resources are defined as fragile and nonrenewable remains of prehistoric and historic human activity, occupation, or endeavor, as reflected in districts, sites, structures, buildings, objects, artifacts, ruins, etc. Significant cultural resources are eligible for listing in the National Register of Historic Places, are typically at least 50 years old, and meet other requirements specified at 36 CFR Part 60. No cultural resources were identified within the Proposed Action Area. Reclamation received concurrence (Attachment E) from the Colorado State Historic Preservation Officer (Colorado SHPO) that the Proposed Action would have no effect on historic properties. Other salinity and selenium control projects in the area of analysis also will affect or have the potential to destroy cultural resources such as irrigation ditches and appurtenant structures. For significant resources, these effects are mitigated by Historic Resource Documentation at an appropriate level for the significance of the resource. For Projects which will adversely affect NRHP-eligible cultural resources, a Memorandum of Agreement (MOA) is executed between Reclamation and the State Historic Preservation Office to ensure proper documentation of the resource prior to its destruction. Under the No Action Alternative, there would be no contribution to the cumulative impact on cultural resources in the area of analysis.
Agricultural Resources & Soils	Actions with potential for cumulative effects on soils and agricultural resources in the North Fork River drainage include existing and future Colorado River Basin Salinity Control Program projects, Selenium Management Program projects within the Gunnison Basin, existing and future NRCS irrigation improvement projects, infrastructure development, livestock grazing, and residential development. Each of these activities can result in soil erosion or degradation of soil health; however, erosion control and reclamation is required for most of these activities to reduce direct, indirect, and cumulative soils effects. Residential development can result in conversion of irrigated agricultural or grazing rangelands. The Proposed Action would not result in the direct loss of irrigated agricultural lands or grazing rangelands. Under the No Action Alternative, there would be no contribution to the cumulative impact on agricultural resources & soils in the area of analysis.

3.11 Summary of Impacts

Table 4 summarizes the predicted impacts/environmental consequences of the No Action and Proposed Action Alternatives analyzed in this EA.

Table 4. Summary of Impacts of the Proposed Action

Resource Issue	Impacts	
	No Action Alternative	Proposed Action Alternative
Water Rights and Use	No Effect	No Effect or possible beneficial effect

Resource Issue	Impacts	
	No Action Alternative	**Proposed Action Alternative**
Water Quality	Salt and selenium loading from the Project area would continue to affect water quality in the Colorado River Basin.	An estimated salt loading reduction of 129 tons per year to the Colorado River Basin will result from implementation of the Proposed Action. The Proposed Action is also expected to reduce selenium loading into the Gunnison River; however, these benefits have not been quantified. Improved water quality would likely benefit downstream aquatic species by reducing salt and selenium loading in the North Fork, Gunnison, and Colorado rivers.
Air Quality	No Effect	Minor short-term effects due to dust and exhaust created by construction equipment.
Access, Transportation, & Public Safety	No Effect	Minor temporary disruptions to L75 Road local traffic from construction traffic entering and existing the roadway. No long-term effects.
Vegetative Resources / Habitat	No Effect	Short-term impacts to vegetation where construction would occur in upland areas. Estimated long-term loss of 0.47 total habitat value units, due to elimination of seepage from the involved ditch alignment. In compliance with the Colorado River Basin Salinity Control Act, the wetland and riparian habitat value that would be lost due to implementation of the Proposed Action would be mitigated with surplus habitat created at the nearby Reclamation-approved Habitat Replacement Site previously established by the Minnesota Canal and Reservoir Company Phase II Salinity Control Project. An agreement governing this arrangement would be signed between Minnesota Canal and Reservoir Company and Minnesota L75 Lateral Company.
Wildlife Resources	No Effect	Short-term temporary adverse effect to local wildlife during construction. In compliance with the Colorado River Basin Salinity Control Act, the wetland and riparian habitat value that would be lost due to implementation of the Proposed Action would be mitigated with surplus habitat created at the nearby Reclamation-approved Habitat Replacement Site previously established by the Minnesota Canal and Reservoir Company Phase II Salinity Control Project. An agreement governing this arrangement would be signed between Minnesota Canal and Reservoir Company and Minnesota L75 Lateral Company.

Resource Issue	Impacts	
	No Action Alternative	**Proposed Action Alternative**
Threatened and Endangered Species	Selenium loading from the Project area would continue to affect downstream critical habitat for endangered fishes.	Water depletions (irrigation water consumption) would continue at historic levels from the North Fork River drainage, and would adversely affect downstream designated critical habitat for the four Colorado River federally endangered fishes. Reclamation previously consulted with FWS on this annual depletion rate in 2012, as part of the Minnesota Canal and Reservoir Company Salinity Control Project. As a result of that consultation, the Minnesota Canal and Reservoir Company (the holder of the irrigation water rights distributed in the Minnesota L75 Lateral) executed a Recovery Agreement with FWS to ensure compliance with the U.S. Endangered Species Act for depletions to the Gunnison River Basin. The annual depletion rate is not expected to change as a result of the Proposed Action. Therefore, it is expected that the Proposed Action will not destroy or adversely modify the designated critical habitat for the Colorado River endangered fishes. The Proposed Action would improve water quality to the benefit of endangered fishes by contributing to the reduction of selenium loading in the Gunnison and Colorado rivers.
Migratory Birds		Short-term temporary effects to adult migratory birds: wintering, foraging, and migrating adult birds have the flexibility to avoid the Proposed Action Area. The Proposed Action would have activity / timing restrictions to be protective of breeding birds.
Cultural Resources	No Effect	No cultural resources were identified within the Proposed Action Area. Reclamation received concurrence (Attachment E) from the Colorado State Historic Preservation Officer (Colorado SHPO) that the Proposed Action would have no effect on cultural resources.
Agricultural Resources & Soils	No Effect	Short-term temporary effect during construction, with agricultural production and grazing resuming following restoration of the ground surface, and appropriate reseeding, erosion control, and weed control on disturbed soils in non-irrigated areas.

Resource Issue	Impacts	
	No Action Alternative	**Proposed Action Alternative**
Cumulative Impacts	No Effect	Beneficial effects related to reduction of salt and selenium loading in the Gunnison and Colorado river basins. Indirect and direct contributions to cumulative effects on other resources are temporary and/or negligible, with consideration of mitigative measures (i.e., the habitat replacement agreement) and BMPs.

4 ENVIRONMENTAL COMMITMENTS

This section discusses the environmental commitments developed to protect resources and mitigate adverse impacts to a non-significant level. The cooperative agreement between Reclamation and the Company requires that the Company be responsible for "…implementing and/or complying with the environmental commitments contained in the NEPA/Endangered Species Act compliance documents to be developed by Reclamation for the project."

The following environmental commitments shall be implemented as an integral part of the Proposed Action, and shall be incorporated in the contractor bid specifications.

Note that any construction activities proposed outside of the inventoried Proposed Action Area, or outside the planned timeframe, first require additional review by Reclamation to determine if the existing surveys and information are adequate to evaluate additional impacts outside this corridor.

An Environmental Commitment Checklist ("Checklist") is included with this EA as Attachment F. The Checklist serves as a tool to help Reclamation and the Company comply with the environmental commitments set forth in this EA. The Company is required to complete the Checklist as each environmental commitment is fulfilled, provide Reclamation with copies of all documents produced, and return the completed checklist to Reclamation upon the Project's completion.

4.1 Construction Access

All construction activities shall be confined to easements negotiated between the Company and the landowners west of the L75 Road crossing, and to prescriptive easements east of the L75 Road crossing. Construction staging (for pipe and equipment) shall take place in a single area shown on Figure 4.

Any environmental commitments required by construction access authorizations are incorporated into this EA by reference.

4.2 Water Quality

The following standard BMPs and environmental commitments shall be implemented to minimize erosion and protect water quality of downstream resources:

- Straw wattles, silt curtains, cofferdams, dikes, straw bales, or other appropriate and suitable erosion control measures shall be used to prevent erosion from entering water bodies during construction.

- Concrete pours shall occur in forms and/or behind cofferdams to prevent discharge into waterways. Any wastewater from concrete-batching, vehicle wash down, and aggregate processing shall be contained and treated or removed for off-site disposal.

- Fuels, lubricants, hydraulic fluids, and other petrochemicals shall be stored and dispensed in an approved staging area.

- Equipment shall be inspected daily and immediately repaired as necessary to ensure equipment is free of petrochemical leaks.

- Construction equipment shall be parked, stored, and serviced only at an approved staging area.

- A spill response plan shall be prepared in advance of construction by the contractor for areas of work where spilled contaminants could flow into water bodies. All employees and workers, including those under separate contract, shall be briefed and made familiar with this plan.

- A spill response kit, which includes appropriate-sized spill blankets, shall be easily accessible and onsite at all times.

- Onsite supervisors and equipment operators shall be trained and knowledgeable in the use of spill containment equipment.

- Appropriate federal and Colorado authorities shall be immediately notified in the event of any contaminant spill.

4.3 Abandoned Irrigation Facilities & Structures

Pursuant to the funding agreement between the Company and Reclamation, the Company shall permanently dewater, remove from irrigation service, and render incapable of irrigation water delivery those open ditches abandoned as part of the Proposed Action.

The Company shall be responsible for removing all decommissioned irrigation structures (head gates, drops, etc.) by methods described in the construction specifications provided to the contractor.

4.4 Ground Disturbances

The following BMPs and environmental commitments shall be implemented to minimize and mitigate ground disturbances:

- Ground disturbances shall be limited to only those areas necessary to safely implement the Proposed Action.

- Vegetation removal shall be confined to the smallest portion of the Proposed Action Area (including any borrow areas) necessary for completion of the work.

- Construction limits shall be clearly flagged onsite to avoid unnecessary plant loss or ground disturbance.

- Prior to construction, brush shall be removed by mowing or chopping, and stumps shall be removed by grubbing. Vegetation materials shall either be hauled to the Delta County Landfill Transfer Station, or burned, or chipped and mulched onsite.

- Topsoil shall be stockpiled and then redistributed after completion of construction activities.

- Straw wattles, silt curtains, cofferdams, dikes, straw bales, or other suitable erosion control measures shall be used at the edges of ground disturbance to minimize soil erosion and prevent soil erosion from entering water bodies during construction.

- Following construction, all disturbed areas shall be smoothed, shaped, contoured and reseeded to as near to their pre-project conditions as practicable.

- Seeding shall occur at appropriate times within six months following construction completion with weed-free seed mixes per Reclamation specifications.

- Weed control shall be implemented by the Company or the Company's contractor in accordance with current County weed control standards (www.deltacounty.com/DocumentCenter/View/1013).

4.5 Wildlife Resources

The following BMPs and environmental commitments shall be implemented to minimize and mitigate disturbances to wildlife:

- Construction areas shall be confined to the smallest feasible area and within approved construction limits/rights-of-way to minimize disturbance to wildlife within the Proposed Action Area.

- Pipeline trenches left open overnight shall be kept to a minimum and covered to reduce potential for hazards to the public and to wildlife. Covers shall be secured in place and strong enough to prevent livestock or wildlife from falling through. Where trench covers would not be practical, wildlife escape ramps shall be utilized.

4.6 Habitat Disturbance & Loss

The Salinity Control Act requires that no net loss of wildlife values result from projects under its authorization. A surplus of habitat previously developed at a habitat replacement site for the Minnesota Canal and Reservoir Company (MCRC) Salinity Control Project Phase II would satisfy mitigation requirements for the Proposed Action. The Minnesota Canal and Reservoir Company and the Minnesota L75 Lateral Company executed an agreement to secure the surplus habitat credit for mitigation for the Proposed Action (Attachment D). The Habitat Replacement Site must be managed and maintained per the Funding Agreement between the Company and Reclamation for 50 years following the construction of the Proposed Action.

For all ground areas disturbed by the Proposed Action, a weed treatment program shall be implemented to meet standards of the Delta County Noxious Weed Management Plan (www.deltacounty.com/DocumentCenter/View/1013).

4.7 Special Status Species

Reclamation previously consulted with FWS on Colorado River Basin water depletions caused by the direct diversions from Minnesota Creek by the Minnesota Canal and Reservoir Company (the holder of the adjudicated rights for the water conveyed in Minnesota L75 Lateral), which affect downstream critical habitat for Colorado River Endangered fishes (see Section 3.7). As a result of this consultation, a Recovery Agreement was executed between FWS and the Minnesota Canal and Reservoir Company to ensure compliance with the ESA. A copy of the fully-executed Recovery Agreement is available in Appendix C of the Environmental Assessment for the Minnesota Canal and Reservoir Company Salinity Control Project at https://www.usbr.gov/uc/envdocs/ea/MinnesotaCanal/FEA.pdf).

- Vegetation disturbing activities (tree and shrub removal) shall not be conducted during the primary nesting season of migratory birds protected under the Migratory Bird Treaty Act (April 1 through July 15). However, if the schedule for the Proposed Action shifts (Section 4.11), and vegetation disturbing activities would occur during the nesting season of migratory birds, further conservation measures would be necessary to protect these species, such as pre-construction nest surveys.

- To avoid disturbance to the active red-tailed hawk nest near the Proposed Action, pipeline and turnout construction activities shall either avoid red-tailed hawk nesting season (February 15 through July 15), or pipeline and turnout construction activities could extend past February 15, so long as the activities are initiated prior to February 15, and operated on a daily basis until completion.

- The Proposed Action Schedule partially overlaps with the bald eagle nesting period (October 15 through July 31) and the golden eagle nesting period (December 15 through July 15). There are no documented eagle nests with 1 mile of the Proposed Action. If an active eagle nest is discovered within ¼ mile of the Proposed Action, activity shall cease until Reclamation is consulted.

- The Proposed Action lies approximately 1 mile from a mapped bald eagle roost. If a previously undocumented an active bald eagle roost is discovered within ¼ mile of the Proposed Action, activity shall cease until Reclamation is consulted.

No Endangered Species Act consultation is required for the Proposed Action, unless listed species are encountered during construction. In the event that listed species are encountered during construction, the Company shall stop construction activities until Reclamation has consulted with FWS to ensure that adequate measures are in place to avoid or reduce impacts to the species.

