
PROGRAMMATIC ENVIRONMENTAL ASSESSMENT

AMENDMENT TO THE REPUBLICAN RIVER BASIN
CONSERVATION RESERVE ENHANCEMENT PROGRAM
AGREEMENT FOR COLORADO



Farm Service Agency
United States Department of Agriculture

Draft

October 2007

COVER SHEET

Proposed Action: The United States Department of Agriculture (USDA), Commodity Credit Corporation (CCC) and the State of Colorado have agreed to implement an Amendment to Colorado's Republican River Basin Conservation Reserve Enhancement Program (CREP), a component of the Conservation Reserve Program. USDA is provided the statutory authority by the provisions of the Food Security Act of 1985, as amended (16 U.S. Code 3830 et seq.), and the Regulations at 7 Code of Federal Regulations (CFR) 1410. The Farm Service Agency (FSA) proposes to enter into a CREP Agreement with the State of Colorado. CREP is a voluntary land conservation program for agricultural landowners.

Type of Document: Programmatic Environmental Assessment

Lead Agency: USDA, FSA

Sponsoring Agency: Colorado Farm Service Agency (FSA)

Cooperating Agency: USDA, Natural Resource Conservation Service

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Comments: This Programmatic Environmental Assessment (PEA) was prepared in accordance with USDA FSA National Environmental Policy Act (NEPA) implementation procedures found in 7 CFR 799, as well as the NEPA of 1969, Public Law 91-190, 42 U.S.Code 4321-4347, 1 January 1970, as amended. A Notice of Availability will be printed in newspapers in the CREP area and FSA will provide a public comment period prior to any FSA decision. A copy of this PEA can be found at: <http://www.fsa.usda.gov/dafp/cepd/epb/assessments.htm> and <http://public.geo-marine.com>

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EXECUTIVE SUMMARY

This Programmatic Environmental Assessment describes the potential environmental consequences resulting from the proposed implementation of an Amendment to Colorado's Republican River Basin Conservation Reserve Enhancement Program Agreement. The environmental analysis process is designed to ensure the public is involved in the process and informed about the potential environmental effects of a Federal action and to help decision makers take environmental factors into consideration when making decisions related to an action.

This Programmatic Environmental Assessment has been prepared by the United States Department of Agriculture, Farm Service Agency in accordance with the requirements of the National Environmental Policy Act of 1969, the Council on Environmental Quality regulations implementing the National Environmental Policy Act, and 7 Code of Federal Regulations 799 Environmental Quality and Related Environmental Concerns – Compliance with the National Environmental Policy Act.

Purpose and Need for the Proposed Action

The purpose of the Proposed Action is to implement an amendment to Colorado's Republican River Basin Conservation Reserve Enhancement Program Agreement. The amendment would enroll an additional 35,000 acres and make lands eligible in Washington and Lincoln Counties. Prior to 2007, these counties were enrolled to the maximum extent in the Conservation Reserve Program. As contracts expire in 2007 and 2008, the Republican River Basin Conservation Reserve Enhancement Program will be available to producers.

Proposed Action and Alternatives

The Proposed Action would implement an amendment to Colorado's Republican River Basin Conservation Reserve Enhancement Program. The proposed amendment would increase the enrollment goal by 35,000 acres (totaling 70,000 acres) and allow producers in Washington and Lincoln Counties to participate in the program. As with the existing Republican River Basin Conservation Reserve Enhancement Program, agricultural production practices would be discontinued on eligible farmland in the Republican River Basin in northeastern Colorado and conservation practices would be established on those lands. This document has been prepared to analyze the potential environmental consequences associated with increasing the enrollment goal to 70,000 acres and opening enrollment to Washington and Lincoln Counties.

1 In addition to the Proposed Action, a No Action Alternative is analyzed. Under the No
 2 Action Alternative, the Republican River Basin Conservation Reserve Enhancement
 3 Program would remain in place and the additional acres would not be enrolled. The
 4 impacts of the Republican River Basin Conservation Reserve Enhancement Program
 5 were assessed in a programmatic environmental assessment completed in 2006. The
 6 results of that assessment are summarized in abbreviated form in this document for those
 7 resource areas potentially impacted by the proposed amendment.

8 **Summary of Environmental Consequences**

9 It is expected that there would be long term positive impacts associated with the
 10 implementation of the Proposed Action. Additionally temporary minor negative impacts
 11 to some resources may occur during preparation of lands for the establishment of
 12 conservation practices. A summary of the potential impacts is given in Table ES-1.

