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Done in Washington, DC, this 23rd day of August 1996.

Richard R. Kelly,

Acting Chief, Regulatory Analysis and Development, Animal and Plant Health Inspection Service.

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Natural Resources Conservation Service

Finding of No Significant Impact for Limestone-Graveyard Creeks Watershed Bent and Prowers Counties, CO

Introduction

The Limestone-Graveyard Creeks Watershed is a federally assisted action authorized for planning under Public Law 83-566, the Watershed Protection and Flood Prevention Act. An environmental assessment was undertaken in conjunction with the development of the watershed plan. This assessment was conducted in consultation with local, state, and federal agencies as well as with interested organization and individuals. Data developed during the assessment are available for public review at the following location: U.S. Department of Agriculture, Natural Resources Conservation Service, 655 Parfet Street, Suite E200C, Lakewood, CO 80215-5517.

Recommended Action

The recommended plan is composed of management and enduring conservation practices to reduce deep percolation, runoff and irrigation induced erosion which will improve water quality of both surface and groundwater, the Arkansas river, as well as protect the resource base.

It is expected that 108 long-term land treatment contracts will be written during the project's life. Approximately 26,700 acres will be treated through project action.

The primary purposes are: (1) (Watershed protection)—protect the soil resource base from excessive irrigation induced erosion and sedimentation and reduce negative water quality impacts to surface and groundwater, including the Arkansas River from selenium, sediment, salts, and nitrate loading, (2) (Agricultural water management)—improve application uniformity.

Effects of Recommended Action

Overall improved surface and groundwater quality, improved human

health and safety, significant sediment and erosion reduction, improved water quality in the Arkansas River, improved wetlands and fisheries from improved water quality, improved wildlife habitat, reduced irrigation labor costs, reduced irrigation system operation and maintenance, and improved irrigation systems and management results in increased available water supply on and offsite.

The proposed action will reduce selenium, sediments, salts, nitrates, and other pollutants, in ground water and the Arkansas River, thereby improving the water quality. It will also protect the watershed resource base by reducing irrigation induced erosion.

Significant negative effects to wetlands are not expected. However, if mitigation is necessary, it will be accomplished on a value for value basis.

A slight improvement of the upland wildlife habitat is expected due to an increase in forage and water quality.

The proposed project will encourage and promote the agricultural enterprises in the watershed through education and accelerated technical and financial assistance. This will help maintain agriculture as a significant component in the area economy.

A list of the cultural resource sites within the watershed has been obtained from the State Historic Preservation Officer (SHPO). Their relationship to planned conservation measures was evaluated. The survey concludes that no significant adverse impacts will occur to known cultural resources in the watershed should the plan be implemented. If however, during construction of enduring measures a new site is identified, construction will stop and the (SHPO) will be notified.

There is no wilderness areas in the watershed.

There are no threatened or endangered species known to exist in the watershed. However, prairie dog towns which could provide habitat for the black-footed ferret, will not be disturbed during project action.

As stated above, the primary objective of the project is to reduce the selenium entering the Arkansas River and groundwater. Land treatment measures will reduce selenium levels to within State and EPA standards.

Wildlife habitat may be temporarily disturbed in areas where enduring measures are implemented. They will however, return to at least their previous value within a short period of time.

The fishery in the Arkansas River will be impacted to a lesser degree by selenium after the project is complete.

No significant adverse environmental impacts will result from the installation of conservation measures. Some short-term habitat disturbances may occur during construction of small erosion control structures, but they will heal quickly.

Alternatives

The planned action is the most practical means of reducing the selenium, salts, and sediment entering the Arkansas River and groundwater, thus protecting the resource base in the watershed. Since no significant adverse environmental impacts will result from installation of the measures and no other alternatives could meet the tests of completeness, effectiveness, efficiency, and acceptability, this alternative becomes the only viable candidate plan. The no action alternative was used for comparison purposes.

Consultation—Public Participation

The Bent and Prowers Soil Conservation Districts requested in March, 1989, that the watershed be considered for a PL566 watershed project. A field review was made on March 23, 1989. The review team found that significant irrigation water management, water quality, and watershed protection treatment was needed. The Soil Conservation District and the NRCS Field Office decided that detailed information collection would be the first priority. Data on water quantity, quality, and practice needs were gathered. Ninety percent of the landowners expressed an interest in this project. Significant resource problems were found and the sponsors made an application for PL566 planning assistance June 16, 1989.

The State Soil Conservation Board formally accepted the application on September 6, 1989. The Soil Conservation Services' West National Technical Center (WNTC) made a field reconnaissance October 25, 1989. They met with the irrigation company personnel, field offices, and conservation district officials. It was decided further data was needed to quantify the off-site effects from project action. In January 1993, the NRCS Field Office, area staff and state staff developed a schedule to complete a preauthorization plan and plan of work.