4.8 Cultural Resources

No cultural resources were identified within the Proposed Action Area. Reclamation received concurrence (Attachment E) from the Colorado State Historic Preservation Officer (Colorado SHPO) that the Proposed Action would have no effect on cultural resources.

If previously undiscovered cultural or paleontological resources are discovered during construction, construction activities must immediately cease in the vicinity of the discovery and Reclamation must be notified. In this event, the SHPO shall be consulted, and work shall not be resumed until consultation has been completed, as outlined in the Unanticipated Discovery Plan in the MOA.

4.9 Agricultural Resources & Soils

The following BMPs and environmental commitments shall be implemented to minimize and mitigate impacts to agricultural resources and soils:

- During construction, topsoil shall be saved and then redistributed after completion of construction activities.
- Straw wattles, silt curtains, cofferdams, dikes, straw bales, or other suitable erosion control measures shall be used to minimize soil erosion and prevent soil erosion from entering water bodies during construction.
- All disturbed areas shall be smoothed, shaped, contoured and reseeded to as near their pre-project conditions as practicable.
- Lands previously in agricultural production shall be returned to agricultural production following construction.

4.10 Hazardous Materials, Waste Management & Pollution Prevention

Environmental impacts from hazardous materials or waste related to the Proposed Action involve potential spills or leaks of motor fuels and lubricants. Fuel and lubricant spills have the potential to impact soil and water resources, but because of the relatively small amounts of such materials that would be used in the Proposed Action Area (i.e., a 55-gallon drum), impacts from accidental spills or leaks are expected to be minimal.

During construction, the use, storage and disposal of hazardous materials and wastes within the Proposed Action Area shall be managed in accordance with all federal, state, and local standards, including the Toxic Substances Control Act of 1976, as amended (15 USC 2601, et seq., 40 CFR Part 702-799, and 40 CFR 761.1-761.193). Any trash or solid wastes generated during the Proposed Action will be properly disposed offsite.

The following BMPs and environmental commitments shall be implemented with regard to hazardous materials, waste management, and pollution prevention:

- The construction contractor shall transport, handle, and store any fuels, lubricants, or other hazardous substances involved with the Proposed Action in an appropriate manner that prevents them from contaminating soil and water resources.
- Portable secondary containment shall be provided for any fuel or lubricant containers staged within the Proposed Action Area. Any staging of fuel or lubricants, or fueling or maintenance of vehicles or equipment, will not be conducted within 100 feet of any live water or drainage.

- The construction contractor shall prepare, prior to initiation of construction, a spill response plan for areas of work where spilled contaminants could flow into water bodies. All employees and workers, including those under separate contract, will be briefed and made familiar with this plan.

- A spill response kit, which includes appropriate-sized spill blankets, shall be easily accessible and onsite at all times.

- Onsite supervisors and equipment operators shall be trained and knowledgeable in the use of spill containment equipment.

- All spills, regardless of size, shall be cleaned up promptly and contaminated soil shall be disposed of at an approved facility.

- Appropriate federal and Colorado authorities shall be immediately notified in the event of any contaminant spill. Any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b.

4.11 Sequence and Timing of the Proposed Action

The Proposed Action will take place between October and April (during the irrigation off-season). The duration of work would be approximately 3 weeks.

The sequence of work, with any timing restrictions for specific activities, would be as follows:

- Grub any trees and shrubs in the construction footprint outside of migratory breeding bird season, which is April 1 through July 15 (conducted by the successful bid contractor).

- Construct buried pipe alignments and turnout structures in or near the existing the existing ditch prism (conducted by the successful bid contractor). These activities shall either avoid red-tailed hawk nesting season (February 15 through July 15), or could extend past February 15, so long as the activities are initiated prior to February 15, and operated on a daily basis until completion.

- Backfill abandoned ditch alignment and control structures adjacent to L75 Road (conducted by Delta County Road and Bridge Department and not funded with Reclamation resources).

- Conduct final construction clean-up and reseeding, prior to the next irrigation season (conducted by the successful bid contractor).

4.12 Permits, Licenses and Approvals Needed to Implement the Proposal

The following permits, licenses, or approvals (and their statuses) are needed to implement the Proposed Action:

- Easements from private landowners west of the L75 Road crossing with land involved in the Proposed Action, obtained by the Company.

- Stormwater Management Plan, to be submitted to the Colorado Department of Public Health and Environment (CDPHE) by the construction contractor prior to construction disturbance (a copy shall also be provided to Reclamation)

- CWA Section 402 Storm Water Discharge Permit compliant with the National Pollutant Discharge Elimination System (NPDES), to be obtained from CDPHE by the construction contractor prior to construction disturbance (regardless of whether dewatering would take place during construction). A copy of this permit shall be provided to Reclamation.

- Utility clearances, to be obtained by the construction contractor prior to construction activities from Delta Montrose Electric Association, TDS Telecom, Black Hills Energy, local water companies, and any other utility in the area.

- Delta County clearance, to be obtained by the Company / construction contractor prior to crossing a county road with buried pipeline or installing buried pipeline in the county road corridor.

- Traffic control measures as necessary, to be coordinated by the construction contractor with the Delta County Sheriff and emergency services, prior to any closures of L75 Road.

- CWA Section 401/404: Because the Proposed Action is exempted from CWA Section 404, no Clean Water Act Section 401 Water Quality Certification would be required; however, water quality BMPs (as outlined above) would be implemented to protect water resources.

5 CONSULTATION & COORDINATION

Reclamation's consultation and coordination process presents other agencies, interest groups, and the general public with opportunities to obtain information about a given project and allows interested parties to participate in the project through written comments. The key objective is to facilitate a well-informed, active public that assists decision-makers throughout the process, culminating in the implementation of an alternative. This section explains consultation and coordination undertaken for the Proposed Project.

5.1 Agency Consultation

This EA was prepared by Rare Earth Science, LLC, of Paonia, Colorado, for Reclamation and the Minnesota L75 Lateral Company. The following local, state, and federal agencies were contacted and consulted in the preparation of this EA. Additional entities were given the opportunity to comment during a public review period.

- Colorado Parks and Wildlife, Gunnison, CO
- Colorado Office of Archaeology and Historic Preservation, Denver, CO
- U.S. Army Corps of Engineers, Colorado West Regulatory Branch, Grand Junction, CO

5.2 EA Comments

In compliance with NEPA, the Draft EA was released for a 30-day public review period (via Reclamation's website at http://www.usbr.gov/uc/wcao/envdocs/index.html). No comments were received during the public review period.

5.3 Distribution

Notice of the public review period and availability of the Draft EA (on Reclamation's website) was distributed to Company shareholders, private landowners within 0.5 mile of the Proposed Action, and the organizations and agencies listed in Attachment A. This Final EA is also available on Reclamation's website. Publicly-available electronic versions of the Draft and Final EA meet the technical standards of Section 508 of the Rehabilitation Act of 1973, so that the documents can be accessed by people with disabilities using accessibility software tools.

6 REFERENCES

Applegate Group, Inc. 2014. Final Environmental Assessment: Minnesota Canal and Reservoir Company Salinity Control Project Phase II 2014-2016, Paonia, Colorado. Prepared for U.S. Bureau of Reclamation, Upper Colorado Region, Western Colorado Area Office. August.

CDPHE (Colorado Department of Public Health and Environment). 2016a. Regulation No. 35, Classification and Numeric Standards for Gunnison and Lower Dolores River Basins (5 CCR 1002-35). Water Quality Control Commission. Denver CO. Effective June 30, 2016. https://www.colorado.gov/pacific/sites/default/files/35_2017%2806%29.pdf

CDPHE. 2016b. Regulation No. 93. Colorado's Section 303(D) List of Impaired Waters and Monitoring and Evaluation List (5 CCR 1002-93). Water Quality Control Commission, Denver, CO. Effective March 1, 2016. https://www.colorado.gov/pacific/sites/default/files/93_2016%2811%29.pdf

CDPHE. 2016c. Regulation No. 31, The Basic Standards and Methodologies for Surface Water (5CCR 1002-31). Water Quality Control Commission. Denver, CO.

COAHP (Colorado Office of Archaeology and Historic Preservation). 2013. Historic Resource Documentation, Standards for Level I, II, and III Documentation. Publication No. 1595, Denver, CO.

CPW. 2008. Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors. https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RaptorBufferGuidelines2008.pdf

Copeland, J.P., K.S. McKelvey, K.B. Aubry, A. Landa, J. Persson, R.M. Inman, J. Krebs, E. Lofroth, H. Golden, J.R. Squires, A Magoun, M.K. Schwartz, J. Wilmot, C.L. Copeland, R.E. Yates, I. Kojola, and R. May. 2010. The bioclimatic envelope of the wolverine (*Gulo gulo*): do climatic constraints limit its geographic distribution? Canadian Journal of Zoology 88: 233-246.

CPW (Colorado Parks & Wildlife). 2017. Geographic Information Systems data Colorado Species Distribution accessed through Esri ArcGIS server, August 2017.

CWCB (Colorado Water Conservation Board). 2004. Gunnison River Basin Information, Colorado's Decision Support Systems. Colorado Water Conservation Board, Denver, CO. Available at ftp://dwrftp.state.co.us/cdss/swm/in/GunnisonInfo_200407.pdf.

CWCB. 2012. State CU Model v. 13.03, online tools available at http://cdss.state.co.us/software/Pages/StateCU.aspx

CWCB. 2015. Structure Summary Report generated from Colorado's Decision Support Systems online tools available at http://cdss.state.co.us/onlineTools/Pages/StructuresDiversions.aspx

FWS (U.S. Fish & Wildlife Service). 2009. Gunnison Basin Programmatic Biological Opinion. December 4. Memorandum to Area Manager, Western Colorado Area Office, Bureau of Reclamation, Grand Junction, Colorado from Colorado Field Supervisor, Ecological Services, Lakewood, CO. http://www.usbr.gov/uc/wcao/rm/aspeis/pdfs/aspinallpbo_final.pdf

FWS. 2012. Memorandum to the Area Manager, Bureau of Reclamation, Grand Junction, Colorado from Western Colorado Supervisor, Ecological Services, Grand Junction, Colorado, on the Consultation of Minnesota Canal and Reservoir Company Historic Depletions for Gunnison Basin Programmatic Biological Opinion (PBO). August 10. ES/GJ-6-CO-09-F-001-GP020, TAILS 06E24100-2012-F-0208.

Hammerson. 1999. *Amphibians and Reptiles in Colorado: A Colorado Field Guide*. Second Edition. Denver: University Press of Colorado & Colorado Division of Wildlife. 483 pp.

Harrison, A.L. (Alpine Archaeological Consultants, Inc.). 2016. Cultural Resource Inventory for the Minnesota L75 Lateral Salinity Control Project, Delta County, Colorado. Limited-Results Cultural Resources Survey Form, prepared for Minnesota L75 Lateral Company and the Bureau of Reclamation. July.

Rare Earth (Rare Earth Science, LLC). 2017. Threatened & Endangered Species Inventory, Minnesota L75 Lateral Salinity Control Project, Delta County, Colorado. DRAFT Prepared for the U.S. Bureau of Reclamation, Environmental Planning Group of the Western Colorado Area Office, Upper Colorado Region. August.

Reclamation (U.S. Bureau of Reclamation). 2017. Quality of Water – Colorado River Basin. Progress Report No. 25. https://www.usbr.gov/uc/progact/salinity/pdfs/PR25final.pdf

Reclamation. 2013. Basinwide Salinity Control Program: Procedures for Habitat Replacement. 25 pp. March.

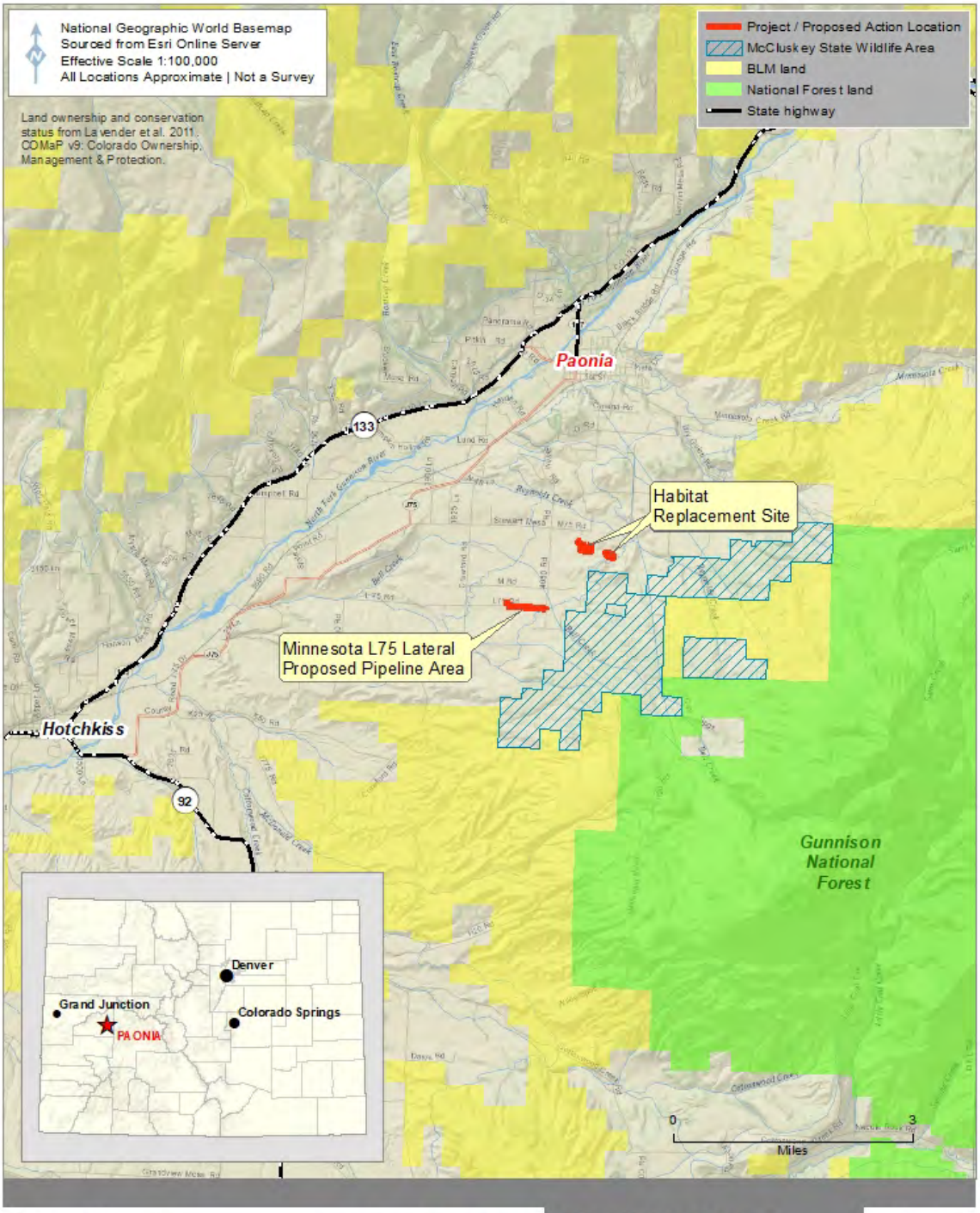
SMPW (Selenium Management Program Workgroup). 2011. Selenium Management Program: Program Formulation Document, Gunnison River Basin, Colorado. Compiled by U.S. Bureau of Reclamation. http://www.usbr.gov/uc/wcao/progact/smp/docs/Final-SMP-ProgForm.pdf

SWReGAP (USGS National Gap Analysis Program). 2004. Provisional Digital Land Cover Map for the Southwestern United States. Version 1.0. RS/GIS Laboratory, College of Natural Resources, Utah State University.