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Table ES-1 Summary of Environmental Consequences

Resource	Proposed Action	No Action Alternative
Biological Resources	Long term positive impacts to protected species are expected to occur as a result of the Proposed Action. The conservation practices made available by the Proposed Action would make possible the establishment of native grasses, restoration of wetlands and wildlife habitat thus increasing plant species diversity and reestablishing native vegetative communities and habitat for protected species. Improved water quality is also expected to positively impact aquatic protected species. Opening enrollment to Washington and Lincoln Counties is expected to increase the acreage enrolled in the program resulting in positive impacts on a larger geographic scale.	The existing Conservation Reserve Enhancement Program allows for the establishment of conservation practices which would provide long term positive impacts protected species through the restoration of wetlands and establishment of wildlife habit. Under the No Action Alternative, the additional benefits to protected species that are expected to result from the additional acreage enrollment goal would not be realized.

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Table ES-1 Summary of Environmental Consequences (cont'd)

Resource	Proposed Action	No Action Alternative
Cultural Resources	<p>No known archaeological resources were identified within Washington and Lincoln Counties. Existing architectural resources are not expected to be impacted from the installation of conservation practices since these practices do not allow for removal or modification of structures. Consultation with the State Historic Preservation Office would occur for activities located in the immediate vicinity of an existing architectural resource to ensure its protection. If an unknown archaeological resource is discovered during installation of a practice, work would cease and consultation with the State Historic Preservation Office would occur.</p>	<p>As addressed in the original programmatic environmental assessment, cultural resources are not expected to be impacted during installation of conservation practices.</p>
Water Resources	<p>Long term positive impacts to wetlands are expected to occur as a result of the implementation of the Proposed Action. The additional enrollment would further improve water quality by reducing runoff of sediment, nutrients, and agricultural chemicals. Implementation of the proposed amendment may result in an increase in program enrollment, potentially resulting in positive effects on a larger geographic scale. During the establishment of conservation practices, activities that remove vegetation or disturb soil may result in temporary minor increases in runoff which may temporarily affect surface water quality.</p>	<p>The existing Conservation Reserve Enhancement Program would provide long term positive impacts to surface water, wetlands, and floodplains through the restoration of wetlands and establishment of filter strips and riparian buffers. Under the No Action Alternative the additional benefits to water resources that are expected to result from the amendment would not occur.</p>

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Table ES-1 Summary of Environmental Consequences (cont'd)

Resource	Proposed Action	No Action Alternative
Socioeconomics	Enrollment in the program is expected to have minimal socioeconomic impact. Taking agricultural lands out of production would reduce the money spent on agricultural chemicals, labor, machinery, and equipment, however, annual rental payments and cost sharing would more than compensate for this loss.	The existing Conservation Reserve Enhancement Program would reduce money within the agricultural economy, however; annual rental payments and cost sharing for establishing conservation practices would more than account for this loss.
Environmental Justice	There are no significant environmental impacts associated with the proposed Amendment. Neither Washington nor Lincoln Counties are considered concentrated minority or impoverished areas; therefore, there are no environmental justice concerns.	The existing Conservation Reserve Enhancement Program would not have significant environmental impacts. None of the counties in the program area are considered concentrated minority or impoverished areas; therefore, there are no environmental justice concerns.

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Table of Contents

1			
2			
3			Page
4	EXECUTIVE SUMMARY		ES-1
5	1.0 PURPOSE AND NEED		1-1
6	1.1 BACKGROUND		1-1
7	1.2 THE PROPOSED ACTION		1-1
8	1.3 PURPOSE AND NEED.....		1-2
9	1.4 REGULATORY COMPLIANCE		1-2
10	1.5 ORGANIZATION OF PEA		1-2
11	2.0 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES.....		2-1
12	2.1 PROPOSED ACTION.....		2-1
13	2.2 NO ACTION ALTERNATIVE.....		2-1
14	2.3 RESOURCES ELIMINATED FROM ANALYSIS		2-2
15	3.0 AFFECTED ENVIRONMENT		3-3
16	3.1 BIOLOGICAL RESOURCES		3-3
17	3.1.1 Definition of Resource.....		3-3
18	3.1.2 Affected Environment.....		3-3
19	3.2 CULTURAL RESOURCES		3-4
20	3.2.1 Definition of Resource.....		3-4
21	3.2.2 Affected Environment.....		3-5
22	3.3 WATER RESOURCES		3-6
23	3.3.1 Definition of Resource.....		3-6
24	3.3.2 Affected Environment.....		3-7
25	3.4 SOCIOECONOMICS		3-7
26	3.4.1 Definition of Resources.....		3-7
27	3.4.2 Affected Environment.....		3-7
28	3.4.2.1 Non-Farm Employment and Income.....		3-7
29	3.4.2.2 Farm Employment and Income.....		3-7
30	3.4.2.3 Farm Production Expenses and Returns		3-8
31	3.4.2.4 Current Agricultural Land Use Conditions		3-9
32	3.5 ENVIRONMENTAL JUSTICE.....		3-10
33	3.5.1 Definition of Resource.....		3-10
34	3.5.2 Affected Environment.....		3-11
35	3.5.2.1 Demographic Profile		3-11
36	3.5.2.2 Income and Poverty		3-11
37	4.0 ENVIRONMENTAL CONSEQUENCES		4-1
38	4.1 BIOLOGICAL RESOURCES		4-1
39	4.1.1 Proposed Action		4-1
40	4.1.2 No Action		4-1
41	4.2 CULTURAL RESOURCES		4-2
42	4.2.1 Proposed Action		4-2
43	4.2.2 No Action		4-2
44	4.3 WATER RESOURCES		4-2
45	4.3.1 Proposed Action		4-3
46	4.3.2 No Action		4-3

