

**FINDING OF NO SIGNIFICANT IMPACT**

**Sewer Transfer Conveyance Line Project  
Mesa County, CO**

**Rural Development  
U.S. Department of Agriculture**

**Town of Palisade**

**Prepared by:  
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Rural Development**

**September 2022**

## **A. INTRODUCTION**

The Town of Palisade plans to submit a financing request to the U.S. Department of Agriculture, Rural Development to construct the proposed Sewer Transfer Conveyance Line Project in Mesa County, Colorado. USDA-RD is considering this financing request. Prior to taking a federal action (i.e., providing financial assistance), USDA-RD is required to complete an environmental impact analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (U.S.C. 4231 et seq.), the Council on Environmental Quality's (CEQ) regulations for implementing NEPA (40 CFR Parts 1500-1508), and RD's NEPA implementing regulations, Environmental Policies and Procedures (7 CFR Part 1970). After completing an independent analysis of an environmental report prepared by the Town of Palisade and its consultant, USDA-RD concurred with its scope and content. In accordance with 7 CFR § 1970.102, USDA-RD adopted the report and issued it as the Agency's Environmental Assessment (EA) for the proposed Project. USDA-RD finds that the EA is consistent with federal regulations and meets the standards for an adequate assessment. The Town of Palisade published newspaper notices, announcing the availability of the EA for public review, in accordance with 7 CFR § 1970.102. In addition, USDA-RD considers the proposed Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800).

The following NEPA documents are related to this proposal: Environmental Assessment

## **B. PROJECT DESCRIPTION AND PURPOSE/NEED**

The Town of Palisade proposes to construct a conveyance line from the Town of Palisade (Town) to the Clifton Sanitation District (CSD), utilizing a combination of gravity sewer and force main piping, which would help the Town meet the organic load capacity allowed by the current Colorado Department of Public Health and Environment (CDPHE) discharge permit. A new gravity line would run from the south of the Town following the north side of the Grand Valley Irrigation Company (GVIC) canal alignment, then transferring to the existing roadway right-of-way near the intersection of 35 Road and F Road (approximately 3.03 miles). A lift station and short force main (approximately 0.57 miles) would be constructed along the route near this intersection of 35 Road and F Road to make up the elevation difference necessary to maintain adequate slope on the remaining gravity sections of the sewer line. Following the section of force main, an additional gravity line would be installed (approximately 1.58 miles). This section would follow the alignment of F Road to the intersection of 34 Road. The line would then turn south for approximately 0.25 miles before traveling west towards 33 ¾ Road and later following the GVIC alignment to the CSD connection. Overall, the entirety of the new pipeline would stretch approximately 5.15 miles (27,200 LF). The anticipated area of disturbance, including all trenching, excavation, and equipment staging, encompasses approximately 32 acres.

USDA-RD has reviewed the purpose and need for the Project and determined that the proposal will meet the present and future needs of the community.

## **C. ALTERNATIVES EVALUATED**

### **1. No Action**

Under the No Action Alternative, USDA-RD would not provide financial assistance to The Town of Palisade, and/or the proposed Project would not be constructed. The No Action Alternative would maintain existing condition and would not provide improvements that would allow the Town to meet the permit conditions. The No Action Alternative would result in continued failed compliance of the CDPHE (Colorado Department of Public Health and Environment) permit.

### **2. Action Alternative (Preferred Alternative)**

Under the Action Alternative, USDA-RD would consider financing the proposed Project, and The Town of Palisade would construct the Project. The recommended option was a combination of gravity line and force main that discharges to a second gravity line. The Preferred Alternative would consist of the following elements: A new gravity line that would run from the south of the Town following the north side of the Grand Valley Irrigation Company (GVIC) canal alignment, then transferring to the existing roadway right-of-way near the intersection of 35 Road and F Road (approximately 3.03 miles); A lift station and short force main (approximately 0.57 miles) would be constructed along the route near this intersection of 35 Road and F Road to make up the elevation difference necessary to maintain adequate slope on the remaining gravity sections of the sewer line; Following the section of force main, an additional gravity line would be installed (approximately 1.58 miles). This section would follow the alignment of F Road to the intersection of 34 Road. The line would then turn south for approximately 0.25 miles before traveling west towards 33 ¾ Road and later following the GVIC alignment to the CSD connection.