On June 24, 1993, a public scoping meeting was held to discuss the problems, needs, and possible effects from a project. Federal, State, and local agencies, and the general public were invited. This group helped give direction to the NRCS planners. A public response analysis was completed

on the responses. A summary of those responses is shown on Table C.

An environmental evaluation meeting was also held on June 24, 1993, to identify environmental concerns and issues and discuss how best to address those concerns.

Numerous newspaper articles, newsletters, and radio public service announcements have been aired to provide public information. Public meetings with the news media in attendance were held to gain input and inform the public.

A public meeting in the morning and a sponsors meeting in the afternoon were held December 2, 1993, to determine the desirability of pursuing a planning authorization and review the preliminary plan. The sponsors felt that cost shared management practices were essential to get adequate water quality improvement. Potential alternatives and the responsibilities of each sponsor and NRCS were stressed in discussions. The SCDs have the right of eminent domain under authority established by state law. If needed, they are willing to fulfill their agreements to see that a plan is formulated and implemented.

The public and sponsors encouraged NRCS to go forth with the request for planning. Potential practices and alternatives were reviewed to identify what may be needed. A revised application was developed and approved by the sponsors to slightly change the watershed size and sponsors in January 1994.

The sponsors reviewed the preauthorization report in March 1994 and concurred with the report. However, the sponsors requested cost share on management practices. NRCS, agreed to pursue cost sharing for management practices. The preauthorization report was transmitted to the WNTC in Portland for technical review in April 1994. A review by the WNTC was completed on June 30, 1994. Comments were incorporated, and on July 28, 1994, the SCD boards reviewed WNTC comments on the Preauthorization Plan, and agreed to continue their support of the plan even though cost sharing for management practices were not approved.

The SCD boards have met regularly and provided positive leadership to the furthering of conservation and improvement of the watershed. Ongoing water quality, quantity and management practices are being installed by a combination of landowner, district and state funds. The two district boards cooperated in getting a 319 demonstration project, approved in February 1994, to show the value of surge irrigation and irrigation water

management on six fields in the watershed area.

On September 26, 1994 the watershed was approved for planning. A meeting was held in December 1994 with field and area staffs, the State Water Resources Planning staff, and sponsors to review the Plan of Work and develop assignments to complete the watershed plan. A scoping meeting and environmental assessment meeting was held at this time.

The Watershed Plan was developed and reviewed with the sponsors at their board meetings in May, 1995. They requested that NRCS have a public meeting to present the plan to all interested publics. On June 1, 1995, a public meeting was held in Lamar, Colorado. It was the consensus of those present to move forward into inter-agency review.

Specific consultation was conducted with the State Historic Preservation Officer concerning cultural resources in the watershed.

Public meetings were held throughout the planning process to keep all interested parties informed of the study progress and to obtain public input to the plan and environmental evaluation.

Agency consultation and public participation to date has shown no unresolved conflicts related to the project plan.

Conclusion

The Environmental Assessment summarized above indicates that this federal action will not cause significant local, regional, or national impact on the environment. Therefore, based on the above findings, I have determined that an environmental impact statement for the Limestone-Graveyard Creeks Watershed Plan is not required.

Dated: August 19, 1996.
Stuart N. Simpson,
Assistant State Conservationist.
[FR Doc. 96-22066 Filed 8-28-96; 8:45 am]
BILLING CODE 3410-01-M

Limestone-Graveyard Creeks; Environmental Impact Statement

AGENCY: Natural Resources Conservation Service (NRCS), USDA.

ACTION: Notice of finding of no significant impact.

SUMMARY: Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Regulations (40 CFR Part 1500); and the NRCS Regulations (7 CFR Part 650); the NRCS, U.S. Department of Agriculture, gives notice that an environmental impact

statement is not being prepared for the Limestone-Graveyard Creeks Watershed, Bent and Prowers Counties, Colorado.

FOR FURTHER INFORMATION CONTACT: Duane L. Johnson, State Conservationist, 655 Parfet Street, E200C, Lakewood, CO 80215-5517. (303) 236-2886, Ext. 202.

SUPPLEMENTARY INFORMATION: The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these finds, Duane L. Johnson, State Conservationist, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project purpose is a plan for watershed protection. The planned works of improvement include accelerated technical assistance for implementing land treatment with practices such as conservation tillage, irrigation water management and enduring practices to reduce deep percolation to improve water quality.

The Notice of Finding of No Significant Impact (FONSI), has been forwarded to the Environmental Protection Agency and to various Federal, State, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during the environmental assessment are on file and may be reviewed by contacting Stuart N. Simpson.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the Federal Register.

(This activity is listed in the Catalog of Federal Domestic under No. 10.904, Watershed Protection and Flood Prevention and is subject to the provisions of Executive Order 12372, which required intergovernmental consultation with State and local officials)

Dated: August 19, 1996.
Stuart N. Simpson,
Assistant State Conservationist.
[FR Doc. 96-22067 Filed 8-28-96; 8:45 am]
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COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the California Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the California Advisory Committee to the Commission will convene at 2:00 p.m.