USDA (U.S. Department of Agriculture) Natural Resources Conservation Service. 2007. Soil Survey Geographic (SSURGO) database for Paonia Area, Colorado, Parts of Delta, Gunnison, and Montrose Counties, publication co679.

FIGURES

This page intentionally left blank.

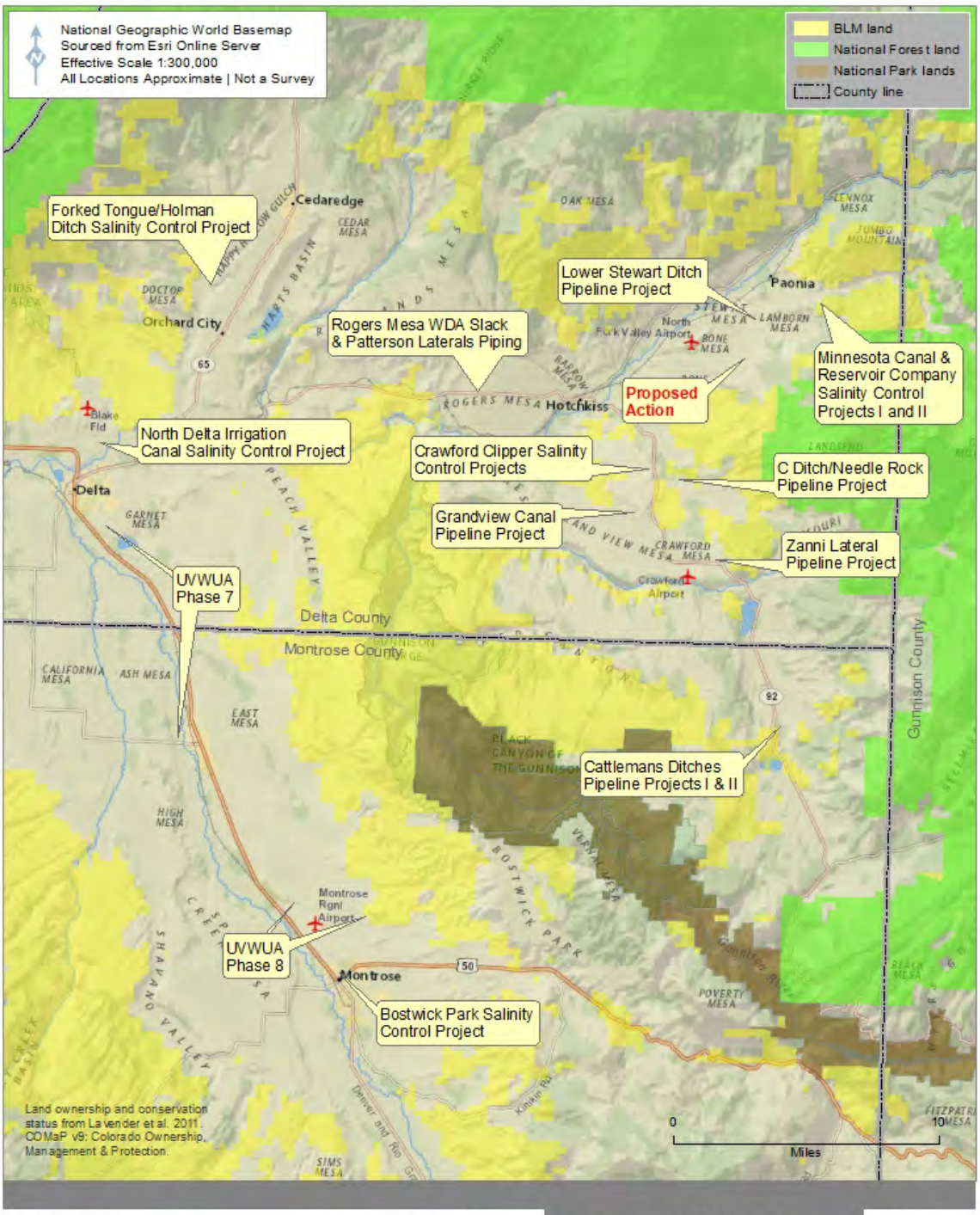


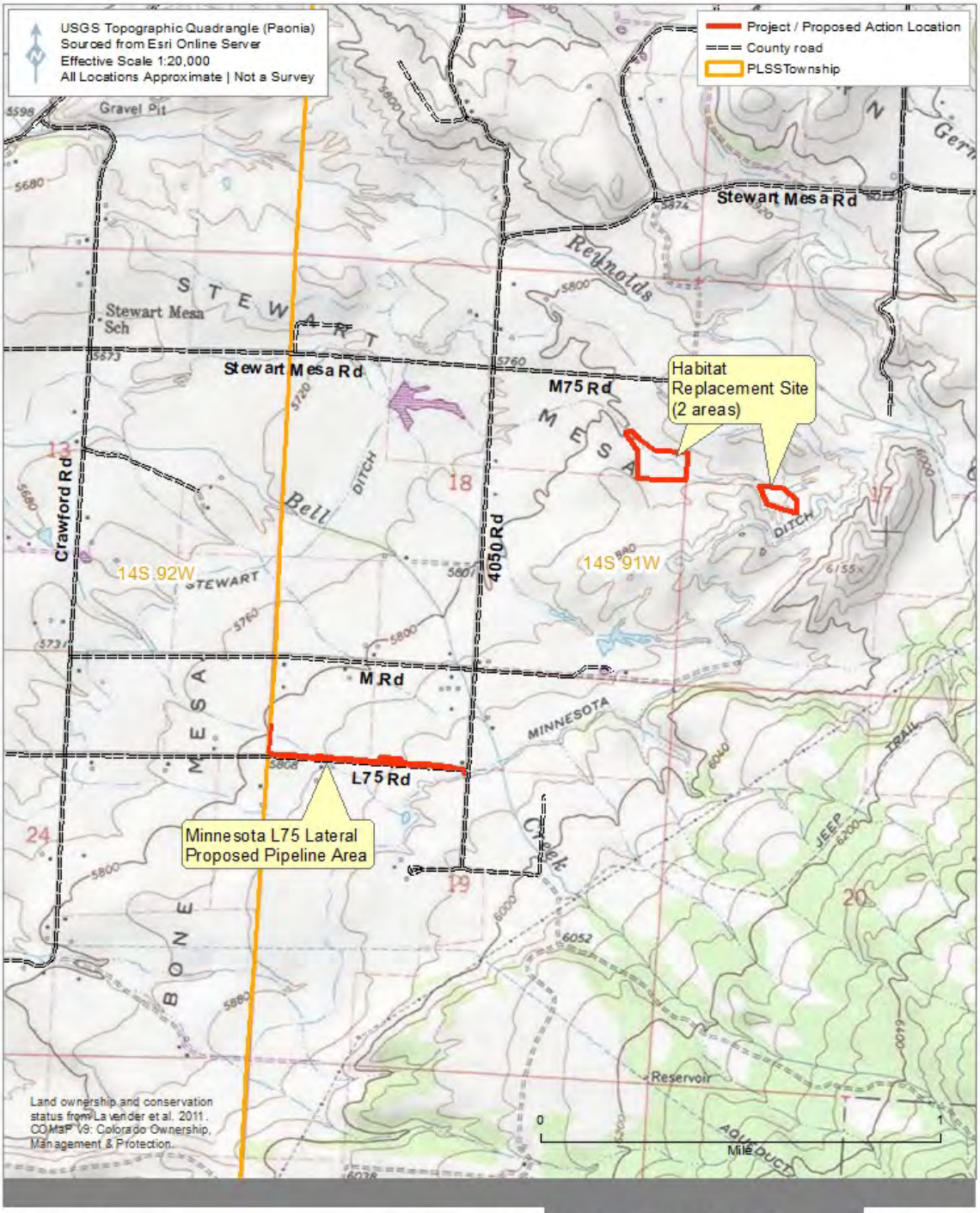
Environmental Assessment
Delta County, Colorado
www.rareearthscience.com
Map by D. Reeder | October 2016

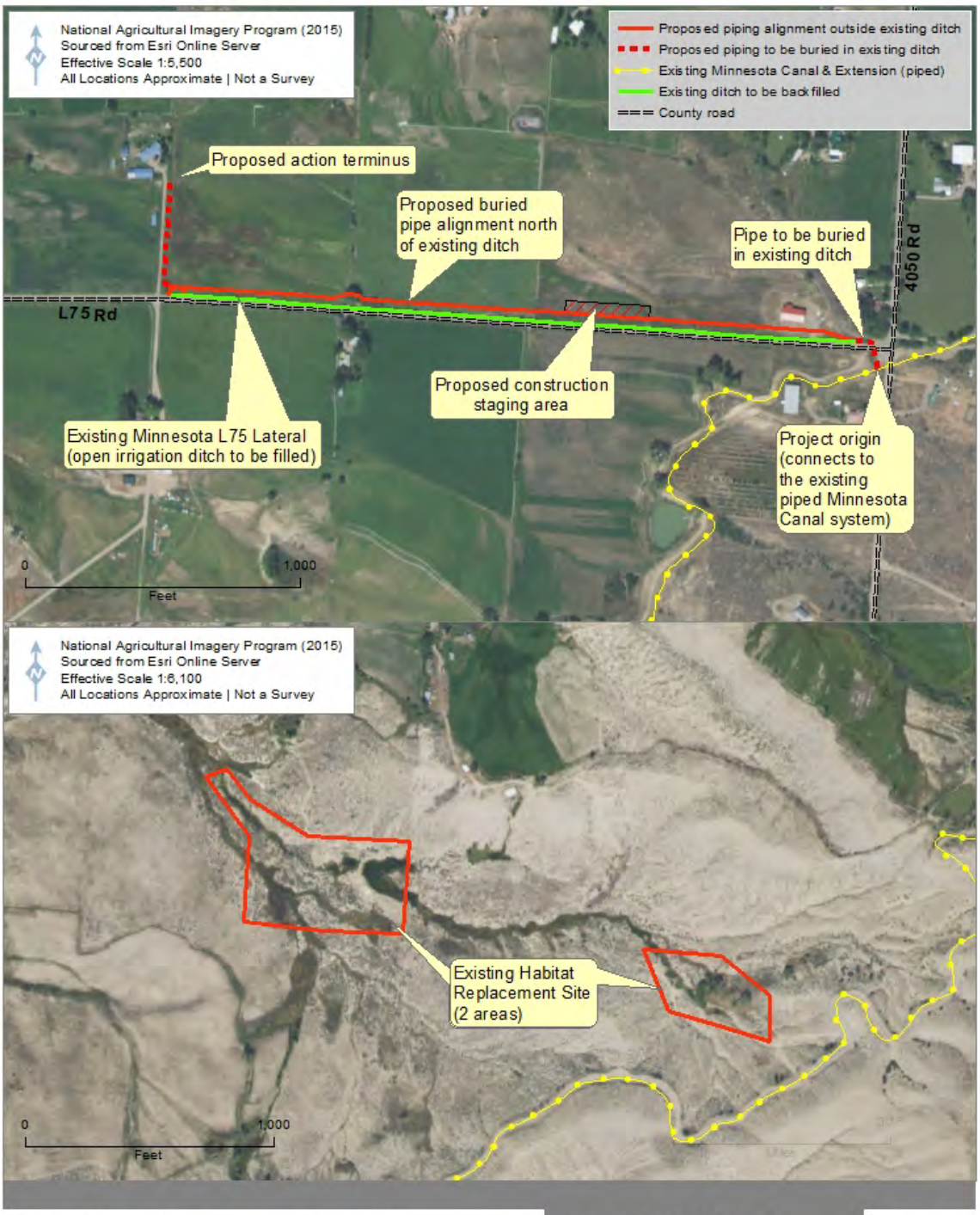
Regional & Local Locator Maps

MINNESOTA L75 LATERAL PROJECT

FIGURE **1**


National Geographic World Basemap
Sourced from Esri Online Server
Effective Scale 1:300,000
All Locations Approximate | Not a Survey
BLM land
National Forest land
National Park lands
County line
Forked Tongue/Holman Ditch Salinity Control Project
Rogers Mesa WDA Slack & Patterson Laterals Piping
Lower Stewart Ditch Pipeline Project
Minnesota Canal & Reservoir Company Salinity Control Projects I and II
Proposed Action
North Delta Irrigation Canal Salinity Control Project
Crawford Clipper Salinity Control Projects
C Ditch/Needle Rock Pipeline Project
Grandview Canal Pipeline Project
Zanni Lateral Pipeline Project
UVWUA Phase 7
UVWUA Phase 8
Cattlemans Ditches Pipeline Projects I & II
Bostwick Park Salinity Control Project
Cedaredge
Orchard City
Paonia
Hotchkiss
Delta
Montrose
Delta County
Montrose County
Gunnison County
Land ownership and conservation status from Lavender et al. 2011. COMaP v9: Colorado Ownership, Management & Protection.
0
10
Miles
Environmental Assessment
Delta County, Colorado
www.rareearthscience.com
Map by D. Reeder | September 2017
Regional Salinity Control Projects
MINNESOTA L75 LATERAL PROJECT
FIGURE
2


