

## FINDING OF NO SIGNIFICANT IMPACT

### Cooperative Agreement to Implement the Management Plan for Endangered Fishes in the Yampa River Basin

The **U.S. Fish and Wildlife Service** proposes to enter into a cooperative agreement with the states of Colorado and Wyoming for the purpose of implementing elements of the *Management Plan for Endangered Fishes in the Yampa River Basin* (Yampa Plan; Roehm 2004). An Environmental Assessment (EA) accompanies the Yampa Plan, which describes anticipated human water needs during the next 40 years and prescribes a series of measures to minimize adverse impacts to four listed fish species due to current and projected future water depletions from the Yampa River and its tributaries. These fish species are the humpback chub (*Gila cypha*), bonytail (*G. elegans*), Colorado pikeminnow (*Ptychocheilus lucius*) and razorback sucker (*Xyrauchen texanus*).

Encompassing roughly 8,000 square miles in northwest Colorado and south-central Wyoming, the Yampa River Basin yields an average of about 1.7 million acre-feet (MAF) of water each year at its confluence with the Green River. Stream flows generally peak between late April and mid-June, predominantly during the last 3 weeks of May, as winter snowpack melts when temperatures begin to rise in spring. Intra-annual flow variation is high, with peak flows typically two orders of magnitude greater than base flows in an average year. Flows also vary between years, with almost a nine-fold difference between the highest and lowest peak flows recorded at Deerlodge Park (1982–2003).

Relative to yield, current in-basin active water storage (~50,000 AF) is minimal (~3% of yield). Current depletions of roughly 168,000 AF in Colorado and Wyoming represent about 10 percent of average yield. Therefore, the annual hydrograph of the Yampa River has changed very little since before settlement. We anticipate that during the next 40 years, depletions will increase by about 30 percent to 221,000 AF or 13 percent of average annual yield. The proposed action would increase active storage 5,000–12,000 AF, or 0.3–0.7% of yield, by enlarging the existing Elkhead Reservoir.

Up to 7,000 AF of the proposed enlargement would be used to augment base flows July through February to support populations of native endangered fish species during critically low stream-flow conditions. The balance could be used to supply water for human needs. In addition to instream flow augmentation, the proposed action would continue and expand ongoing management actions to control populations of predatory and competitive nonnative fish species, considered to pose a significant threat to endangered and other native fishes. Other measures include acquiring, restoring, protecting and maintaining floodplain habitats as nurseries for endangered fishes in the Green River; monitoring incidental take by agricultural and other large diversion works, and installing screens, if necessary, on these diversions to reduce or eliminate take; providing for fish passage, if necessary, at any new diversion structures for water developments that existed prior to the inception of the Recovery Program in January 1988; and monitoring both native and nonnative fish populations and their important habitats to ascertain if management actions are having the desired effect of increasing endangered fish populations while reducing nonnative fish populations.

The Service analyzed a number of alternatives to the proposed action to enlarge Elkhead Reservoir (see Yampa Plan, beginning on page 44), to include the following:

### **No Action**

Alternative 1: No provisions would be made to protect existing instream flows or provide a firm water supply to augment instream flows in the future.

### **Non-structural options**

Alternative 2 – Supply interruption contracts: These contracts would compensate major water users, such as agricultural ditch companies, in exchange for these users bypassing flows they would otherwise be entitled to divert, in priority. However, to satisfy the entire instream flow augmentation need, large tracts of agricultural lands would have to be taken out of irrigation.

Alternative 3 – Instream flow water rights: This alternative would rely solely on adjudicating an instream flow water right for the Yampa River within the critical habitat reach for Colorado pikeminnow (from Craig, Colorado, downstream to the confluence of the Green River). It would maintain the *status quo*, but would not increase instream flows in the future over current flows.

### **Structural options**

Alternatives 4, 7 – Leasing water from existing reservoirs: Several options were considered that do not require building new reservoirs or expanding existing reservoirs. They would utilize existing, unused storage capacity in existing reservoirs to meet the full instream flow augmentation need, from either Steamboat Lake (4) or Stagecoach Reservoir (7).