## **D. SUMMARY OF ENVIRONMENTAL EFFECTS**

The analyses in the EA documented that the proposed Project would have no adverse effects to Land Use, Formally Classified Lands, Prime Farmland, Floodplains, Wetlands, Water Resources, Fish, Wildlife and Vegetation, Listed Threatened and Endangered Species, Migratory Birds, Bald and Golden Eagles, Invasive Species, Cultural Resources and Historic Properties, Air Quality, Socioeconomic and Environmental Justice, Noise, Traffic and Transportation, Visual Resources, Human Health and Safety. In accordance with the requirements of § 1970.104(b), a

summary of anticipated impacts on the human environment is provided below, including any mitigation measures deemed necessary to avoid, minimize, or mitigate impacts. The Town of Palisade is responsible for implementing these measures:

#### Land Ownership and Land Use

Under the Proposed Action, according to the Mesa County Zoning Map, the current zoning classification for County lands within the APE are “Agricultural Forestry Transitional (AFT),” which is intended to accommodate agricultural operations and very low-density single-family residential development. The Town of Palisade land within the Preferred Alternative APE also contains lands zoned as “Agricultural Forestry Transitional (AFT)” as well as a small segment of land zoned as “Medium Density Residential (MDR), which is established to maintain and protect residential areas of higher density, including a variety of small lot residential development options. The Town of Grand Junction land within the Preferred Alternative APE is also designated as “AFT.”

#### Important Farmland

Under the Proposed Action, there is approximately 37.81% of Farmland of Statewide Importance or Prime Farmland, if irrigated; 32.2% Prime Farmland if irrigated and drained; and 18.9% Not prime farmland. Although there is land within the project APE that is in prime farmland; this land will not be permanently converted; therefore, the Proposed Project is exempt from the FPPA. The Preferred Alternative would require construction within a 2,550 linear-foot section of farmland; however, construction would occur outside of the growing season and the land would be able to be farmed after construction completion. There would be no resulting changes in surface use, and therefore there would be no impacts to prime or important farmland as a result of the Preferred Alternative. Standard mitigation measures are proposed to alleviate the temporary disturbance to bring back to previous conditions.

#### Formally Classified Lands

A review of Colorado State Parks, National Parks, Historic Sites and Monuments, Natural Landmarks, Wilderness Areas, U.S. Fish and Wildlife Service Wildlife Refuges, Colorado Parks and Wildlife State Wildlife Areas, Wild and Scenic Rivers, Bureau of Land Management Administered Lands, and Native American Owned Lands and Leases did not identify any formally classified lands in or adjacent to the Proposed Project Area. Under the Proposed Action, formally classified lands would not be impacted as they are absent from the Proposed Project Area and nearby surroundings. No mitigation measures are proposed as there are no anticipated impacts to the resource.

## Floodplains

Under the Proposed Action the Preferred Alternative would not require excavation and construction within any regulatory floodplains or floodways. During construction, installation of the new pipeline would consist of trenching near the canal, installing, and then burying a pipeline. The surrounding area would be restored to pre-project conditions after construction completion, thereby minimizing overall impacts to areas near the floodplain. As the project area would be restored after construction completion, no significant impacts to floodplains are anticipated. If disposing of excess, spoil, or other construction materials on public or private property, the contractor shall not fill in or otherwise convert Special Flood Hazard Areas (SFHA) delineated on the latest FEMA Floodplain Maps, or other appropriate maps, e.g., alluvial soils on NRCS Soil Survey Maps.

## Wetlands

Under the Proposed Action, based on the findings of the Wetland Delineation, all of the documented aquatic resources fall under the jurisdiction of the Army Corps of Engineer (USACE). However, construction of the Preferred Alternative is not anticipated to impact any of these jurisdictional wetlands. Open trenching/excavation would not occur within any documented wetland areas. With the exception of a single crossing of the Grand Valley Canal, there would be no construction within any of the documented wetlands. The Grand Valley Canal crossing would necessitate additional Section 404 coordination and consultation with the USACE, which would occur prior to any construction activities. Construction would be timed to occur during a period of low or no flows in the Grand Valley Canal to minimize potential impacts to aquatic resources in the canal. A minimum 50-foot buffer of any wetlands or waterways will be established and surface water control measures will be installed during construction to protect the soils and eliminate or minimize any potential erosion into any jurisdictional waters, including wetlands. The contractor shall not fill in or otherwise convert wetlands when disposing of excess, spoil, or other construction materials on public or private property. Vegetation will be maintained wherever possible throughout the operational life of the facility. Additional mitigation, if necessary, would be determined per coordination with the USACE during permitting.

