

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

FEMA's Intent to Fund Replacement of the Huntley Project Box Culvert and Siphon Structure, Yellowstone County, MT.

Notification is hereby given of a Finding of No Significant Impact (FONSI) and the Federal Emergency Management Agency's (FEMA's) intent to provide funding to the Huntley Project Irrigation District (HPID) for the replacement of the Huntley Project box culvert and siphon structure with an inverted box siphon structure that will siphon the Huntley Main Canal beneath Pryor Creek in Yellowstone County near the Yellowstone River at Huntley, MT.

As a result of damages from severe flooding in Spring, 2011, FEMA was authorized under a Presidential Disaster Declaration (FEMA-1996-DR-MT, dated June 17, 2011) to provide Federal assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to designated disaster areas in Montana. Yellowstone County was included in the initial Declaration. The Huntley Irrigation District (Huntley Project), through a formal Management Agreement with US Bureau Of Reclamation (BOR), has the responsibility for maintenance and repairs to the above facility and has been determined by FEMA to be an eligible Applicant and eligible for FEMA-funded repairs to infrastructure. The BOR, as owners of the property, has been identified as the lead Federal Agency for the proposed project.

Due to the severe flooding that struck the area in Spring, 2011, the existing structure was over 50% damaged beyond economical repair. The temporary repairs made to the structure to allow irrigation to continue for the 2011 growing season are not expected to withstand next spring's expected high flows in Pryor Creek. The project purpose is to provide a permanent replacement for the structure and secondarily to achieve a long-standing recommendation by Montana Fish, Wildlife, and Parks to remediate the fish passage barrier on Pryor Creek caused by the existing, damaged structure.

Funding will be provided in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended.

ENVIRONMENTAL ASSESSMENT

Under the National Environmental Policy Act (NEPA), FEMA has reviewed the proposed action and possible alternative solutions to the proposed action. An Environmental Assessment (EA) was prepared by BOR in concert with the Applicant and FEMA pursuant to the National Environmental Policy Act (NEPA), the President's Council on Environmental Quality regulations implementing NEPA (40 CFR Parts 1500-1508), and FEMA regulations for NEPA compliance (44 CFR Part 10). The EA is hereby incorporated by reference.

The EA's purpose was to analyze the structure replacement and document the preferred alternative's potential environmental impacts, to serve as a vehicle to document compliance with applicable State and Federal laws and regulations, and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

Two alternatives were evaluated in an Environmental Assessment (EA).

No Action Alternative

Under the No Action Alternative, FEMA would not fund the Proposed Action. Because the flooding caused extensive damage to the water crossing structure and the temporary repairs made to the structure are not expected to withstand predicted high spring flows, the existing structure would likely fail and

cause irreparable harm to continued irrigation of the 30,000 acres of cropland and the families and local farming community dependent upon the industry, further straining the county's social and economic infrastructure.

Proposed Action Alternative

Under the Proposed Action Alternative, replacement of the structure was recommended because it:

1. Will have no significant or cumulative adverse impacts on the human or natural environment, and;
2. Will allow continued irrigation of the 30,000 acres of Huntley Project croplands.

Information used in the determination of effects for the preparation of the EA was obtained from previous contacts with the various agencies and from websites of the U.S. Fish and Wildlife Service (USFWS) for determination of no effect on any listed species or migratory birds; Montana Fish, Wildlife and Parks Department for recommendations to restore fish passage at the culvert site; and Natural Resources Conservation Service (NRCS) for determination of no adverse effects on Prime or Unique Farmland.

Formal contacts were made with Montana State Historic Preservation Officer (SHPO) – for concurrence of determination of adverse effect on a potential historical structure, the damaged box culvert and siphon, which resulted in a Memorandum of Agreement between US BOR, FEMA, and SHPO for replacement of the structure; and Crow Tribe Tribal Historic Preservation Officer (CTHPO) – for determination of no effect on Indian Trust Assets.

The President of the United States has issued Executive Orders (EO) that require Federal agencies, when considering an action or finding, to focus attention on the environment and on human health with respect to: Floodplain Management, Executive Order (EO) 11988; Wetlands Protection, EO 11990; and Environmental Justice, EO 12898. Compliance with Executive Orders, other environmental laws, and NEPA have been documented in the EA.

The EA has found that the proposed action alternative will have no significant adverse impact on floodplains, wetlands, minorities or any other populations, or the human and natural environment. The following factors were examined in order to make this determination: geology and soils, hydrology and floodplains, wetlands and jurisdictional waters of the U.S., water quality, air quality, vegetation and wildlife, State and Federally-listed threatened and endangered species, cultural resources, socioeconomic (including minority and low income populations), safety and security, hazardous materials and toxic wastes, and traffic and transportation, and economic impacts. Further the PROPOSED ALTERNATIVE has been reviewed and, to the best of our knowledge, does not have the potential for significant cumulative effects when combined with past, present, and reasonably future actions in accordance with 44 CFR Part 10.8 (d)(3)(x).

As a result of this finding, an Environmental Impact Statement will not be prepared. No comments were received in response to a Public Notice which was published on September 30, October 1 and 2, 2011, in the Billings Gazette, the local paper of record for Yellowstone County. The Public Notice, MOA, and EA are available on FEMA's website at <http://www.fema.gov/plan/ehp/envdocuments/ea-region8.shtm>; at the FEMA Forward Field Office at 175 N. 27th St in Billings, MT; at the Huntley Project Headquarters in Ballentine, MT; and at the Offices of the US Bureau of Reclamation at 316 N. 26th St., Billings, MT. This FONSI will also be available on FEMA's website cited above.

Finding Of No Significant Impact (FONSI)

As a result of an analysis of the EA, the Public Notice and the information above I have determined that the proposed action to fund the replacement of the Huntley Project box culvert and siphon structure with an inverted siphon box culvert will not have a significant impact on the human and natural environment, nor will it contribute to any cumulative impacts in the project area.

Signed,



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Steven E. Hardegen

Regional Environmental Officer

Date:

FEMA, Region VIII

Building 710, Box 25267

Denver, CO 80225-0267