

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Implementation of the Conservation Reserve Enhancement Program Agreement for the State of California's North Central Valley

March 23, 2006

Introduction

The United States Department of Agriculture Farm Service Agency (FSA) has prepared a Programmatic Environmental Assessment (PEA) to evaluate the environmental consequences associated with implementing the California North Central Valley (NCV) Conservation Reserve Enhancement Program (CREP) Agreement.

The purpose of NCV CREP is to increase and enhance wetland and upland habitat for resident and migrating birds and other wildlife and to improve water quality by reducing soil erosion. Eligible farmland would be voluntarily removed from production and approved conservation practices would be implemented, including establishing permanent native grasses, permanent introduced grasses and legumes, permanent wildlife habitat, wildlife food plots, shallow water areas for wildlife, filter strips, riparian buffers, and maintaining already established vegetative grass cover. Producers would receive annual rental payments and would be eligible for one-time payments to support conservation practice implementation.

NCV CREP primary objectives are to:

- Improve wildlife habitat for breeding waterfowl. Specific goals are to:
 - Increase the average nest density to 0.45 nests per acre and increase nest success by 25 percent on CREP properties resulting in hatching 10,125 additional ducklings each spring, and
 - Increase nest density an average of one nest per acre and increase nest success by 30 percent in areas adjacent to pair and brood water resulting in hatching an additional 20,000 new ducklings each spring;
- Improve wildlife habitat for ring-necked pheasants and increase pheasant density by two individuals per acre on CREP enrolled uplands;
- Improve wildlife habitat for grassland birds by planting native and introduced grasses; and
- Improve water quality and conserve soil by establishing upland cover on cropland areas subject to erosion.

Preferred Alternative

The preferred alternative is also the proposed action alternative. Under this alternative, up to 10,500 acres of eligible agricultural land in California would be removed from production. Conservation practices would be established on those lands, and producers would receive annual payments and incentive awards in accordance with provisions of the NCV CREP Agreement.

Reasons for Finding of No Significant Impact (FONSI)

In consideration of the analysis documented in the PEA and the reasons outlined in this FONSI, the preferred alternative would not constitute a major Federal action that would significantly affect the human environment. Therefore, an Environmental Impact Statement will not be prepared. This determination is based on the following factors:

1. The preferred alternative outlined in the PEA would reduce soil erosion and increase the amount of wildlife habitat available for waterfowl and upland bird species. The potential effects of implementing the preferred alternative will be to increase waterfowl and upland bird populations and improve water quality.
2. Both beneficial and adverse impacts of implementing the preferred alternative have been fully considered within the PEA. The beneficial impacts outweigh any adverse impacts. Adverse cumulative impacts are expected to be minor as implementation of the preferred alternative will cause very little if any adverse impact on the area and the human environment.
3. The preferred alternative would not significantly affect public health or safety. Implementing the preferred alternative would improve water quality of several waterbodies in the NCV.
4. The preferred alternative would not significantly affect any unique characteristics, which includes historic and cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, and ecologically critical areas.
5. The preferred alternative does not involve effects to the quality of the human environment that are likely to be highly controversial.
6. The preferred alternative would not impose highly uncertain risks or involve unique or unknown risks.
7. The preferred alternative would not establish a precedent for future actions with significant effects and does not represent a decision in principle about a future consideration. The intended outcome of the preferred alternative is to improve water quantity, water quality, and wildlife habitat. Any future projects that are similar in nature will need to be reviewed on a case-by-case basis to determine their individual potential for impacts on the human environment.
8. The preferred alternative is not related to other actions with individually insignificant but cumulative significant impacts. The PEA discusses potential cumulative impacts of implementing the preferred alternative. Cumulative impacts of implementing the preferred alternative were determined to be insignificant.
9. The preferred alternative would not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, or cause loss or destruction of significant scientific, cultural, or historical resources.
10. In accordance with section 7 of the Endangered Species Act, the effects of implementing the preferred alternative on threatened and endangered species and designated critical habitat were addressed in the PEA. Formal consultation with the Fish Wildlife Service (FWS) was completed in 2002 at the programmatic level and a Biological Opinion (BO) was issued. At that time the

FWS identified two Federally-listed threatened species (valley elderberry long horned beetle and giant garter snake) that may be affected by conservation practice implementation. Since the 2002 BO, an additional species with habitat in the NCV CREP area, the California Tiger Salamander, has been elevated to threatened status. New consultation with the FWS is ongoing concerning this species and the NCV CREP BO is being amended. Until the amendment is finalized and formal consultation is completed, the FWS has asked that FSA informally consult with FWS on a case-by-case basis for each CREP contract. For each CREP contract, FSA will provide FWS with a description of the project, a site assessment that complies with FWS's site assessment guidance for the species, and a statement of the effect of the proposed project on the species and its habitat. Following FWS guidelines as set forth in the 2002 BO and consultation with FWS on a case-by-case basis will ensure that Federally listed species and their habitat will not be adversely affected by NCV CREP.

11. The preferred alternative does not threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

Determination

In accordance with the National Environmental Policy Act and FSA's Environmental regulations at 7 CFR part 799 implementing the regulations of the Council on Environmental Quality, 40 CFR parts 1500-1508, I find that the proposed action is not a major Federal action significantly affecting the quality of the human environment. Therefore, no Environmental Impact Statement will be prepared.

APPROVED: ON FILE

	02-28-2006
Signature	Date (MM-DD-YYYY)
John G. Smythe	
Name (<i>Typed or Printed</i>)	
California State Executive Director	
Title	