USGS Topographic Quadrangle (Paonia)
Sourced from Esri Online Server
Effective Scale 1:20,000
All Locations Approximate | Not a Survey
Project / Proposed Action Location
County road
PLSSTownship
Stewart Mesa Rd
Reynolds
Stewart Mesa Sch
Stewart Mesa Rd
M75 Rd
Habitat Replacement Site (2 areas)
Crawford Rd
Bell
DITCH
4050 Rd
14S 92W
14S 91W
M Rd
L75 Rd
Minnesota L75 Lateral Proposed Pipeline Area
MINNESOTA
TRAIL
JEEP
Reservoir
AQUEDUCT
Land ownership and conservation status from Lavender et al. 2011. COMaP V9: Colorado Ownership, Management & Protection.
0
1
Mile
Environmental Assessment
Delta County, Colorado
www.rareearthscience.com
Map by D. Reeder | October 2016
Topographic Overview Map
MINNESOTA L75 LATERAL PROJECT
FIGURE
3

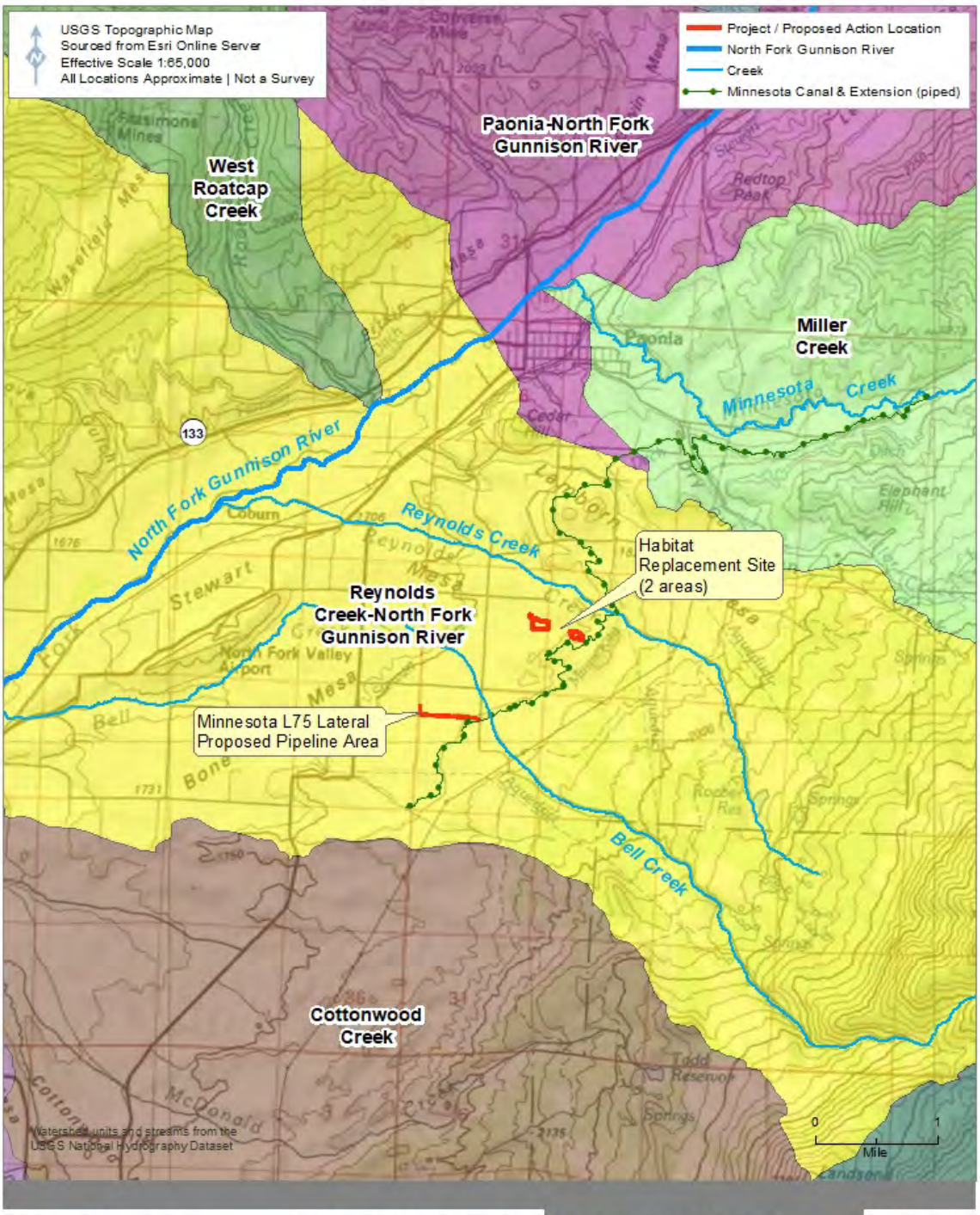


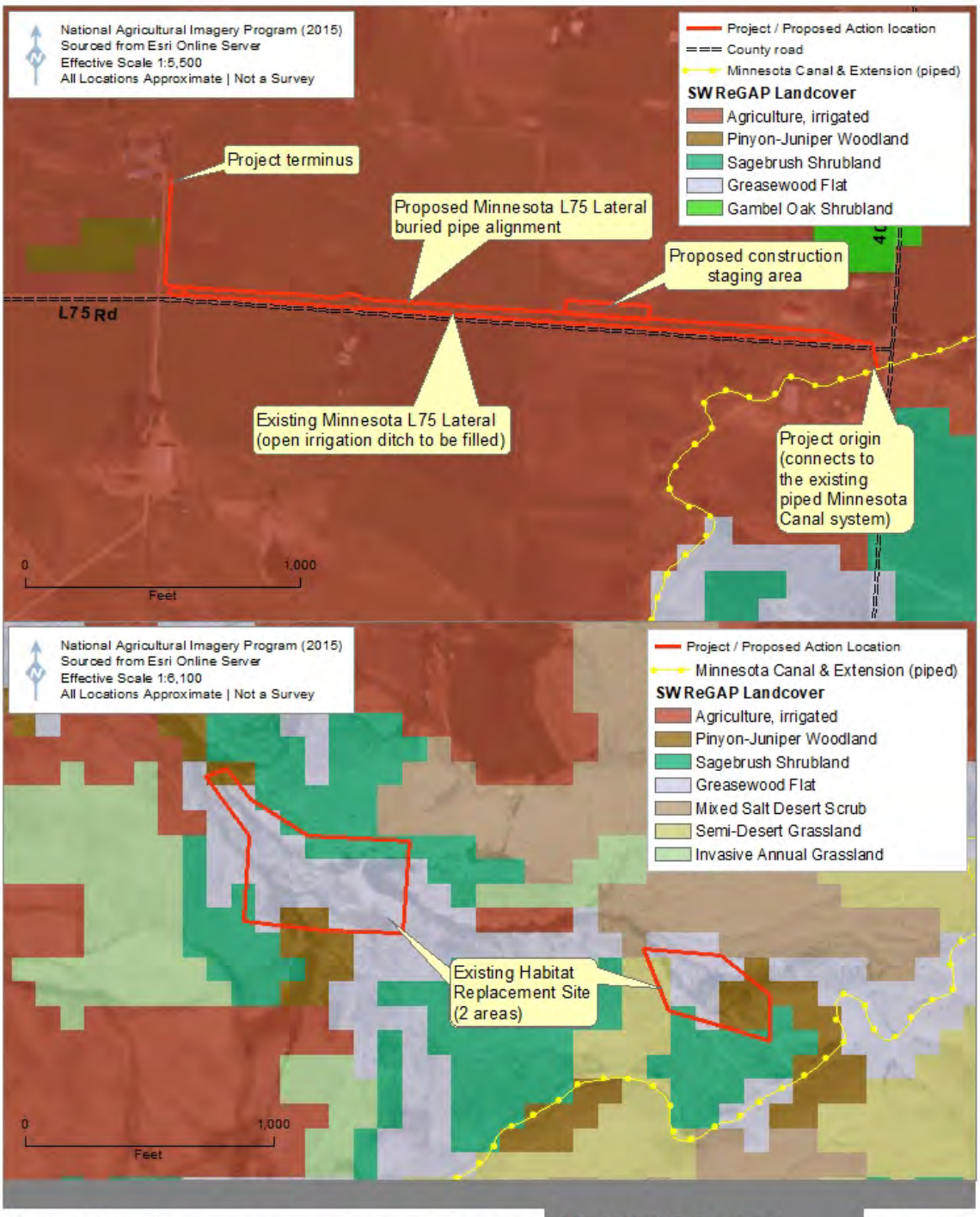
Environmental Assessment
Delta County, Colorado
www.rareearthscience.com
Map by D. Reeder | October 2016