1	4.4	SOCIOECONOMICS	4-3
2	4.4.1	Proposed Action	4-3
3	4.4.2	No Action	4-4
4	4.5	ENVIRONMENTAL JUSTICE.....	4-4
5	4.5.1	Proposed Action	4-4
6	4.5.2	No Action	4-4
7	5.0	CUMULATIVE EFFECTS AND IRRETRIEVABLE COMMITMENT OF	
8		RESOURCES	5-1
9	5.1	CUMULATIVE EFFECTS	5-1
10	5.2	IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES.....	5-1
11	6.0	MITIGATION MEASURES	6-1
12	6.1	INTRODUCTION	6-1
13	6.2	ROLES AND RESPONSIBILITIES	6-1
14	6.3	MITIGATION MEASURES	6-1
15	7.0	LIST OF PREPARERS.....	7-1
16	8.0	PERSONS AND AGENCIES CONTACTED	8-1
17	9.0	REFERENCES	9-1
18			
19	APPENDIX A	Colorado CREP Agreement	
20			

Tables

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

Page

Table 3-1. Threatened and Endangered Species in Lincoln and Washington Counties.....	3-3
Table 3-2. National Register Properties in Lincoln and Washington Counties	3-5
Table 3-3. Farm Labor as a Percentage of Total Production Expenses	3-8
Table 3-4. Average Farm Production Expense and Return Per Dollar of Expenditure (2002).....	3-9
Table 3-5. Average Value per Farm of Land and Buildings and Machinery and Equipment.....	3-9
Table 3-6. Agricultural Land Use Acreage within Washington and Lincoln Counties.....	3-10
Table 3-7. Percentage of Races in Washington and Lincoln Counties.....	3-11
Table 3-8. Families below the Poverty Level in Washington and Lincoln Counties.....	3-12

Acronyms

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**Acronym or
Abbreviation**

Term

Amendment	Amendment to the Republican River Basin CREP Agreement
CDLE	Colorado Department of Labor and Employment
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CPs	conservation practices
CREP	Conservation Reserve Enhancement Program
CRP	Conservation Reserve Program
ESA	Endangered Species Act
FSA	Farm Service Agency
National Register	National Register of Historic Places
NEPA	National Environmental Policy Act
PEA	Programmatic Environmental Assessment
ROI	Region of Influence
SHPO	State Historic Preservation Office
TCPs	traditional cultural properties
USACE	U.S. Army Corps of Engineers
USCB	U.S. Census Bureau
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
WRP	Wetlands Reserve Program

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1.0 PURPOSE AND NEED

1.1 BACKGROUND

The United States Department of Agriculture (USDA) Farm Service Agency (FSA) administers the Conservation Reserve Program (CRP), the Federal government's largest private land environmental improvement program. CRP is a voluntary program that supports the implementation of long term conservation measures designed to improve the quality of ground and surface waters, control soil erosion, and enhance wildlife habitat on environmentally sensitive agricultural land.

The Conservation Reserve Enhancement Program (CREP) was established in 1997 under the authority of CRP to address agriculture related environmental issues by establishing conservation practices (CPs) on agricultural lands using funding from State, Tribal, and Federal governments as well as non-government sources. CREP addresses high priority conservation issues in defined geographic areas such as watersheds. Producers who enroll their eligible lands in CREP receive financial and technical assistance for establishing CPs on their land as well as annual rental payments. Once eligible lands are identified, site-specific environmental reviews and consultation with and permitting from other Federal agencies are completed as appropriate.

1.2 THE PROPOSED ACTION

FSA proposes to implement an amendment to the Republican River Basin CREP Agreement for the State of Colorado Amendment (Amendment). The Republican River Basin CREP was proposed in 2005 (USDA 2005) and a Programmatic Environmental Assessment (PEA), which evaluated the impacts of the program, *Final Programmatic Environmental Assessment for the Republican River Basin and High Plains Region Conservation Reserve Enhancement Program Agreements for Colorado*, was completed in May of 2006 (USDA 2006).

