



FEMA

FINDING OF NO SIGNIFICANT IMPACT
Turner Creek Water Intake System Replacement
City of Yamhill
FEMA-1824-DR-OR
August 19, 2010

The City of Yamhill (City) applied through the Oregon Office of Emergency Management (OEM) to the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) for financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1973, as amended, to construct a new water intake structure adjacent to the City's water treatment facility and to decommission and remove the existing water intake structure. This project is funded under FEMA's Hazard Mitigation Grant Program (HMGP), which provides grants to States, local governments, and Indian Tribes for long-term hazard mitigation projects. It is authorized under a major disaster declared by the President on March 2, 2009, for severe winter storms, record and near-record snow, landslides and mudslides that occurred from December 13-26, 2008 (FEMA-1824-DR-OR).

In accordance with the National Environmental Policy Act (NEPA) of 1969 and FEMA's implementing regulations, FEMA prepared a Draft Environmental Assessment (EA) to identify and evaluate potential environmental effects resulting from the alternatives presented in the EA and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI). Alternatives evaluated in the EA include: 1) No Action, and 2) Relocate Water Intake Structure Adjacent to the City's Water Treatment Facility and Decommission Existing Intake Structure (Proposed Action). No other alternatives were considered for the relocation of the water intake system as the site chosen is on land owned by the City and provides a suitable low-impact location in close proximity to the City's existing water treatment facility.

The Draft EA was submitted for public review and comment. FEMA did not receive any comments other than from regulatory agencies involved with compliance. Those comments were incorporated into the Final EA.

In complying with the Endangered Species Act and integrating that review into the NEPA process, a Biological Assessment prepared by Wold Environmental Consultants, as a non-federal representative, and a Biological Opinion prepared by the National Marine Fisheries Service (NMFS) on August 16, 2010 (NMFS No. 2010/01984) were used to evaluate the Proposed Action and to determine if the action would have a significant effect on the human environment, per Title 40 Code of Federal Regulations (CFR) Section 1501.7(a) – Scoping for NEPA and agency planning.

Potential Effects and Mitigation Required

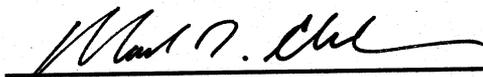
Section 5.0 of the attached EA describes the affected environment and the intensity of effects by the Proposed Action on geology and soils, water resources, biological resources, cultural resources, and environmental justice.

As a result of the NEPA process and compliance with other federal, state and local laws, the City will implement environmental mitigation measures by 1) implementing mitigation measures and construction Best Management Practices in accordance with those outlined in the EA for this project; 2) complying with the Reasonable and Prudent Measures, terms and conditions, and reinitiation of consultation requirements included in the BO prepared by NMFS for compliance with the Endangered Species Act (included in Appendix D of the EA); 3) complying with the Essential Fish Habitat Conservation Recommendations included in the BO prepared by NMFS (included in Appendix E of the EA); 4) halting work in the event historically or archaeologically-significant materials or sites are discovered during project implementation until the City and FEMA, in consultation with the State Historic Preservation Officer, determines appropriate measures have been taken to protect cultural resources; 5) applying for and securing appropriate local, State and Federal authorizations and permits, as required; and 6) any change to the approved scope of work will require re-evaluation by FEMA for compliance with NEPA and other laws and Executive Orders.

FINDINGS

Based upon the grant application, site design, and attached Final EA and in accordance with 1) FEMA's regulations in 44 CFR Part 10 for environmental consideration, including Executive Orders (EOs) addressing floodplains (EO 11988), wetlands (EO 11990), and environmental justice (EO 12898), FEMA determined the proposed project will not significantly affect the quality of the natural and human environment. As a result of this FONSI, an EIS will not be prepared (44 CFR Part 10.8) and the project, as described in the attached EA, may proceed.

APPROVAL



Mark G. Eberlein
Regional Environmental Officer
FEMA Region 10

8-19-10

Date

10-8-98

10-8-98