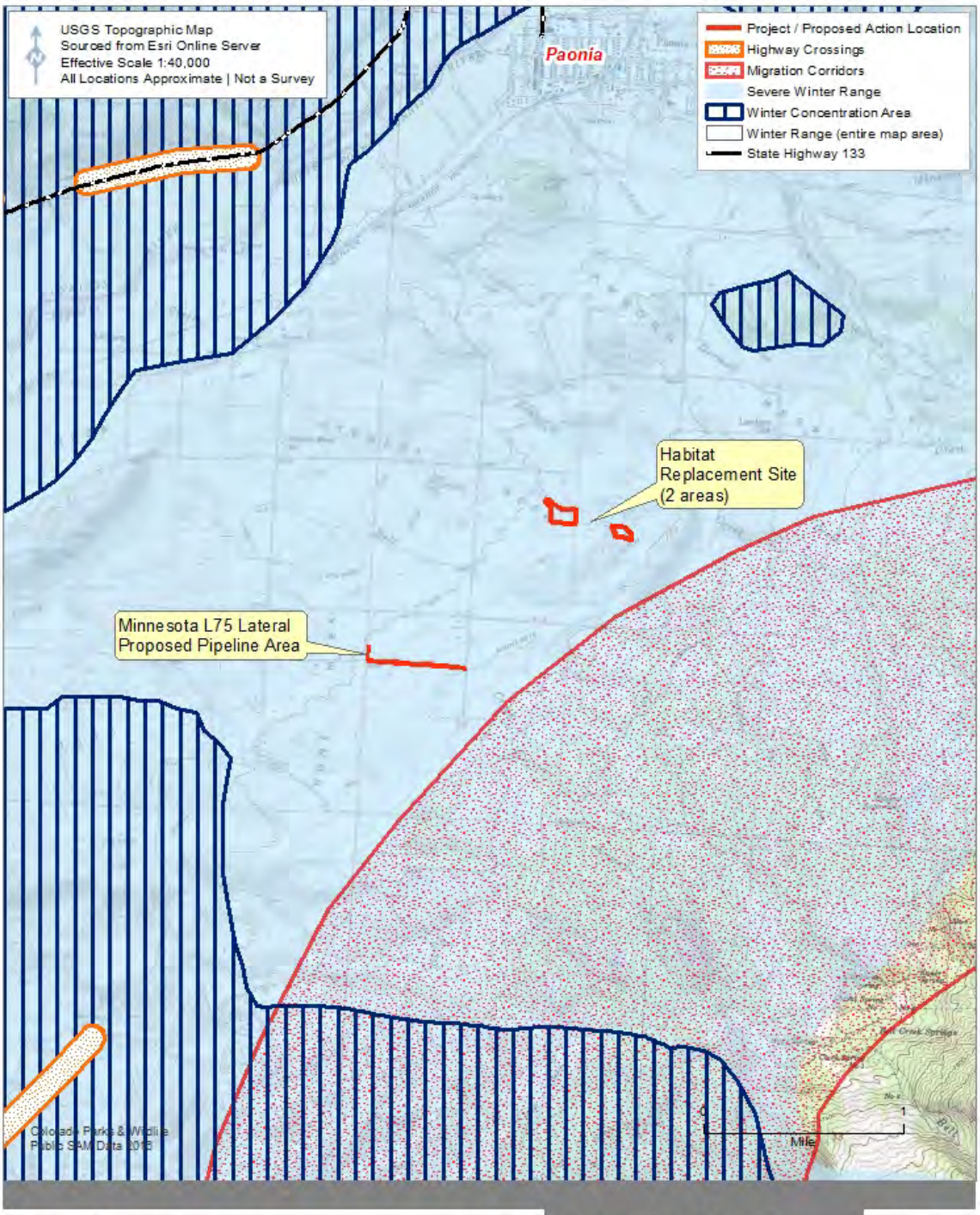
Aerial Photograph Overview Map

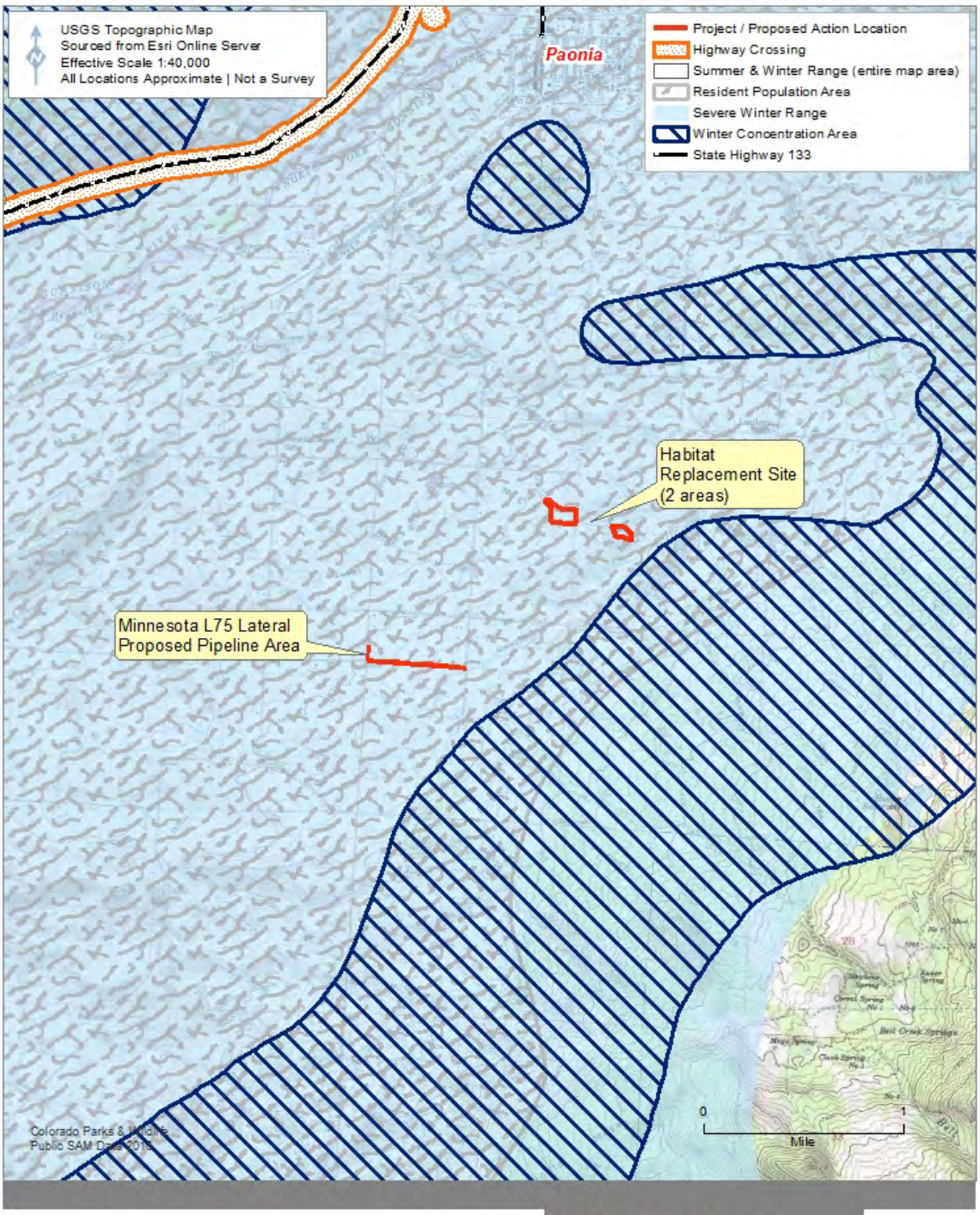
MINNESOTA L75 LATERAL PROJECT

FIGURE 4


USGS Topographic Map
Sourced from Esri Online Server
Effective Scale 1:65,000
All Locations Approximate | Not a Survey
Project / Proposed Action Location
North Fork Gunnison River
Creek
Minnesota Canal & Extension (piped)
Paonia-North Fork Gunnison River
West Roatcap Creek
Miller Creek
Minnesota Creek
North Fork Gunnison River
Reynolds Creek
Habitat Replacement Site (2 areas)
Reynolds Creek-North Fork Gunnison River
Minnesota L75 Lateral Proposed Pipeline Area
Bell Creek
Cottonwood Creek
133
Watershed units and streams from the USGS National Hydrography Dataset
0
1
Mile
Environmental Assessment
Delta County, Colorado
www.rareearthscience.com
Map by D. Reeder | October 2016
Hydrological Units Vicinity Map
MINNESOTA L75 LATERAL PROJECT
FIGURE
5


National Agricultural Imagery Program (2015)
Sourced from Esri Online Server
Effective Scale 1:5,500
All Locations Approximate | Not a Survey
Project / Proposed Action location
County road
Minnesota Canal & Extension (piped)
SW ReGAP Landcover
Agriculture, irrigated
Pinyon-Juniper Woodland
Sagebrush Shrubland
Greasewood Flat
Gambel Oak Shrubland
Project terminus
Proposed Minnesota L75 Lateral buried pipe alignment
Proposed construction staging area
L75 Rd
Existing Minnesota L75 Lateral (open irrigation ditch to be filled)
Project origin (connects to the existing piped Minnesota Canal system)
0
1,000
Feet
National Agricultural Imagery Program (2015)
Sourced from Esri Online Server
Effective Scale 1:6,100
All Locations Approximate | Not a Survey
Project / Proposed Action Location
Minnesota Canal & Extension (piped)
SW ReGAP Landcover
Agriculture, irrigated
Pinyon-Juniper Woodland
Sagebrush Shrubland
Greasewood Flat
Mixed Salt Desert Scrub
Semi-Desert Grassland
Invasive Annual Grassland
Existing Habitat Replacement Site (2 areas)
0
1,000
Feet
Environmental Assessment
Delta County, Colorado
www.rareearthscience.com
Map by D. Reeder | October 2016
Landcover Types in the Proposed Action Area
MINNESOTA L75 LATERAL PROJECT
FIGURE
6


USGS Topographic Map
Sourced from Esri Online Server
Effective Scale 1:40,000
All Locations Approximate | Not a Survey
Paonia
Project / Proposed Action Location
Highway Crossings
Migration Corridors
Severe Winter Range
Winter Concentration Area
Winter Range (entire map area)
State Highway 133
Habitat Replacement Site (2 areas)
Minnesota L75 Lateral Proposed Pipeline Area
Colorado Parks & Wildlife Public SAM Data 2013
0
1
Mile
Environmental Assessment
Delta County, Colorado
www.rareearthscience.com
Map by D. Reeder | October 2016
Elk Range
MINNESOTA L75 LATERAL PROJECT
FIGURE
7

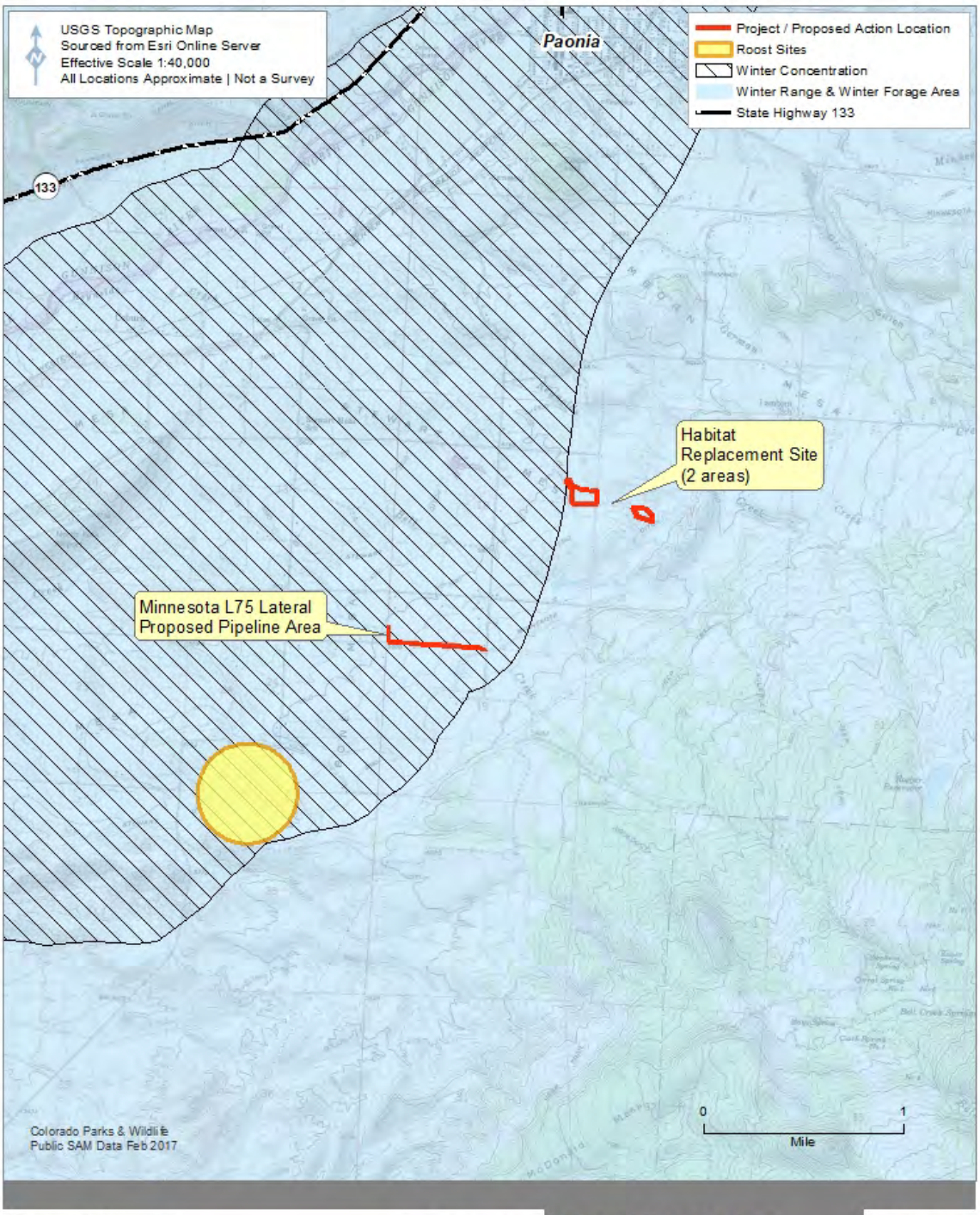


Environmental Assessment
Delta County, Colorado
www.rareearthscience.com
Map by D. Reeder | October 2016

Mule Deer Range

MINNESOTA L75 LATERAL PROJECT

FIGURE **8**

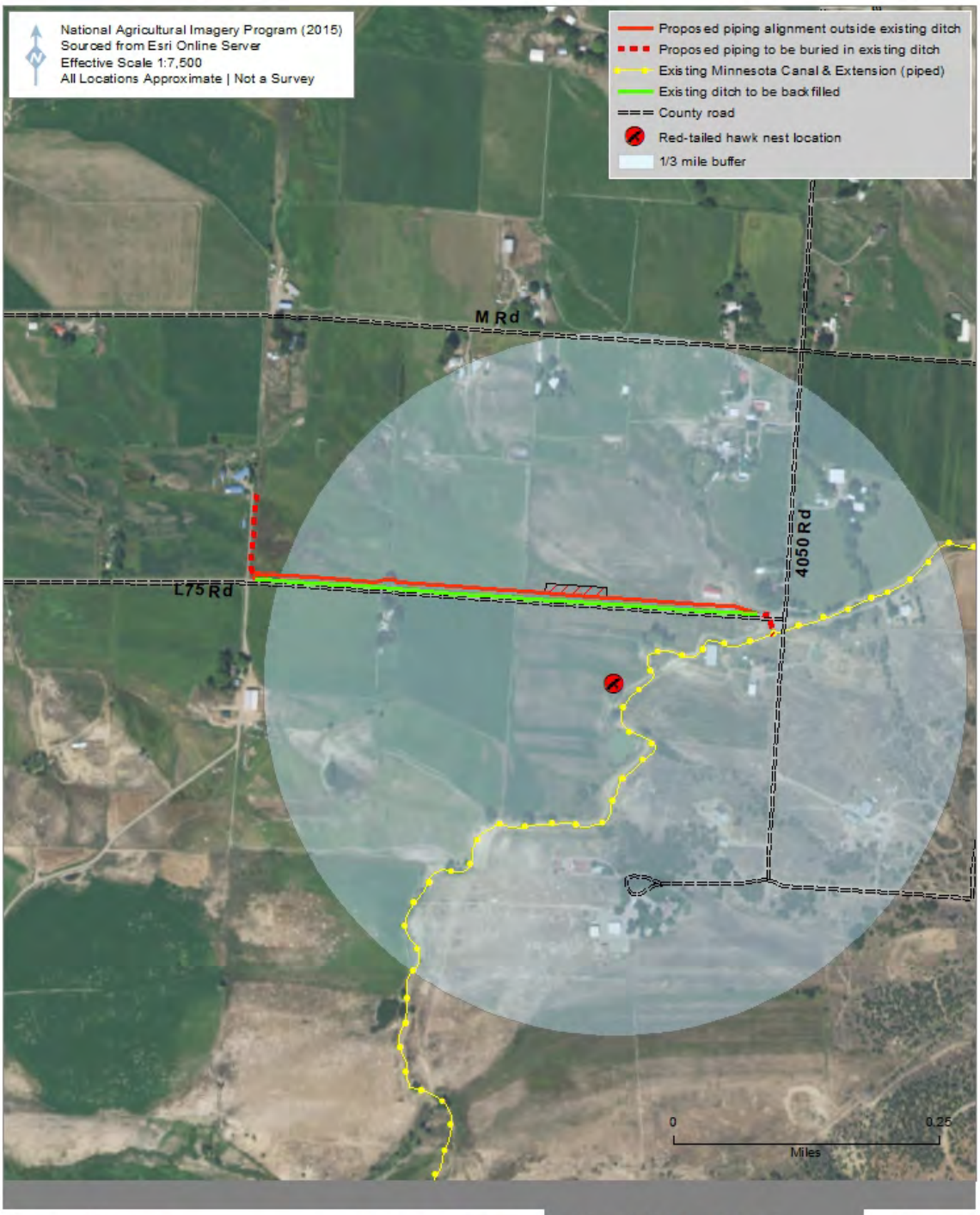


Environmental Assessment
Delta County, Colorado
www.rareearthscience.com
Map by D. Reeder | September 2017