The Amendment would make possible the enrollment of an additional 35,000 acres of land in the Republican River Basin, increasing the enrollment goal from 35,000 to 70,000 acres. Additionally, land in Washington and Lincoln counties would be eligible for enrollment in CREP. Prior to 2007, these counties were enrolled to the maximum extent allowable in CRP. As contracts expire in 2007 and 2008, the Republican River Basin CREP will be available to producers. The cost of enrolling additional acres in CREP is estimated to be \$71,921,500. The CPs available under the CREP remain unchanged. This document has been prepared to analyze the potential environmental consequences associated with the increased enrollment proposed by the Amendment.

1 **1.3 PURPOSE AND NEED**

2 The purpose of the proposed action is to implement an Amendment to the Republican
3 River Basin CREP. Under the Amendment, an additional 35,000 acres of land, including
4 lands in Washington and Lincoln Counties, could be enrolled in CREP. The Amendment
5 is needed to meet the goals of the Republican River Basin CREP including reducing
6 agricultural use of the Ogallala aquifer and increase stream flows by 5%. The continued
7 drought in the region and more accurate projections of return flows to the river require
8 the retirement of additional irrigated acres in the Basin in order to meet these goals.

9 **1.4 REGULATORY COMPLIANCE**

10 This PEA is prepared to satisfy the requirements of the National Environmental Policy
11 Act (NEPA; Public Law 91-190, 42 U.S. Code 4321 et seq.); implementing regulations
12 adopted by the Council on Environmental Quality (CEQ; 40 Code of Federal Regulations
13 [CFR] 1500-1508); and FSA implementing regulations, Environmental Quality and
14 Related Environmental Concerns – Compliance with NEPA (7 CFR 799). The intent of
15 NEPA is to protect, restore, and enhance the human environment through well-informed
16 Federal decisions. A variety of laws, regulations, and Executive Orders apply to actions
17 undertaken by Federal agencies and form the basis of the analysis presented in this PEA.

18 **1.5 ORGANIZATION OF PEA**

19 This PEA assesses the potential impacts of the Proposed Action and the No Action
20 Alternative on potentially affected environmental and economic resources. Chapter 1.0
21 provides background information relevant to the Proposed Action, and discusses its
22 purpose and need. Chapter 2.0 describes the Proposed Action and alternatives. Chapter
23 3.0 describes the baseline conditions (i.e., the conditions against which potential impacts
24 of the Proposed Action and alternatives are measured) for each of the potentially affected
25 resources. Chapter 4.0 describes potential environmental consequences on these
26 resources. Chapter 5.0 describes potential cumulative impacts and irreversible and
27 irretrievable resource commitments. Chapter 6.0 discusses mitigation measures utilized
28 to reduce or eliminate impacts to protected resources. Chapter 7.0 lists the preparers of
29 this document. Chapter 8.0 contains a list of the persons and agencies contacted during
30 the preparation of this document and Chapter 9.0 contains references.

2.0 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

2.1 PROPOSED ACTION

FSA proposes to implement an Amendment to Colorado’s Republican River Basin CREP by increasing the enrollment goal from 35,000 to 70,000 acres and making CREP available to producers in Washington and Lincoln Counties. The cost of enrolling additional acres in CREP is estimated to be \$71,921,500. No changes in the CPs available to participants, land eligibility requirements or land preparation techniques are proposed. Only those activities proposed in the Amendment, the impacts of which were not analyzed in the original PEA (USDA 2006), are addressed in this PEA. Table 2-1 provides a summary of the original Republican River Basin CREP and the proposed Amendment.

Table 2-1 Summary of Components of the Republican River CREP Agreement and its Proposed Amendment

	Republican River CREP Agreement	Proposed Amendment
Acres	35,000	Additional 35,000 (Total of 70,000)
Geographic Area	Phillips, Yuma, Kit Carson, Logan, Sedgwick Counties	Addition of Lincoln and Washington Counties
Conservation Practices	<ul style="list-style-type: none"> ○ CP2, Native Grasses ○ CP4D, Vegetation Planting (short grass) ○ CP4D, Vegetation Planting (tall grass) ○ CP4D, Vegetation Planting (pivot corners) ○ CP21, Filter Strips ○ CP22, Riparian Buffers ○ CP23, Wetland Restoration ○ CP 23a, Playa Lakes Restoration 	No Change
Funding	\$66,295,000 14 or 15 year contracts	Additional \$71,921,500 (Total \$138,216,500) 14 or 15 year contracts

2.2 NO ACTION ALTERNATIVE

Under the No Action Alternative, the Republican River Basin CREP would remain in place and the increase in acres eligible for enrollment and the eligibility of lands in Washington and Lincoln Counties proposed by its Amendment would not be made available to producers. The impacts of the Republican River Basin CREP were assessed

1 in a PEA completed in 2006 and are discussed in this PEA in order to provide a baseline
2 against which the impacts of the Preferred Alternative can be assessed.