Alternative 6 – Reservoir Expansion: Only one option was considered that relied entirely on the expansion of an existing reservoir (Elkhead) to meet the full instream flow augmentation need.

Alternatives 5, 8–12, 14, and the Proposed Action: Several options were considered that involved additional storage (either a new or expanded reservoir) in combination with leases from existing storage. One alternative relied entirely on Elkhead (5), whereas others relied on multiple reservoirs such as Steamboat and Elkhead (8, 10), Steamboat and Stagecoach (9), Steamboat, Stagecoach and Elkhead (11), or Steamboat, Elkhead, and a new tributary reservoir (12, 14). New tributary reservoir sites were not specifically evaluated, although several candidate sites were identified in the Colorado River Water Conservation District's (CRWCD) small reservoir study (Montgomery Watson 2000).

### **Combination of structural and non-structural options**

Alternative 13 – Water leases combined with supply interruption contracts: An option to lease water from Steamboat Lake and Stagecoach Reservoir was considered in combination with supply interruption contracts.

## **Options considered but not evaluated further**

Water conservation: Irrigation canal check structures, ditch lining, and conversion to more efficient irrigation methods (e.g., from flood to sprinkler irrigation) were considered. Although such measures appear to have a favorable cost-benefit ratio, they would provide less water during periods of severe or prolonged drought than the firm yield from reservoir storage. Moreover, conversion to sprinkler irrigation on the large scale necessary to meet the instream flow augmentation requirement would result in drying up some wetlands that rely on return flows from flood irrigation. However, conservation measures could be used in conjunction with a firm reservoir water supply to enhance the performance of both.

Winter/off-peak storage: Under this option, water would not be stored during the spring peak-flow period, but would be stored in winter or during other off-peak periods. Such an option may require diversion(s) from the mainstem of the Yampa River into a tributary reservoir, since a mainstem dam would have unacceptable adverse impacts on the Yampa River, and most tributaries to the Yampa do not have enough off-peak runoff to support the entire volume needed. This option was rejected, in part, due to its potentially high cost but, mostly, because it may call for water to be stored during the same period when augmentation normally would be needed.

## **Proposed action for augmentation water supply**

The proposed action to enlarge Elkhead Reservoir was selected over other alternatives because it better meets the primary objective of the action (i.e., providing 7,000 AF of water for base-flow augmentation) than any of the “non-structural” options (i.e., no action, instream flow water rights, supply interruption contracts, water conservation). Moreover, water deliveries from Elkhead Reservoir would be more reliable, would suffer less transit losses, and would be less difficult to administer than deliveries from reservoirs farther upstream (Steamboat Lake, Stagecoach Reservoir). Enlarging Elkhead Reservoir is more cost effective than constructing a new reservoir, and it will avoid undesirable impacts to state parks that would likely result from similar projects at Steamboat and Stagecoach. The proposed joint expansion of Elkhead Reservoir to serve the needs of both fish and people further reduces the unit cost for both.

## **Categorically excluded actions and actions addressed in a separate NEPA document**

Certain actions proposed for implementation under the Yampa Plan, such as monitoring populations and habitat, are categorically excluded for the purposes of the NEPA (see EA beginning on page 108); whereas the impacts of other actions, such as acquiring, restoring, protecting and maintaining floodplain habitats, have been addressed in a previous NEPA document (USDI 1998). Site-specific impacts to wetlands due to expansion of Elkhead Reservoir also will be addressed in greater detail in a separate EA prior to the Department of the Army issuing a permit for the project under §404 of the Clean Water Act.

## **Other proposed actions addressed in the Yampa Plan/EA**

Nonnative fish management is neither categorically excluded nor addressed in any previous NEPA documents is nonnative fish management (see Yampa Plan beginning on page 79). In recent years, nonnative fishes, particularly smallmouth bass, have proliferated in the Yampa and Green rivers. Northern pike and channel catfish, because of their predatory habits and coexistence with populations of endangered fishes, also have been targeted for control. This element of the plan encompasses a variety of actions, including removing northern pike and smallmouth bass from critical habitat of the Yampa River, as well as reaches immediately upstream from critical habitat (Hayden reach), and translocating these fishes to off-channel ponds and reservoirs where they are accessible to anglers; lethally removing channel catfish from Yampa Canyon; and capturing, marking and returning northern pike alive within reaches of the Yampa River farther upstream from critical habitat (above Hayden to Lake Catamount). The latter action is intended to demonstrate whether fish propagated upstream from critical habitat are dispersing downstream to critical habitat. The results of this study may dictate that removal of nonnative fishes be expanded to reaches farther upstream.