Bald Eagle Range

MINNESOTA L75 LATERAL PROJECT

FIGURE 9

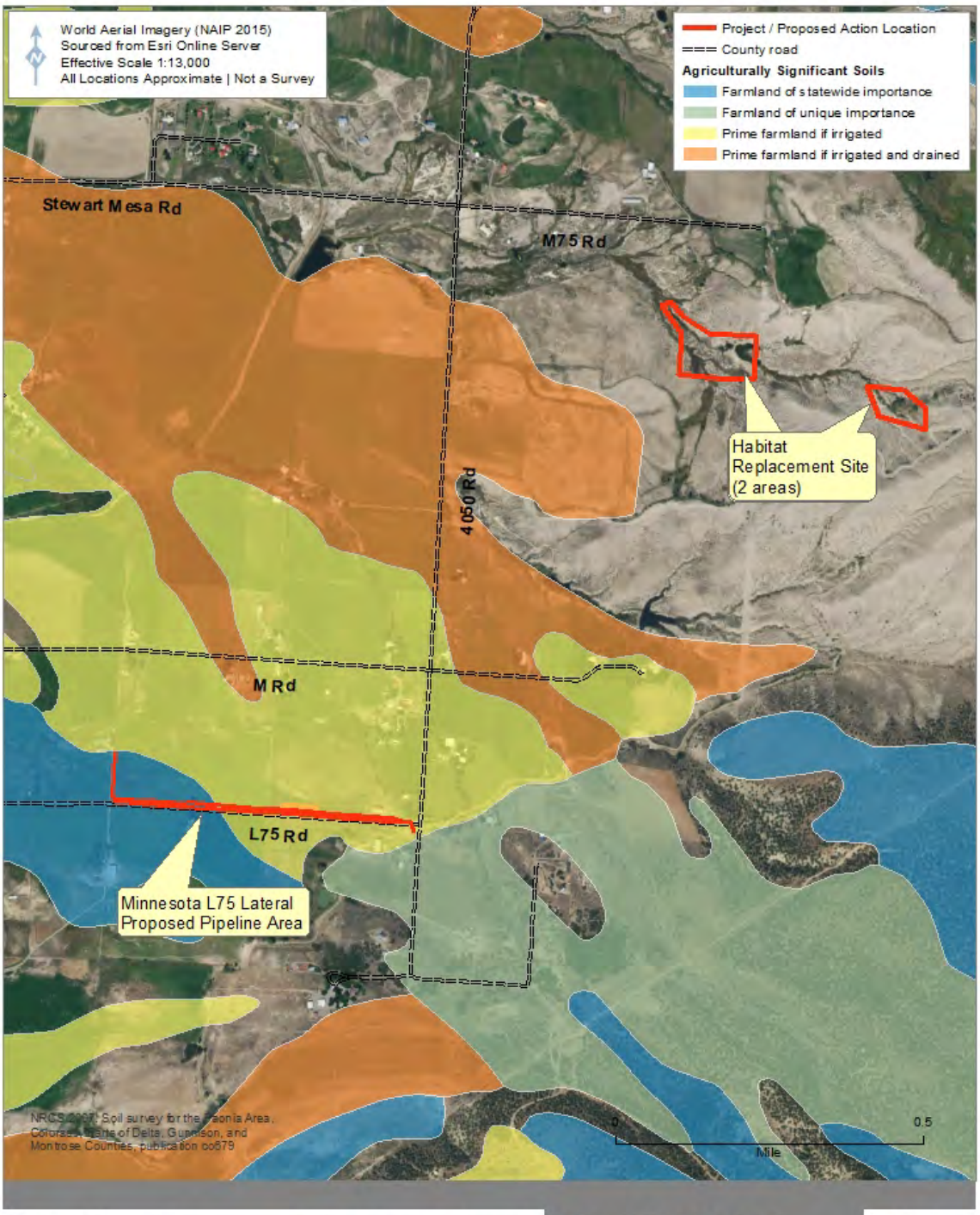


Environmental Assessment
Delta County, Colorado
www.rareearthscience.com
Map by D. Reeder | August 2017

Red-Tailed Hawk Active Nest Location

MINNESOTA L75 LATERAL PROJECT

FIGURE **10**



Environmental Assessment
Delta County, Colorado
www.rareearthscience.com
Map by D. Reeder | October 2016

Soils & Agricultural Significance

MINNESOTA L75 LATERAL PROJECT

FIGURE 11

This page intentionally left blank.

ATTACHMENT A

Distribution List

All shareholders of Minnesota L75 Lateral Company
All landowners within 1/2 mile of the Proposed Action Area Pipeline Component
Citizens for a Healthy Community
Colorado Parks and Wildlife
Colorado River Water Conservation District
Colorado Water Conservation Board
Delta Conservation District
Delta County Independent
Delta County Planning & Development
Delta County Road & Bridge Administration
Delta Montrose Electric Association
The North Fork Merchant Herald
U.S. Army Corps of Engineers
U.S. Department of Agriculture Natural Resources Conservation Service
U.S. Fish and Wildlife Service
Western Slope Conservation Center

This page intentionally left blank.

ATTACHMENT B

Section 404 Clean Water Act Exemption Documentation

This page intentionally left blank.

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

November 15, 2016

Regulatory Division (SPK-2016-00770)

Mr. Tom Gillespie
Minnesota L75 Lateral Company
39844 M Road
Paonia, CO 81428
tom55@tds.net

Dear Mr. Gillespie:

This concerns your proposed Minnesota L75 Lateral Salinity Control Project which would convert approximately 2,530 feet of open irrigation-ditch to buried pipe. The project site is located on an open-ditch paralleling L 75 Road, near Bell Creek, in the NW ¼ of Section 19, Township 14 South, Range 91 West, 6th Principal Meridian, centered approximately at Latitude 38.8245476°, Longitude -107.6083253°, in southeastern Delta County, Colorado.

Based on the information you have provided, we have determined that the proposed work is the type of activity that is included in the Section 404(f) exemption found at 33 C.F.R. Part 323.4(a)(3) for the construction and maintenance of irrigation ditches. Discharges associated with irrigation ditch construction, including ditch conversion into pipe, is included in this exemption. Therefore, a Department of the Army Permit is not required for this work. Measures should be taken to prevent construction materials and/or activities from entering any waters of the United States. Appropriate soil erosion and sediment controls should be implemented onsite to achieve this end.

Our disclaimer of jurisdiction is only for this activity as it pertains to Section 404 of the Federal Clean Water Act and does not refer to, nor affect jurisdiction over any waters present on site. Other Federal, State, and local laws may apply to your activities. Therefore, in addition to contacting other Federal and local agencies, you should also contact state regulatory authorities to determine whether your activities may require other authorizations or permits.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

Please refer to identification number SPK-2016-00770 in any correspondence concerning this project. If you have any questions, please contact me at the Colorado West Regulatory Branch, 400 Rood Avenue, Room 224, Grand Junction, Colorado

-2-

81501, by email at w.travis.morse@usace.army.mil, or telephone at 970-243-1199 x1014. For more information regarding our program, please visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,

MORSE.WILLIAM.TRAVIS.1154253544

Digitally signed by MORSE.WILLIAM.TRAVIS.1154253544
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USA, cn=MORSE.WILLIAM.TRAVIS.1154253544
Date: 2016.11.15 16:43:10 -07'00'

Travis Morse
Senior Project Manager
Colorado West Branch
Regulatory Division

cc:
Ms. Dawn Reeder, Rare Earth Science, LLC, Post Office Box 1245, Paonia, CO 81428, dawn@rareearthscience.com
Mr. Teddy Martinez, Applegate Group, Inc., 823 Grand Avenue, Suite 120, Glenwood Springs, CO 81601, teddymartinez@applegategroup.com
Ms. Dana Brosig, Mesa County Planning and Economic Development, P.O. Box 20000, Grand Junction, CO 81502-5022, dana.brosig@mesacounty.us
Ms. Lesley McWhirter, U.S. Bureau of Reclamation, 445 West Gunnison Avenue, Suite 221, Grand Junction, CO 81501, lmcwhirter@usbr.gov
Ms. Sarah Fowler, U.S. Environmental Protection Agency, Wetlands and Watershed Unit, 8 EPR-EP, 1595 Wynkoop Street, Denver, CO 80202, fowler.sarah@epa.gov

US Army Corps of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Irrigation Exemption Summary

FARM OR STOCK POND OR IRRIGATION DITCH CONSTRUCTION OR MAINTENANCE

Pursuant to Section 404 of the Clean Water Act (33 USC 1344) and Federal Regulations (33 CFR 323.4(a)(3)), certain discharges for the construction or maintenance of farm or stock ponds or irrigation ditches have been exempted from requiring a Section 404 permit. Included in the exemption are the construction or maintenance of farm or stock ponds or irrigation ditches, or the maintenance (but not the construction) of drainage ditches. Discharges associated with siphons, pumps, headgates, wingwalls, weirs, diversion structures, and such other facilities as are appurtenant and functionally related to irrigation ditches are included in this exemption.

A Section 404 permit is required if either of the following occurs:

(1) Any discharge of dredged or fill material resulting from the above activities which contains any toxic pollutant listed under Section 307 of the Clean Water Act shall be subject to any applicable toxic effluent standard or prohibition, and shall require a permit.

(2) Any discharge of dredged or fill material into waters of the United States incidental to the above activities must have a permit if it is part of an activity whose purpose is to convert an area of the waters of the United States into a use to which it was not previously subject, where the flow or circulation of waters of the United States may be impaired or the reach of such waters reduced. Where the proposed discharge will result in significant discernible alterations to flow or circulation, the presumption is that flow or circulation may be impaired by such alteration. For example, a permit will be required for the conversion of a wetland from silvicultural to agricultural use when there is a discharge of dredged or fill material into waters of the United States in conjunction with construction of dikes, drainage ditches, or other works or structures used to effect such conversion. A discharge which elevates the bottom of waters of the United States without converting it to dry land does not thereby reduce the reach of, but may alter the flow or circulation of, waters of the United States.

If the proposed discharge satisfies all of the above restrictions, it is automatically exempted and no further permit action from the Corps of Engineers is required. If any of the restrictions of this exemption will not be complied with, a permit is required and should be requested using ENG Form 4345 (Application for a Department of the Army permit). A nationwide permit authorized by the Clean Water Act may be available for the proposed work. State or local approval of the work may also be required.

For general information on the Corps' Regulatory Program please check our web site at www.spk.army.mil/regulatory. For additional information or for a written determination regarding a specific project, please contact the Corps at the following addresses:

Sacramento Main Office-1325 J Street, Room 1480, Sacramento, CA 95814	(916) 557-5250
Redding Field Office-152 Hartnell, Redding, CA 96002	(530) 223-9534
Reno Office-300 Booth Street, Room 2103, Reno, NV 89509	(775) 784-5304
Intermountain Region Main Office-533 West 2600 South, Suite 150, Bountiful, UT 84010	(801) 295-8380
Colorado West Regulatory Branch-400 Rood Ave., Room 224, Grand Junction, CO 81501	(970) 243-1199
Durango Office-1970 E 3rd Ave, #109, Durango, CO 81301	(970) 259-1604
St. George Office-196 E Tabernacle Street Room 30, St. George, UT 84770	(435) 986-3979

This page intentionally left blank.

ATTACHMENT C

Habitat Assessment Report

This page intentionally left blank.

Wildlife and Natural Resource Concepts & Solutions, LLC

MINNESOTA L75 LATERAL COMPANY PIPING PROJECT

HABITAT ASSESSMENT REPORT

July 22, 2017

Prepared by:

Wildlife and Natural Resource
Concepts & Solutions, LLC.
61614 Highway 90
Montrose, CO 81403

Prepared for:

U.S. Bureau of Reclamation
445 W. Gunnison Avenue
Suite 221
Grand Junction, CO 81501

TABLE OF CONTENTS

Introduction 2
Site Description 2
Soils 2
Hydrology 2
Vegetation 2
Habitat Mapping & Evaluation 3
Results 3
Conclusion 5

TABLES

Table 1. Impacted Habitat Segments. 3
Table 2. Habitat Quality Scoring Justification. 4

FIGURES

Map Figure 1 6
Map Figure 2 7
Habitat Segment Photos 8
Applegate Group Map Figure 1 9

Introduction

The Minnesota L75 Lateral Company (MLLC) has entered into an agreement with the United States Bureau of Reclamation (BOR) to place approximately 3078 feet of the Minnesota L75 Lateral (open and unlined irrigation ditch) into an underground irrigation pipe (See Applegate Map Figure 1). The project is being funded by the Basin States Salinity Control Program (BSCP) with the purpose to help reduce salt loading in the Gunnison River and downstream waters. Wetland/riparian habitat along the ditch will be lost due to the construction of the pipeline and the drying of associated wetlands along the ditch.

Site Description

The L-75 Lateral of the Minnesota Ditch is located approximately three miles southwest of Paonia, Colorado (See Map Figure 1) and roughly follows the north side of County Road L-75. The elevation of the project is approximately 5800 feet and is surrounded by irrigated farmland. The lateral flows along the edge of two farms which consists of mostly irrigated grass pasture (See Map Figure 2). The vegetative area between County Road L75 and the south side of the irrigation ditch is routinely mowed. The staging area is located within an adjacent, irrigated field and had been grazed by livestock.

Soils

The piping project site is located on the east side of Bone Mesa and below the West Elks Mountain Range. The soil is predominately Agua Fria clay loam, with 1 to 6 percent slope and Limon silty clay loam, 3 to 6%.

Hydrology

The Minnesota L75 Lateral is a lateral off the Minnesota Ditch and is located west of Bell Creek. The lateral is the sole source of water for associated, irrigated pasture lands other than natural rainfall.

Vegetation

Common plant species include *Salix exigua*(coyote willow), *Typha latifolia* (cattail), *Schoenoplectus maritimus* (alkali bulrush), *Asclepias species* (showy milkweed), *Ericameria nauseosa* (rabbitbrush), *Rosa woodsii* (wild rose), *Aster pattersonii* (tansy aster), *Festuca arandinaea* (tall fescue), *Pascopyrum smithii* (western wheatgrass), and a small patch of *Quercus gambelii* (Gambel oak) towards the lower end of the lateral. The area also contains non-native weed species such as *Elaeagnus angustifolia* (Russian olive), *Acroptilon repens* (Russian knapweed), *Cirsium avense* (Canada thistle), *Tamarix purviflora* (tamarisk), *Kochia scoparia* (kochia), and *Ulmus pumila* (Siberian elm).

Habitat Mapping & Evaluation

A wildlife habitat evaluation was conducted on March 24, 2016, and photos of the habitat segments taken on October 26, 2016. The project was re-assessed on May 14, 2017, after BOR had implemented changes in the scoring procedures. The proposed piping plan for the L-75 Lateral was overlaid on a 2015 aerial photo using ArcGIS software. Field personnel examined the site and calculated habitat impacts by using the methodology described in *Basinwide Salinity Control Program: Procedures for Habitat Replacement* (March 2013) written by the Bureau of Reclamation and the U.S. Fish and Wildlife Service. BOR personnel provided additional guidelines and interpretation on procedures. The wetland/riparian habitat impacted consists mostly of coyote willow along with rushes and sedges along the fringe of the ditch. Map Figure 2 shows the Fringe-Willow habitat segments expected to be affected. This habitat type received a habitat scored based on the value of 10 criteria and multiplied by the acres of impact. The average width of the wetted area along the ditch is multiplied by the length of the habitat segment to calculate the area of impact and is shown in Table 1. Table 2 contains the justification for the scoring of each criterion.