## Water Resources

Under the Proposed Action, there will be temporary impacts to the Grand Valley Canal at the location where the proposed pipeline would cross the existing canal. Construction in this area would occur during the winter months, when the Canal is not actively being utilized for irrigation. Overall, the Preferred Alternative is anticipated to result in a net betterment to water

resources due to the improvements made that would allow the Town to meet the requirements of the current and future CDPHE permits. All erosion control measures shall be in strict adherence with Mesa County standards and surface water control measure will be established prior to the start of construction. The use of Best Management Practices (BMPs) such as soil erosion and sediment control measures will minimize the potential for increased runoff, and siltation. Post-construction, the disturbed soils will be stabilized and re-vegetated in order to reduce the potential for erosion impacts. Additionally, a minimum 50-foot buffer of any wetlands or waterways will be established.

### Biological Resources

Under the Proposed Action, impacts to biological communities are not anticipated to negatively impact the listed species in the APE. The proposed project does not include any actions that would directly or indirectly affect the Colorado River channel or its associated riparian fringe, and therefore would not impact any of the listed fish species. Work would be completed outside of nesting bird season, and therefore would not disturb any potential breeding or nesting yellow-billed cuckoo or other migratory bird species. If the Preferred Alternative cannot be constructed outside of the breeding and nesting season and would require the removal of midstory vegetation that could provide suitable habitat for birds, then the APE should be surveyed for any migratory bird or eagle nests prior to the removal of large vegetation. If a nest of an ESA-identified avian species is identified within the APE, USFWS would be notified immediately to discuss the appropriate course of action. The construction and operation of the Proposed Project will comply with the ESA, which provides for the protection of endangered and/or threatened species and critical habitat. Should any evidence of the presence of endangered and/or threatened species or their critical habitat be brought to the attention of the contractor, the contractor will immediately report this evidence to Owner and a representative of Agency. Construction shall be temporarily halted pending the notification process and further directions issued by Agency after consultation with the USFWS. A 50-foot setback will be maintained along wetlands and waterways within the Proposed Project Area.

### Cultural Resources and Historic Properties

Under the Proposed Action, no known historic properties and/or archaeological sites will be affected, as concluded with the SHPO. Additionally, upon review of U.S. Department of Housing and Urban Development's (HUD) Tribal Directory Assessment Tool, it was determined that the Apache Tribe of Oklahoma, Fort Belknap Indian Community of the Fort Belknap Reservation of Montana, Navajo Nation: Arizona, New Mexico & Utah, and the Ute Mountain Tribe of the Ute Mountain Reservation were listed as the federally recognized tribes with interest in the area and initial reach out was conducted on July 7<sup>th</sup> 2022, with no responses received. Under the Proposed Action, no known historic properties and/or archaeological sites will be

affected, as concluded with the SHPO. No mitigation measures are proposed as known historic properties and/or archaeological sites will be impacted by the Proposed Project; however, there is always the possibility of an inadvertent discovery of an unknown site during excavation. Any excavation by the Contractor that uncovers an historical or archaeological artifact or human remains shall be immediately reported to Owner and a representative of Agency. Construction shall be temporarily halted in the vicinity of the find pending the notification process and further directions issued by Agency after consultation with the SHPO.

### Air Quality

There is the potential for short-term impacts associated with construction emissions and fugitive dust. Mesa County is currently in attainment for all criteria pollutants. These impacts would be anticipated to cease after construction completion and impacts to air quality are not anticipated to exceed state or federal limits. All construction-related air quality impacts would cease after project completion. Mitigation measures would be used to control fugitive dust from construction activities, including but not limited to utilizing water trucks to minimize dust impacts during all earthwork/grading required during construction. Air emissions would be minimized through properly maintaining functional mufflers on equipment.

### Socioeconomics and Environmental Justice

Under the Proposed Action, impacts related to socioeconomic and environmental justice are not anticipated. The Preferred Alternative is not anticipated to increase traffic congestion, reduce or remove access to community facilities, or impact community cohesion in the APE. Temporary impacts to noise, air quality, floodplains, and water resources associated within construction are anticipated to occur, however these impacts would cease after project completion. Permanent beneficial impacts to socioeconomics and environmental justice populations from the Preferred Alternative include enhanced community wastewater facilities and improved water quality. No mitigation measures are proposed as there are no anticipated impacts to the resource.

### Noise

Under the Proposed Action, construction associated with the Preferred Alternative is anticipated to cause short-term noise impacts within the APE. BMPs, such as regulating operations to daytime working hours and utilizing properly functioning equipment mufflers, would be implemented to minimize construction noise related impacts. After project completion, noise levels are anticipated to return to pre-project levels consistent with light vehicle traffic and agricultural activities. Overall, no significant noise-related impacts are anticipated to occur as a result of the Preferred Alternative. No mitigation measures are proposed as there are no anticipated impacts to the resource.