A number of alternative nonnative fish management actions were analyzed, including lethal removal of nonnative fishes throughout the critical habitat reach of the Yampa River; creating “exclosures” to deny northern pike access to suitable spawning habitats, particularly in the Hayden reach; lethally removing all fishes from Elkhead Reservoir during the enlargement; providing a bounty to anglers for certain species; and supporting fishing tournaments to encourage greater levels of harvest.

Because the Colorado Division of Wildlife (CDOW) is responsible for regulating sportfishing within the state, many of these actions can be undertaken only with the approval and support of the CDOW. In addition, the City of Craig, who owns and operates Elkhead Reservoir, would have to approve lethally removing sportfish from the reservoir, which Craig has declined to do. The CDOW can only support, not sponsor, locally sponsored fishing tournaments. Therefore, tournaments were not considered a viable, long-term solution to the nonnative fish problem. The CDOW considered, but rejected, bounties, because they believe that bounties would send the “wrong message” with respect to how the agency values nonnative sportfish. However, bounties have been used elsewhere (e.g., Spinney Reservoir in the South Platte Basin) to protect trout fisheries, and the Colorado Wildlife Commission already has relaxed or eliminated bag limits for certain problematic nonnative sportfish in the Colorado River Basin, including the Yampa River.

Lethal removal of nonnative fishes upstream from Yampa Canyon remains an option of last resort. As long as there are suitable receiving waters for these fish, the CDOW will continue to advocate translocation as its preferred alternative to lethal removal. Exclosures were studied, but are not considered feasible, because of the large number of potential spawning sites along the river and limited access to spawning sites on private land. However, screening ponds and reservoirs is considered feasible to reduce or preclude nonnative fish from escaping from these water bodies to the river; the proposed enlargement of Elkhead Reservoir action includes screening the new outlets, so that the reservoir may continue to receive smallmouth bass removed from the river.

Implementation of the Yampa Plan may result in certain environmental, social, and economic effects:

Tyus and Saunders (2001) consider the Yampa River to be the most valuable tributary in the Upper Colorado River Basin in terms of its contributions, both direct and indirect, to the recovery of the four endangered fish species. It supports populations of Colorado pikeminnow and humpback chub, and provides spawning habitat for razorback sucker. It also provides volume and shape to the Green River hydrograph and delivers sediment to the Green River necessary for creating and maintaining floodplain nursery habitats for Colorado pikeminnow and razorback sucker.

The principal impact of the proposed action is a year-round reduction in stream flows due to current and projected future water depletions of roughly 240,000 AF. Because new reservoir storage is a relatively minor component of the proposed action and water demand peaks after spring runoff, impacts to peak flows should not be significant. However, without mitigation, impacts to base flows would be significant. A reduction in base flows, in turn, could aggravate existing localized water quality problems, due to higher temperatures, lower dissolved oxygen and higher concentrations of pollutants from outfalls of wastewater treatment facilities or mine drainage. A water demand study (BBC 1998) projected full-time residential population growth by 2045 of 90–134% relative to the 2000 census, which will increase the volume of domestic wastewater discharged to the river. However, wastewater facilities are expected to be expanded to handle the additional wastewater load.

Except for the site of the Elkhead Dam enlargement, impacts to wetlands, riparian vegetation and their associated wildlife communities should not be significant. Impacts due to the enlargement of Elkhead Reservoir would be mitigated. No impacts to upland vegetation or wildlife are expected to result from the proposed action.