3 **2.3 RESOURCES ELIMINATED FROM ANALYSIS**

4 CEQ regulations (40 CFR §1501.7) state that the lead agency shall identify and eliminate
5 from detailed study the issues which are not important or which have been covered by
6 prior environmental review, narrowing the discussion of these issues in the document to a
7 brief presentation of why they would not have a dramatic effect on the human or natural
8 environment. Because the proposed action is an amendment to an existing CREP
9 agreement, the environmental impacts of which have been analyzed previously, the scope
10 of this analysis will be limited to those resources that are potentially impacted by the
11 changes proposed in the Amendment.

12 The analysis of impacts to biological resources in this document will be limited to
13 Federally threatened and endangered species and their designated critical habitats. Both
14 vegetation and wildlife were described on a regional level that included Washington and
15 Lincoln Counties, in the Republican River Basin CREP PEA (USDA 2006). The
16 potential impacts to those resources were found to be positive in the long term. Making
17 more acres available for enrollment is not expected to change that conclusion.

18 The analysis of water resources in this document is limited to an assessment of the
19 potential impacts to wetlands. Surface water, groundwater and floodplains were
20 described on a regional level in the Republican River Basin CREP PEA and the potential
21 impacts of implementing CREP were expected to be positive (USDA 2006).

22 Soils were also assessed on a regional level in the Republican River Basin CREP PEA
23 (USDA 2006). Positive impacts are expected to result from establishing CPs, which
24 would stabilize soils and reduce soil erosion.

25 The analysis of potential impacts to recreation was, like biological resources, water
26 resources, and soils, considered on a regional level, which included Washington and
27 Lincoln Counties. Also like these resources, the proposed Amendment is expected to
28 have long term positive effects on recreation by improving habitat for both terrestrial and
29 aquatic species, thus improving opportunities for hunting, fishing, and wildlife
30 observation.

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1 3.0 AFFECTED ENVIRONMENT

2 3.1 BIOLOGICAL RESOURCES

3 3.1.1 Definition of Resource

4 For the purposes of this analysis, biological resources will include threatened and
 5 endangered species and their designated critical habitats which occur or have the
 6 potential to occur in Lincoln and Washington counties. Vegetation and wildlife were
 7 evaluated on a regional level, which included these counties, in the original Republican
 8 River Basin CREP PEA (USDA 2006). Threatened and endangered species are those
 9 that are protected by the Endangered Species Act (ESA). Critical Habitat is designated as
 10 that habitat necessary for the recovery of threatened and endangered species, and like
 11 these species, is protected by ESA. The U.S. Fish and Wildlife Service (USFWS) is the
 12 lead agency for enforcing the policies of ESA and for designating threatened and
 13 endangered species and their critical habitat.

14 3.1.2 Affected Environment

15 Table 3-1 lists those Federally threatened and endangered animal species with the
 16 potential to occur in Lincoln and Washington Counties. No Critical Habitat for these
 17 species exists in Washington or Lincoln Counties. No threatened or endangered plant
 18 species were identified.

19

20 **Table 3-1. Threatened and Endangered Species in Lincoln and Washington**
 21 **Counties**

Species	Status	Lincoln county	Washington county
Black footed ferret	E	x	x
Least Tern	E*	x	x
Piping Plover	T	x	x
Whooping Crane	E	x	x
Pallid Sturgeon	E	x	x

Notes:

E - endangered

T- threatened

* - Only the interior population (including Colorado) of the Least Tern is considered Endangered.

Source: USFWS 2007

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1 Black footed ferrets (*Mustela nigripes*) are associated with mixed and short grass prairies
2 consisting of short and tall grasses, forbs, sedges, and an open canopy of oak species.
3 Ferrets depend almost exclusively on prairie dogs as a food source and use its burrows
4 for shelter and denning (USFWS 2007). Any actions that kill prairie dogs or alter their
5 habitat could prove detrimental to black footed ferrets occupying prairie dog towns.

6 Interior Least Terns (*Sterna antillarum*) nest on barren beaches of sand, gravel or shells,
7 on dry mudflats and salt-encrusted soils (salt flats) and at sand and gravel pits along
8 rivers. A shallow, constant supply of water that serves as a source of fishes and
9 crustaceans is an essential component of tern nesting habitat (USFWS 2007). When
10 suitable nest habitat is not available on the open river channel, least terns will nest on the
11 sandy beach zone of sandpits immediately adjacent to the river (U.S. Geological Survey
12 [USGS] 2006).

13 Piping Plovers (*Charadrius melodus*) in the Great Plains make their nests on open,
14 sparsely vegetated sand or gravel beaches adjacent to alkali wetlands, and on beaches,
15 sand bars, and dredged material islands of major river systems. These habitats provide
16 primary courtship, nesting, foraging, sheltering, brood-rearing and dispersal habitat for
17 piping plovers (USFWS 2006).