Table 1. Impacted Habitat Segments.

Minnesota L75 Lateral Proposed Piping Project, 7/22/2017: Fringe Willow Impacted Acres

Segment	Habitat Type	Length (ft.)	Width (ft.)	Acres of Impact
FW1	Fringe Willow	49	3	0.0034
FW2	Fringe Willow	48	2	0.0022
FW3	Fringe Willow	95	3	0.0065
FW4	Fringe Willow	225	4	0.0207
FW5	Fringe Willow	583	6	0.0803
FW6	Fringe Willow	277	4	0.0254
FW7	Fringe Willow	120	3	0.0083
FW8	Fringe Willow	397	3	0.0273
FW9	Fringe Willow	79	4	0.0073
			TOTAL ACRES OF IMPACT	**0.1814**

Table 2. Habitat Quality Scoring Justification.

Minnesota L75 Lateral Proposed Piping Project, 7/20/2017: Fringe Willow Habitat

Criteria	Description	Scoring	Justification
1	Vegetation Diversity	3	The vegetative diversity in these segment is low as the wetted area is limited and upland vegetation grows up to the edge of the ditch in many places. Coyote willow, cattails, sedges, and bulrush are the most prevalent riparian native species.
2	Stratification	6	The habitat segments contain grasses, forbs and shrubs, but lacks the riparian tree component. There are some upland trees species nearby including Siberian elms and Gambel oak.
3	Native vs. Non-Native species	4	About 40% of the plants are native. Other non-natives not listed in the noxious weed section include kochia, field pennycress, and chicory
4	Noxious Weeds	2	Noxious weed species cover approximately 20% of these segments and include Russian knapweed, cheatgrass, tamarisk, and Canada thistle.
5	Overall Vegetative Condition	2	Over 50% the plants are stressed by being mowed and impacted by being along side a county road.
6	Interspersion of open water	1	The interspersion of open water is low as the irrigation ditch is narrow and roughly parallels the edge of the road.
7	Connectivity	2	Connectivity is rated low as there is very little habitat along the ditch and does not connect any large areas of wildlife habitat.
8	Uniqueness or Abundance	2	The area exhibits low value for wildlife habitat and is relatively abundant. The value of the habitat is greatly reduced by the closeness of roads andthe effects of farming activities.

Criteria	Description	Scoring	Justification
9	Water Supply	4	The Minnesota L75 Lateral supplies water to these segments and is guaranteed seasonally.
10	Alteration	0	These habitat segments are located along a busy county and surrounded by farm ground. Many portions of these segments are mowed and grazed by livestock occasionally.
	THV	26	
	Habitat Quality Score (HQS)	2.6	
	Mapped Acres	0.18	
	Total Habitat Loss	**0.47**	

Results

The piping of the Minnesota L75 Lateral is expected to cause the loss of 0.47 habitat units. Habitat impacts should be minimal because the project parallels the county road and is adjacent to or in irrigated pasture land. The habitat along the ditch contains a significant amount of weeds species which will be removed during the construction of the pipeline. Native forbs and grasses will be reseeded over the disturbed area after the completion of the project. The seeding should reduce the number of invasive weeds and provide upland vegetative cover in the disturbed area. Wastewater ditches will continue to provide water for any carex and bulrush species at the end of the irrigated fields unless farming practices change.

Conclusion

The Salinity Control Act stipulates that no net habitat value be lost during the construction of projects funded by the Basin States and Basinwide Programs. Minnesota L75 Lateral Company will be required to replace 0.47 habitat units. They are working on an agreement with the Minnesota Canal and Reservoir Company (MCRC) to use a portion of unused habitat units generated by MCRC's Phase II habitat improvement project. This project is nearly completed and could generate up to 19.512 habitat units when it is fully implemented. MCRC needs to replace 12.88 habitat units to offset losses occurring during the construction of their second piping project so enough habitat units could be created to cover both projects.

Map Figure 1

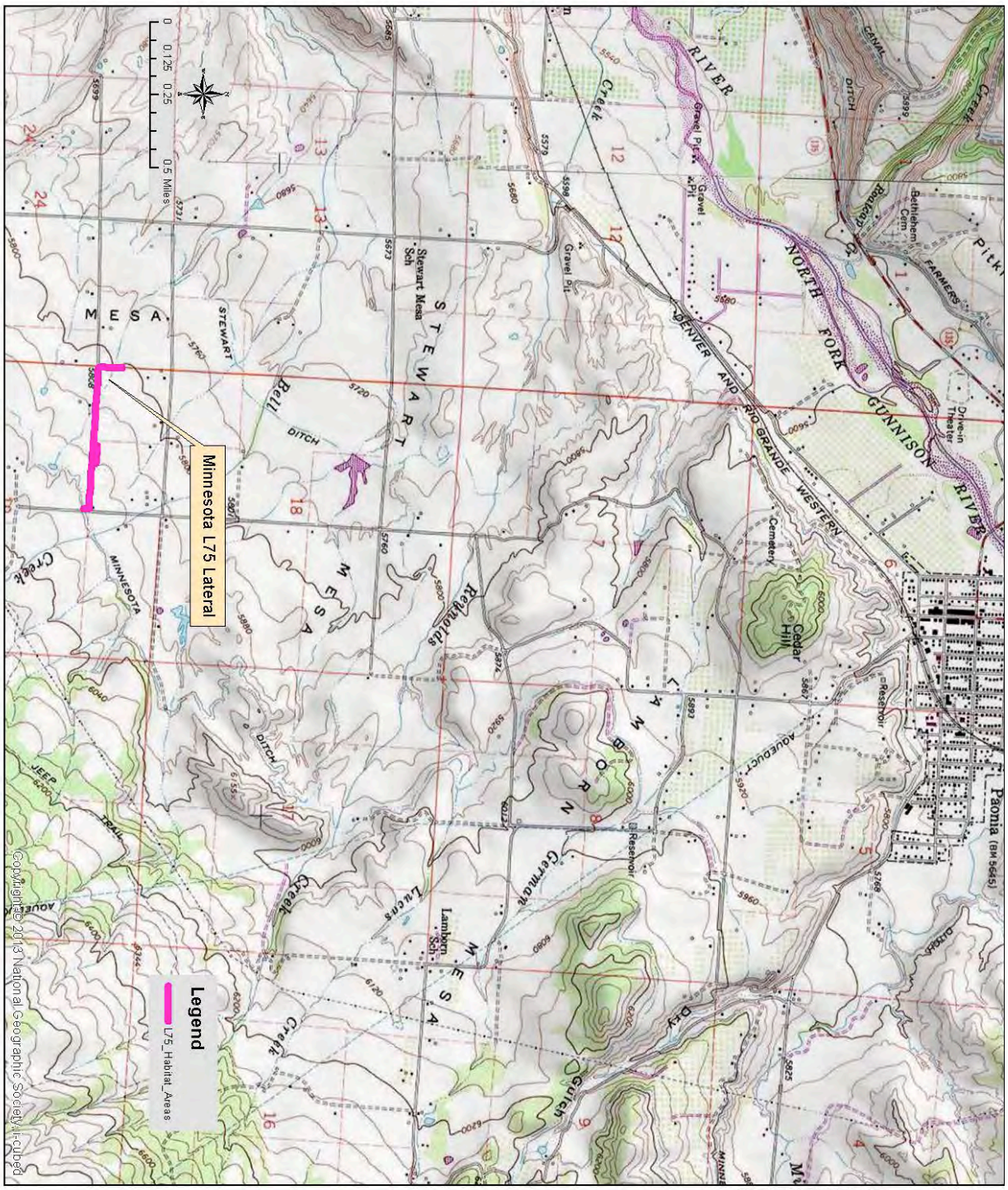


Figure: 1

Date: 18 November 2016
Job #: 3 - 2016
Drawn By: MWZ

No.	Rev. Date:	Revision Description
1	July 20, 2017	Added Labels

MINNESOTA L75 LATERAL COMPANY
USBR Salinity Control Project 2016
L75 Lateral Piping Project
Location Map

Wildlife and Natural Resource Concepts & Solutions, LLC

Michael W. Zeman
61614 Highway 90
Montrose, CO 81403
Office - 970-240-1861

Map Figure 2

Figure: 2

Date: 18 November 2016
Joh #: 3 - 2016
Drawn By: MWZ

No. Rev. Date: Revision Description
1 July 20, 2017 Revise Labels

MINNESOTA L75 LATERAL COMPANY
USBR Salinity Control Project 2016
Minnesota L75 Lateral Piping Project
Habitat Segment Locations

Wildlife and Natural Resource
Concepts & Solutions, LLC

Michael W. Zeman
61614 Highway 90
Montrose, CO 81403
Office - 970-240-1861

MINNESOTA L75 LATERAL HABITAT SEGMENT PHOTOS

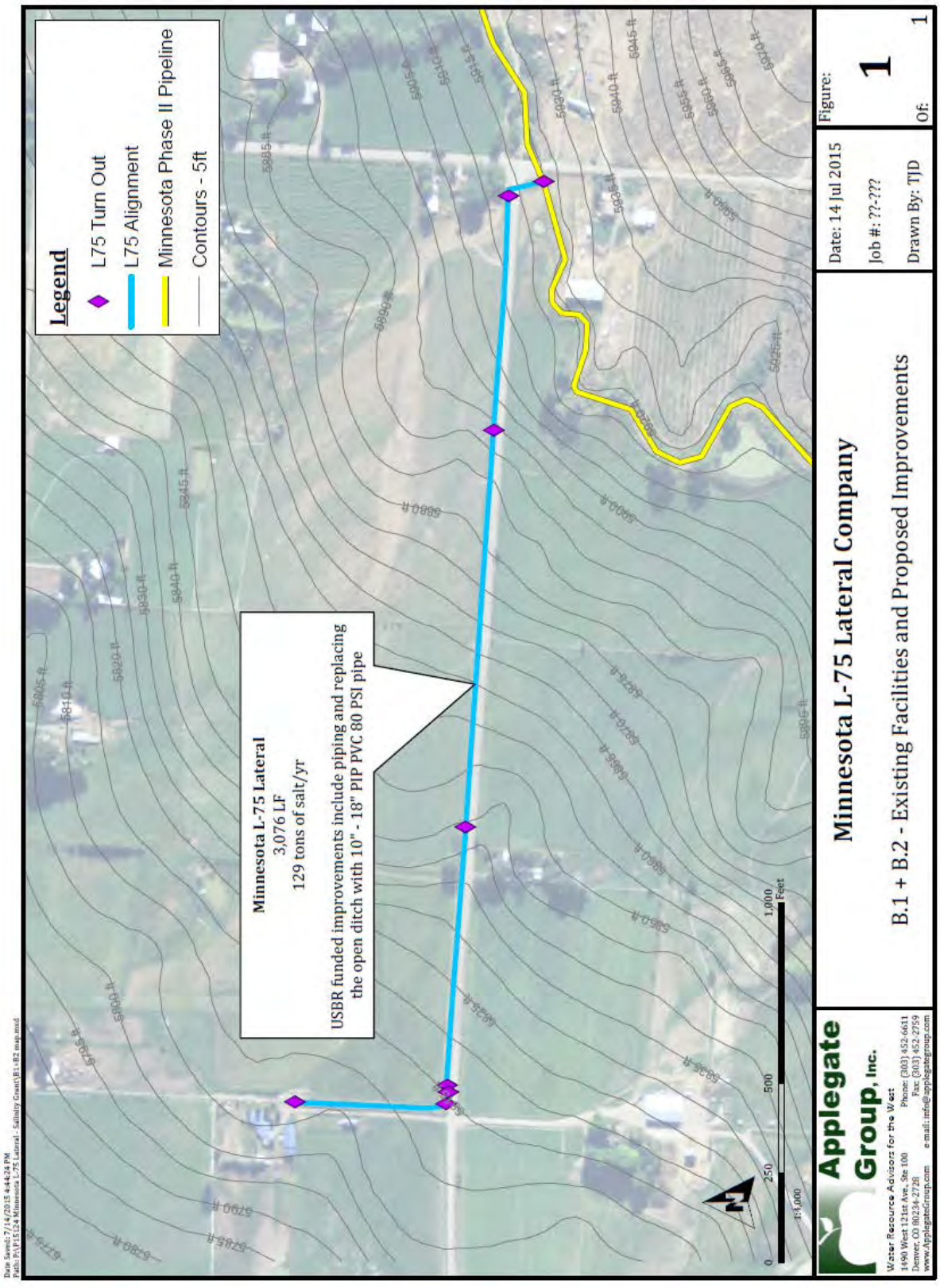
Typical coyote willows in the Fringe Willow Habitat Segments.

Gambel oak, Siberian elm, and other upland vegetation along ditch

Segment of ditch near farm field.

Staging Area for pipe in field.

Applegate Group Map Figure 1



ATTACHMENT D

Habitat Replacement Agreement
(aka “Wetlands Habitat Agreement”)

This page intentionally left blank.

RECEPTION#: 699574, 11/15/2017 at 03:58:55 PM, 3, R $23.00
TERI A. STEPHENSON, DELTA COUNTY, CO CLERK AND RECORDER

WETLANDS HABITAT AGREEMENT

THIS COOPERATIVE AGREEMENT ("Agreement") is made as of the day of 11/2/17, 2017, between Minnesota Canal and Reservoir Company, whose legal address is 41103 Lamborn Mesa Road, Paonia, CO 81428 (hereafter "MCRC") and Minnesota L75 Lateral Company, whose legal address 39844 M Road, Paonia, CO 81428 (hereafter "L-75") to provide a transfer of 0.47 habitat units from a constructed habitat project that MCRC has engaged in via separate agreement.