Native fisheries should benefit from the proposed action due to the augmentation of base flows and expected reduction in predatory and competitive nonnative fishes. Conversely, sport fisheries within the Yampa River will be adversely affected by nonnative fish control activities designed to reduce the nonnatives' predation on and competition with endangered and other native species. However, public access to the Yampa River is limited because it borders private land, and many sportfish removed from the river will be translocated to local ponds and reservoirs where they would be more readily available for anglers to harvest. Therefore, the fishery resource will be preserved for public use. Nevertheless there would be a negative effect on the river float-fishing experience.

Measures to mitigate and/or minimize adverse effects have been incorporated into the proposal. Measures to mitigate the effects of depletions on endangered and other native fish species include base-flow augmentation, nonnative fish management, habitat restoration, stocking endangered fishes, and monitoring the effects of depletions and the aforementioned mitigation measures. Although Elkhead also will serve human water needs, the principal objective of enlarging the reservoir is to provide a firm water supply to augment instream flows during the base-flow period.

Base-flow augmentation also will serve to mitigate potential adverse impacts to water quality that might occur due to reduced stream flows. Elkhead was selected over other structural water supply alternatives, in part, to minimize impacts to peak flows and protect water-related recreation at other reservoirs.

As described above, some of these mitigation measures, in turn, have potential adverse effects on other resources (e.g., nonnative sport fisheries). However, every effort has and will continue to be made to preserve the fishery resource by translocating sport fish removed from the river to local ponds and reservoirs with public access. As a result of the proposed action, more fish would be available to a greater number of people than would be available if these fish were left in the river.

The proposal is not expected to have any significant adverse effects on wetlands and floodplains, pursuant to Executive Orders 11990 and 11988, because the frequency, magnitude and duration of peak flows will not be significantly altered, particularly during wetter years that inundate floodplain terraces and promote regeneration of cottonwoods and willows. Moreover, invasion by nonnative tamarisk will be monitored during the course of other habitat monitoring and management activities, providing timely information to county noxious weed specialists and state and federal land managers so they may take appropriate action to stem the spread of this aggressive invader.

Many wetlands along the Yampa River are maintained by irrigation return flows. The proposed action will allow traditional flood irrigation practices to continue, thereby sustaining these valuable habitats. However, wetlands and riparian vegetation will be impacted downstream from Elkhead Dam and within the enlarged reservoir, particularly the delta area created by the existing reservoir. In its application for a Clean Water Act §404 permit (USACE 2004; Roehm 2004, Appendix J), the CRWCD described a number of wetland mitigation sites that it proposes to develop in advance of expected wetland impacts. The Corps of Engineers' NEPA document for the §404 permit will provide a fuller description of both the impacts and proposed mitigation.

The proposal is not expected to have any significant effects on the human environment because it will enable the Yampa Valley to maintain its mostly agrarian lifestyle, while allowing for continued local growth in other economic sectors. Tourism and the service industry tourism has created are expected to continue to flourish, especially in Routt County. However, the proposed action is neutral with respect to population growth, because agriculture currently consumes the most water and, therefore, domestic water supply potentially could increase without any net increase in depletions, if agricultural land were retired from irrigation. Moreover, electric utilities are expected to experience the greatest growth in water consumption due to the large quantities of water needed to cool two coal-fired electric generating stations at Hayden and Craig. These two facilities contribute significantly to the economies of these two communities.

The proposal has been thoroughly coordinated with all interested and/or affected parties, including the following individuals and organizations:

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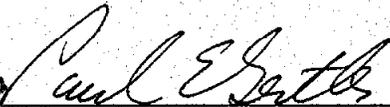
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Therefore, it is my determination that the proposal does not constitute a major Federal action significantly affecting the quality of the human environment under the meaning of section 102(2)(c) of the National Environmental Policy Act of 1969 (as amended). As such, an environmental impact statement is not required. An environmental assessment has been prepared in support of this finding and is available upon request to the FWS facility identified above.

**ACTING**   
 Regional Director, Mountain-Prairie Region

*11/5/04*  
 Date

References:

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- USACE (U.S. Army Corps of Engineers). 2004. Public notice number 200375136. May 14, 2004. Sacramento District, Sacramento.
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