18 Whooping Cranes (*Grus Americana*) stop on wetlands, river bottoms, and agricultural
19 lands along their migration route. The only remaining wild flock of endangered
20 Whooping Cranes depends on the Platte River as a rest stop during its multi-week
21 migration between Texas and Canada (National Wildlife Federation 2007). Water
22 depletion in the South Platte River may affect the species' habitat in downstream states
23 (USFWS 2007).

24 Pallid sturgeons (*Scaphirhynchus albus*) require large, turbid, free-flowing rivers with
25 rocky or sandy substrates. Sturgeons are bottom-oriented, large river obligates that tend
26 to select main channel habitats and main channel areas with islands or sand bars. Water
27 depletion in the South Platte River may affect the species' habitat downstream (USFWS
28 2007).

29 **3.2 CULTURAL RESOURCES**

30 **3.2.1 Definition of Resource**

31 Cultural resources can be divided into three major categories: archaeological resources
32 (prehistoric and historic), architectural resources, and traditional cultural properties
33 (TCPs). Archaeological resources are locations and objects from past human activities.
34 Architectural resources are those standing structures that are usually over 50 years of age
35 and are of significant historic or aesthetic importance to be considered for inclusion in the

1 National Register of Historic Places (National Register). TCPs hold importance or
 2 significance to American Indians or other ethnic groups in the persistence of traditional
 3 culture. TCPs were described in the Republican River Basin CREP PEA for the entire
 4 state (USDA 2006).

5 3.2.2 Affected Environment

6 There are eight architectural resources in Lincoln County that are included on the
 7 National Register. In Washington County, eight properties are included on the National
 8 Register. Table 3-2 lists the properties and their distinctive features (Office of
 9 Archaeology and Historic Preservation [OAHP] 2005). There are no known
 10 archaeological resources in either of the two counties.

11 **Table 3-2. National Register Properties in Lincoln and Washington Counties**

Name	Location	Distinctive Features
<i>Lincoln County</i>		
Limon Railroad Depot	Limon	1910, wood frame depot. One of only three Rock Island depots in Colorado remaining in their place of operation.
Carpenter Barn	Limon	Circa 1900, modest sized, platform-framed and gambrel-roofed dairy barn. The barn was moved from its original location in 1950, but continued to be used after its relocation.
Lincoln Theatre	Limon	1938, Limon's longest surviving movie theatre. Opened as the Cactus Theatre before assuming the Lincoln name in 1949, the theatre has operated continuously to the present.
Walks Camp Park	Limon	1915, recreational complex. The park has been in operation since its creation. The Recreation Hall was moved to the park in 1944 from the former Civilian Conservation Corps camp in Hugo.
Martin Homestead	Genoa	1899, original sod house and large frame barn, both typical in design, materials, and workmanship for their place and period of construction. The fourth generation of the Martin family continues to work the farm.
World's Wonder View Tower	Genoa	1926, began as a commercial and recreation center designed to profit from the needs of rail and highway travelers. This type of tourist facility, once found on every major highway, is now a rare resource.
Hedlund House	Hugo	Circa 1877, part of the first homestead filing in the Hugo area. Wood frame structure typical of its place and period of construction
Hugo Union Pacific Railroad Roundhouse	Hugo	1909, roundhouse associated with the operation and maintenance of the Union Pacific Railroad. The roundhouse is Colorado's most intact Union Pacific example and one of only four surviving roundhouses in the state.

1 **Table 3-2. National Register Properties in Lincoln and Washington Counties (cont'd)**

Name	Location	Distinctive Features
<i>Washington County</i>		
Plum Bush Creek Bridge	Last Chance (US 36, milepost 138)	1938, concrete rigid frame structure 73-feet long and includes a main span of 58 feet. Concrete rigid frame bridges, known for their ability to carry heavy loads, are rare in rural settings. The bridge is associated with the development of US 36, an important tourist and commercial route linking Denver and the eastern plains of Colorado with communities in Kansas and the Midwest.
West Plum Bush Creek Bridge	Last Chance (US 36, milepost 134)	1938, concrete rigid frame structure 72-feet long and includes a main span of 58 feet. Concrete rigid frame bridges, known for their ability to carry heavy loads, are rare in rural settings. The bridge is associated with the development of US 36, an important tourist and commercial route linking Denver and the eastern plains of Colorado with communities in Kansas and the Midwest.
Akron Public Library	Akron	1931, one-story brick library features an interesting oblique entry. The building was constructed solely with local funding during the years of the Depression and continues to serve the community.
Washington County Courthouse	Akron	1910, courthouse constructed by prominent Denver architect John J. Huddart.
Hoopes Drug Store	Otis	1892, wood frame commercial building which contributed to the commercial success of this high plains agricultural community.
Otis Commercial District	Otis	Located in the 100 block of S. Washington and 102 N. Washington. The historic economic base of the Colorado High Plains is agriculture, and this commercial district served the surrounding farm and ranch families.
Otis Municipal Waterworks System	Otis	1919, first water system independent of the railroad in the town. The Water Tower, 110 feet, is the tallest structure in town and serves as a local landmark. Built by Chicago Bridge and Iron Works.
Schliesfsky's Dime Store	Otis	Date unknown, The second-floor of this simple frame building functioned as the first meeting hall in Otis.