## Traffic and Transportation

Under the Proposed Action, the Preferred Alternative would not change existing roadways and is not anticipated to result in a permanent increase in vehicle traffic, change to materials transportation, or reduce the current roadway level of service. Existing facility access roads would be utilized for construction. Some minor detours may be required during construction adjacent to roadway ROW, however no permanent road closures or relocations are anticipated. Overall, the Preferred Alternative is not anticipated to result in significant impacts to transportation. No mitigation measures are proposed as there are no anticipated impacts to the resource.

## Visual Resources

Under the Proposed Action, visual impacts would occur during both the construction and operation phase of the Proposed Project. During the construction stage, machinery would be present, and the Proposed Project Area would be cleared and graded – these impacts would be considered minor since construction would be temporary. It is anticipated that while the Preferred Alternative would result in short-term, construction-related aesthetic impacts, there would be no significant impacts to aesthetics. Construction would require excavation along existing utility and roadway ROW, however after installation of the new pipeline, the excavated areas would be returned to their existing conditions. After construction completion, the Preferred Alternative elements would be consistent with the existing aesthetics of the site and the surrounding area. There would be no change in building heights, and no new lighting or glare is anticipated. No mitigation measures are proposed as there are no anticipated impacts to the resource.

## Human Health and Safety

Under the Proposed Action, no negative impacts to human health and safety are anticipated to occur from electromagnetic fields; there would be no changes to the existing power and utility lines in place within the APE. Water quality within and downstream of the project area is anticipated to improve as a result of the Preferred Alternative. The proposed improvements would allow the Town to meet the current and anticipated permit requirements from CDPHE. Overall, net positive impacts are anticipated to occur to human health and safety as a result of the Preferred Alternative. As the Preferred Alternative is not anticipated to negatively impact human health and safety, no mitigation is anticipated to be required.

## **E. PUBLIC AND AGENCY INVOLVEMENT**

A local newspaper advertisement, announcing the availability of the EA and participation under Section 106 of the National Historic Preservation Act, was published on August 24, 2022, in the Grand Junction Daily Sentinel, Mesa County, Colorado. A copy of the EA was available for public review at Town of Palisade Town Hall, 175 E 3rd St, Palisade, CO 81526 or via digital copy upon request via amy.crick@usda.gov. The 14-day comment period ended on September 7, 2022. USDA-RD received no comments.

## **F. FINDING OF NO SIGNIFICANT IMPACT**

Based on its EA, USDA-RD has concluded that the proposed Project would have no significant effects to Land Use, Formally Classified Lands, Prime Farmland, Floodplains, Wetlands, Water Resources, Fish, Wildlife and Vegetation, Listed Threatened and Endangered Species, Migratory Birds, Bald and Golden Eagles, Invasive Species, Cultural Resources and Historic Properties, Air Quality, Socioeconomic and Environmental Justice, Noise, Traffic and Transportation, Visual Resources, Human Health and Safety. The proposed Project will have no effects on historic properties listed or eligible for listing on the National Register of Historic Places and no effects to federally listed species or designated critical habitat. The proposed Project would not disproportionately affect minority or low-income populations.

In accordance with the National Environmental Policy Act, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR 1500–1508), and RD’s Environmental Policies and Procedures (7 CFR Part 1970), USDA-RD has determined that the environmental impacts of the proposed Project have been adequately addressed and that no significant impacts to the quality of the human environment would result from construction and operation of the proposed Project. Any final action by USDA-RD related to the proposed Project will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations. Because USDA-RD’s action will not result in significant impacts to the quality of the human environment, USDA-RD will not prepare an Environmental Impact Statement for its potential federal action associated with the proposed Project.

## **G. LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW**

This FONSI is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the FONSI and its notices concludes USDA-RD’s environmental review process. The ultimate decision on loan approval depends upon conclusion of this environmental review process in addition to financial and engineering reviews. Issuance of the FONSI and publication of notices will allow for these reviews to proceed. The decision to provide financial assistance also is subject to the availability of loan funds for the designated

purpose in USDA-RD's budget. There are no provisions to appeal this decision (i.e., issuance of a FONSI). Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedures Act.

## **H. APPROVAL**

This Finding of No Significant Impact is effective upon signature.

Dated: September 13, 2022

*Duane Dale*

DUANE DALE

Community Programs Director

Community Programs

USDA Rural Development

### **Contact Person**

For additional information on this FONSI and EA, please contact Amy Crick via email [amy.crick@usda.gov](mailto:amy.crick@usda.gov) or phone 970-399-8195.