Funding for this project comes from the Bureau of Reclamation's Colorado River Basinwide Salinity Control Program and identified as the Minnesota Canal and Reservoir Company Salinity Project 2013-2015 (hereafter "Project"). The program stipulates that habitat losses be offset with the creation of an equal number of habitat units (Units calculated using - *Basinwide Salinity Control Program: Procedures for Habitat Replacement* written by Bureau of Reclamation and U.S. Fish and Wildlife Service in 2013). L-75 will need to replace 0.47 habitat units that are expected to be lost during the piping of their lateral. For those purposes, the parties agree as follows:

1) MCRC and L-75 are aware of the laws and processes that pertain to the award for the Project.

2) Minnesota Canal and Reservoir Company at its sole cost and expense, has constructed and will maintain wildlife habitat enhancement on approximately 9 acres of these parcels. The locations are shown on the agreement attached hereto as Attachment "A". The maintenance period of this project is 50 years until (December 31, 2064).

3) MCRC shall transfer 0.47 habitat units from the constructed habitat project described in Attachment "A" to L-75.

4) L-75 will compensate MCRC for invasive plant species treatment performed on the parcels identified in Attachment "A" in the spring for each calendar year starting in 2017. Follow up treatments performed in said year shall be at the expense of MCRC. This commitment will be performed each year for 5 years. Thereafter the landowner will undertake such measures as agreed upon with MCRC (Item 4, Provisions by Heller).

5) MCRC shall submit invoices to L-75 for the cost of invasive species treatment performed in the spring of each calendar year. Payment shall be due to MCRC within thirty (30) days of the date of the invoice.

6) Amendment. This Agreement may not be amended except in writing executed by the Parties.

7) Severability. The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provision. Any invalid or unenforceable provision shall be deemed severed from this Agreement to the extent of its invalidity or unenforceability, and this Agreement shall be construed and enforced as if the Agreement did not contain that particular provision to the extent of its invalidity or unenforceability.

1

8) Notices. Any notice required to be given pursuant to the terms and provisions hereof shall be hand delivered, sent by e-mail, or sent by certified mail, return receipt requested, postage prepaid, to the parties hereto, as follows:

(a) MCRC: Minnesota Canal and Reservoir Company
41103 Lamborn Mesa Road, Paonia, CO 81428

(b) L-75: Minnesota L75 Lateral Company
39844 M. Road, Paonia, CO 81428

9) Attorneys' Fees And Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado. Exclusive jurisdiction and venue shall lie in the Delta County District Court. In any dispute arising from or relating to this Agreement, the prevailing party shall be entitled to its reasonable attorneys' fees, costs and expenses, including attorneys' fees, costs and expenses incurred in collecting or executing upon any judgment, order or award.

10) Successors In Interest Obligated. This agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.

11) Recordation. This Agreement may be recorded with the Clerk and recorder of Delta County, Colorado.

Dated as of the day and year first written above.

MINNESOTA CANAL AND RESERVOIR COMPANY:

By: _____
Willy Kistler, President

MINNESOTA L-75 LATERAL COMPANY:

By: _____
Tom Gillespie, President

2

STATE OF COLORADO)
).ss
COUNTY OF DELTA)

The foregoing instrument was acknowledged before me this 20 day of NOV, 2017, by Willy Kistler on behalf of the Minnesota Canal and Reservoir Company.

Witness my hand and official seal.

My commission expires: 4/7/18.

JOHN S. BLAIR
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #19944005706
My Commission Expires April 7, 2018

Notary Public

STATE OF COLORADO)
).ss
COUNTY OF DELTA)

The foregoing instrument was acknowledged before me this 22 day of NOV, 2017, by Tom Gillespie on behalf of the Minnesota L-75 Lateral Company.

Witness my hand and official seal.

My commission expires: 4/7/18.

JOHN S. BLAIR
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #19944005706
My Commission Expires April 7, 2018

Notary Public

This page intentionally left blank.

ATTACHMENT E

Cultural Resources Compliance Documents

This page intentionally left blank.

HISTORY Colorado

August 23, 2016

Ed Warner
Area Manager
Bureau of Reclamation
Upper Colorado Region
Western Colorado Area Office
445 West Gunnison Avenue, Suite 221
Grand Junction, CO 81501

Re: Finding of No Effect, Minnesota L-75 Lateral Piping Project, Delta County, Colorado (CHS #70807)

Dear Mr. Warner:

Thank you for your correspondence dated August 15, 2016 and received on August 17, 2016 by our office regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106). Thank you for the additional information provided on August 22, 2016.

After review of the provided information, we do not object to the proposed Area of Potential Effects (APE) for the proposed project.

After review of the scope of work and assessment of adverse effect, we concur with the recommended finding of *no historic properties affected* [36 CFR 800.4(d)(1)] under Section 106.

Should unidentified archaeological resources be discovered in the course of the project, work must be interrupted until the resources have been evaluated in terms of the National Register eligibility criteria (36 CFR 60.4) in consultation with our office pursuant to 36 CFR 800.13. Also, should the consulted-upon scope of the work change please contact our office for continued consultation under 36 CFR 800.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties.

If we may be of further assistance, please contact Jennifer Bryant, our Section 106 Compliance Manager, at (303) 866-2673 or jennifer.bryant@state.co.us.

Sincerely,

for Steve Turner, AIA
State Historic Preservation Officer

History Colorado, 1200 Broadway, Denver, CO 80203 HistoryColorado.org

This page intentionally left blank.

ATTACHMENT F

Environmental Commitment Checklist

This page intentionally left blank.

Minnesota L75 Lateral Salinity Control Project
Environmental Checklist

This Environmental Checklist (Checklist) has been prepared to ensure that the environmental commitments are met, as set forth in the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) completed for the Minnesota L75 Lateral Salinity Control Project ("Project") pursuant to the National Environmental Policy Act (NEPA). The Bureau of Reclamation is the lead federal agency with primary responsibility for complying with the NEPA on the Project, and the Minnesota L75 Lateral Company ("Company") is responsible for implementing the environmental commitments contained in the EA and FONSI for the Project. The environmental commitments represent mitigation measures to avoid, minimize, rectify, reduce, eliminate or compensate for impacts caused by implementation of the Project. The Company shall utilize this Checklist to document compliance with each commitment, and shall submit the relevant component of the completed Checklist to Reclamation immediately following each phase of the Project, i.e., Pre-Construction, During Construction, and Post-Construction. The Company shall provide Reclamation with copies of all documents produced as part of these commitments.

Environmental Commitments: <u>Pre-Construction</u>		
#	**MITIGATION MEASURE or PROJECT DESIGN FEATURE**	**DATE OF COMPLIANCE**
A.01	The Company shall provide an environmental briefing to the contractor and any sub-contractors in a pre-construction meeting. Such an environmental briefing shall include, at a minimum, a review of the environmental commitments described in this Checklist.	
A.02	The Company shall provide a hard copy of the Final EA and Finding of No Significant Impact (FONSI) to the construction contractor prior to or during the pre-construction briefing.	
A.03	The Company shall provide a hard copy of the current Delta County Weed Management Plan to the construction contractor prior to or during the pre-construction briefing.	
A.04	All construction easements/right-of-way agreements shall be executed by all parties prior to construction (including agreements with private landowners, and clearances from Delta County).	
A.05	Any environmental commitments included in Delta County authorizations and agreements with landowners shall be reviewed with the construction contractor and honored.	

Environmental Commitments: Pre-Construction		
#	**MITIGATION MEASURE or PROJECT DESIGN FEATURE**	**DATE OF COMPLIANCE**
A.06	A spill response plan shall be prepared in advance of construction by the contractor for areas of work where spilled contaminants could flow into water bodies. All employees and workers, including those under separate contract, shall be briefed and made familiar with this plan.	
A.07	Onsite supervisors and equipment operators shall be trained and knowledgeable in the use of spill containment equipment.	
A.08	Stormwater Management Plan shall be submitted to the Colorado Department of Public Health and Environment (CDPHE) by the construction contractor prior to construction disturbance.	
A.09	CWA Section 402 Storm Water Discharge Permit compliant with the National Pollutant Discharge Elimination System (NPDES) shall be obtained from CDPHE by the construction contractor prior to construction disturbance (regardless of whether dewatering would take place during construction).	
A.10	Traffic control measures shall be coordinated by the construction contractor with Delta County if there is to be a closure of L75 Road.	
A.11	Utility clearances shall be obtained by the construction contractor prior to construction activities, from Delta Montrose Electric Association, TDS Telecom, local water companies, and any other utility in the area.	
A.12	Prior to construction, the construction contractor shall remove brush by mowing or chopping, and remove stumps by grubbing. Vegetation material shall be either hauled to the Delta County Landfill Transfer Station, or burned, or chipped and mulched onsite.	
A.13	Topsoil shall be stockpiled and then redistributed after completion of construction activities.	

Environmental Commitments: <u>During Construction</u>		
#	**MITIGATION MEASURE or PROJECT DESIGN FEATURE**	**DATE OF COMPLIANCE**
B.01	All construction activities shall be confined to rights-of-way negotiated between the Company and the landowners.	
B.02	Construction staging (for pipe and equipment) shall take place only in the staging area shown on the construction drawings.	
B.03	Existing roads shall be used to access the construction and staging area. No new roads shall be constructed.	
B.04	Construction limits shall be clearly flagged onsite to avoid unnecessary plant loss or ground disturbance.	
B.05	Ground disturbances shall be limited to only those areas necessary to safely implement the Proposed Action.	
B.06	Vegetation removal shall be confined to the smallest portion of the Proposed Action Area necessary for completion of the work.	
B.07	Pipeline trenches left open overnight shall be kept to a minimum and covered to reduce potential for hazards to the public and to wildlife. Covers shall be secured in place and strong enough to prevent livestock or wildlife from falling through. Where trench covers would not be practical, wildlife escape ramps shall be utilized.	
B.08	The construction contractor shall utilize straw wattles, silt curtains, cofferdams, dikes, straw bales, or other suitable erosion control measures to prevent erosion from entering water bodies during construction.	
B.09	Concrete pours shall occur in forms and/or behind cofferdams to prevent discharge into waterways. Any wastewater from concrete-batching, vehicle wash down, and aggregate processing shall be contained and treated or removed for off-site disposal.	
B.10	The construction contractor shall store and dispense fuels, lubricants, hydraulic fluids, and other petrochemicals in an approved staging area.	
B.11	The construction contractor shall inspect equipment daily and conduct repairs as necessary to ensure equipment is free of petrochemical leaks.	

Environmental Commitments: <u>During Construction</u>		
#	**MITIGATION MEASURE or PROJECT DESIGN FEATURE**	**DATE OF COMPLIANCE**
B.12	Construction equipment shall be parked, stored, and serviced only at the approved staging area.	
B.13	A spill response kit, which includes appropriate-sized spill blankets, shall be easily accessible and onsite at all times.	
B.14	The construction contractor shall transport, handle, and store any fuels, lubricants, or other hazardous substances involved with the Project in an appropriate manner that prevents them from contaminating soil and water resources.	
B.15	Portable secondary containment shall be provided for any fuel or lubricant containers staged within the Project Area. Any staging of fuel or lubricants, or fueling or maintenance of vehicles or equipment, shall not be conducted within 100 feet of any live water or drainage.	
B.16	All spills, regardless of size, shall be cleaned up promptly and contaminated soil shall be disposed of at an approved facility.	
B.17	Appropriate federal and Colorado authorities shall be immediately notified in the event of any contaminant spill. Any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b.	
B.18	In the event of discovery of threatened or endangered species, all ground-disturbing activities in the area shall immediately cease, and Reclamation shall be notified. Work shall not be resumed until Reclamation has consulted with U.S. Fish & Wildlife Service to ensure that adequate measures are in place to avoid or reduce impacts to the species.	
B.19	Vegetation disturbing activities (tree and shrub removal) shall not be conducted during the primary nesting season of migratory birds protected under the Migratory Bird Treaty Act (April 1 through July 15).	

Environmental Commitments: <u>During Construction</u>		
#	**MITIGATION MEASURE or PROJECT DESIGN FEATURE**	**DATE OF COMPLIANCE**
B.20	To avoid disturbance to the active red-tailed hawk nest near the Proposed Action, pipeline and turnout construction activities shall either avoid red-tailed hawk nesting season (February 15 through July 15), or pipeline and turnout construction activities could extend past February 15, so long as the activities are initiated prior to February 15, and operated on a daily basis until completion.	
B.21	The Proposed Action Schedule partially overlaps with the bald eagle nesting period (October 15 through July 31) and the golden eagle nesting period (December 15 through July 15). There are no documented eagle nests with 1 mile of the Proposed Action. If an active eagle nest is discovered within ¼ mile of the Proposed Action, activity shall cease until Reclamation is consulted.	
B.22	The Proposed Action lies approximately 1 mile from a mapped bald eagle roost. If a previously undocumented an active bald eagle roost is discovered within ¼ mile of the Proposed Action, activity shall cease until Reclamation is consulted.	
B.23	If previously undiscovered cultural or paleontological resources are discovered during construction, construction activities must immediately cease in the vicinity of the discovery and Reclamation must be notified. In this event, the SHPO shall be consulted, and work shall not be resumed until consultation has been completed, as outlined in the Unanticipated Discovery Plan in the MOA.	
B.24	The Company shall permanently dewater, remove from irrigation service, and render incapable of irrigation water delivery those open ditches abandoned as part of the Project.	
B.25	The Company shall remove any decommissioned irrigation structures (head gates, drops, etc.) by methods described in the construction specifications provided to the contractor.	

Environmental Commitments: Post-Construction		
#	**MITIGATION MEASURE or PROJECT DESIGN FEATURE**	**DATE OF COMPLIANCE**
C.01	Following construction, all disturbed areas shall be smoothed, shaped, contoured and reseeded to as near to their pre-project conditions as practicable.	
C.02	Seeding shall occur at appropriate times within six months following construction completion with weed-free seed mixes per Reclamation specifications.	
C.03	Weed control shall be implemented by the Company or the Company's contractor in accordance with current County weed control standards.	
C.04	Lands previously in agricultural production shall be returned to agricultural production following construction.	

- In order to avoid "take" of migratory birds protected under the Migratory Bird Treaty Act, the Proposed Action shall adhere to the timing restrictions outlined in Section 4.11 of the EA.

Approved by:

E. Ted Warner II 12/20/17

For Ed Warner
Area Manager, Western Colorado Area Office

Date