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3 **3.3 WATER RESOURCES**4 **3.3.1 Definition of Resource**

5 For this analysis, water resources are defined as wetlands. The Clean Water Act, the Safe
6 Drinking Water Act, and the Water Quality Act are the primary Federal laws that protect
7 the nation's waters including wetlands.

3.3.2 Affected Environment

Wetlands are defined by the U.S. Army Corps of Engineers (USACE) as areas that are characterized by a prevalence of vegetation adapted to saturated soil conditions. Wetlands can be associated with groundwater or surface water and are identified based on specific soil, hydrology, and vegetation criteria defined by USACE (1987).

A search of publicly available data and resources did not generate wetland acreages specifically for Lincoln and Washington Counties. Wetlands in other parts of northeastern Colorado typically consist of riparian wetlands and playa lakes. Riparian wetlands are associated with moving water and are seasonally flooded. They generally occur as complexes of forested and emergent wetlands that are interspersed with uplands. Playa lakes are shallow, depressional wetlands that hold water following rainstorms but eventually dry up, resulting in temporary wetlands. They are generally round and average about 17 acres in size. Open water or wet meadow communities can occur in playa lakes. Because of their isolated nature, playa lakes are not currently regulated by the USACE.

3.4 SOCIOECONOMICS

3.4.1 Definition of Resources

For this analysis, socioeconomics includes investigations of farm and non-farm employment and income, farm production expenses and returns, and agricultural land use. The region of influence (ROI) for analysis of impacts to socioeconomics includes Washington and Lincoln Counties.

3.4.2 Affected Environment

3.4.2.1 *Non-Farm Employment and Income*

The 2006 civilian labor force within the ROI was 3,096 in Lincoln County and 2,925 in Washington County (Colorado Department of Labor and Employment [CDLE] 2007). Non-agricultural industries employed 1,916 persons in 2005 (USCB 2005). The unemployment rate within the ROI in 2006 was fairly uniform, ranging between 3.5 percent in Washington County and 3.7 percent in Lincoln County (CDLE 2007). In 1999, Lincoln County had a median household income of \$31,914 and Washington County had a slightly higher income of \$32,431 (USCB 2000).

3.4.2.2 *Farm Employment and Income*

In 2002, there were 1,254 farm workers on 1,316 farms within the region accounting for a payroll of \$7,975,000 million (USDA 2002). Table 3-3 lists the hired farm and contract labor costs per county within the ROI and labor costs as a percentage of total production

1 costs. In 2002, 1,222 farms within the ROI had sales less than \$250,000 classifying them
 2 as small farms, while 94 large farms had sales greater than \$250,000. Realized net farm
 3 income was in excess of \$7.4 million in 2002 (USDA 2002). Total government payments
 4 to farms within the ROI exceeded \$16.2 million in 2002 (USDA 2002).

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Table 3-3. Farm Labor as a Percentage of Total Production Expenses

Area	2002				1997			
	Hired Farm Labor (\$000)	Contract Labor (\$000)	Total Production Expenses (\$000)	Labor as a Percent of Total Production Expenses	Hired Farm Labor (\$000)	Contract Labor (\$000)	Total Production Expenses (\$000)	Labor as a Percent of Total Production Expenses
Washington	5,436	1,116	83,735	7.8%	3,430	1,581	84,588	5.9%
Lincoln	2,539	429	38,980	7.6%	1,576	289	41,132	4.5%
<i>Total</i>	<i>7,975</i>	<i>1,545</i>	<i>122,715</i>	<i>7.8%</i>	<i>5,006</i>	<i>1,870</i>	<i>125,720</i>	<i>5.5%</i>

Source: USDA 2002

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9 **3.4.2.3 Farm Production Expenses and Returns**

10 In 2002, farm production expenses exceeded \$1.22 million within the ROI a decrease of
 11 nearly 2 percent from 1997 (USDA 2002). Using the 2002 acreage in active farm
 12 production (2,836,987 acres), the average cost per acre within the ROI in 1997 was
 13 \$43.25 (USDA 2002). Using 2002 cropland data, the cost per acre of agricultural
 14 chemical inputs, including fertilizers and lime, was \$4.54 (USDA 2002). Average net
 15 cash income from operations within the ROI was \$6,851 per farm in 2002 (USDA 2002).
 16 Table 3-4 lists the average farm production expenses and return per dollar of expenditure
 17 from 2002 within Washington and Lincoln Counties. Table 3-5 lists the average value of
 18 land and buildings and the average value of machinery and equipment per farm within
 19 each of the counties.

1 **Table 3-4. Average Farm Production Expense and Return Per Dollar of Expenditure**
 2 **(2002)**

Area	Average Size of Farm (Acres)	Average Total Farm Production Expense (\$)	Average Cost Per Acre (\$)	Average Net Cash Income/Farm (\$)	Average Net Cash Income/Acre (\$)	Average % Return / \$ Expenditure
Washington	1,636	97,593	60	3,044	1.86	3.1
Lincoln	3,139	86,048	27	10,659	3.40	12.4
ROI	2,387	91,820	38	6,851	2.87	7.5

Source: USDA 2002

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6 **Table 3-5. Average Value per Farm of Land and Buildings and Machinery and**
 7 **Equipment**

Area	Average Size of Farm (acres)	Average Value of Land & Buildings (\$ per farm)	Average Value of Machinery & Equipment (\$ per farm)
Washington	1,636	676,616	134,302
Lincoln	3,139	807,513	164,889

Source: USDA 2002

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10 **3.4.2.4 Current Agricultural Land Use Conditions**

11 In 2002, 2.8 million acres of land within the ROI were actively used for agricultural
 12 purposes including cropland, hay land, and pastureland (USDA 2002). Table 3-6 lists the
 13 acreage for different agricultural land uses in 2002 for each county. Conservation
 14 programs (CRP and Wetlands Reserve Program [WRP]) are employed on 309,178 acres
 15 of agricultural land in the ROI (USDA 2002).

1 **Table 3-6. Agricultural Land Use Acreage within Washington and Lincoln Counties**

Land Use	Lincoln	Washington	ROI Total
Cropland ¹	488,304	858,199	1,346,503
Hay land ²	19,115	24,964	44,079
Pastureland ³	960,401	567,455	1,527,856
Woodland ⁴	3,822	1,593	5,415
House lots, ponds, roads, wasteland, etc.	24,533	24,319	48,852
CRP & WRP ⁵	142,459	166,719	309,178
Total Land in Farms ⁶	1,428,404	1,408,583	2,836,987

1 Cropland excludes all harvested hayland and cropland used for pasture or grazing

2 Hay land includes all harvested cropland used for alfalfa, other tame, small grain, wild, grass silage, green chop, etc.

3 Pastureland includes all pasture, including cropland, grazed woodland, and rangeland not considered cropland or woodland

4 Woodland excludes all wooded pasture lands

5 CRP & WRP acreages are included as active agricultural lands

6 Total land in farms include the sum of cropland, hay land, pastureland, woodland, and house lots, etc.

Source: USDA 2002

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4 **3.5 ENVIRONMENTAL JUSTICE**

5 **3.5.1 Definition of Resource**

6 Executive Order 12898, Federal Actions to Address Environmental Justice in Minority
7 Populations and Low-Income Populations, requires a Federal agency to “make achieving
8 environmental justice part of its mission by identifying and addressing as appropriate,
9 disproportionately high human health or environmental effects of its programs, policies,
10 and activities on minority populations and low-income populations.” A minority
11 population can be defined by race, by ethnicity, or by a combination of the two
12 classifications.

13 According to CEQ, a minority population can be described as being composed of the
14 following groups: American Indian or Alaska Native, Asian or Pacific Islander, Black,
15 not of Hispanic origin, or Hispanic and exceeding 50 percent of the population in an area
16 or the minority population percentage of the affected area is meaningfully greater than
17 the minority population percentage in the general population (CEQ 1997). The USCB
18 defines ethnicity as either being of Hispanic origin or not being of Hispanic origin.
19 Hispanic origin is further defined as “a person of Cuban, Mexican, Puerto Rican, South
20 or Central America, or other Spanish culture or origin regardless of race” (USCB 2001).

Each year the USCB defines the national poverty thresholds, which are measured in terms of household income and are dependent upon the number of persons within the household. Individuals falling below the poverty threshold are considered low-income individuals. USCB census tracts where at least 20 percent of the residents are considered poor are known as poverty areas (USCB 1995). When the percentage of residents considered poor is greater than 40 percent, the census tract is considered an extreme poverty area.

3.5.2 Affected Environment

3.5.2.1 Demographic Profile

The total population within the region was 11,013 persons in 2000, which was an approximately 15 percent increase over the population of 1990 (USCB 1990, 2000). All of the residents within these two counties live in rural areas. Demographically, the CREP Amendment area population was more than 86 percent white (Table 3-7). The total minority population within the CREP Amendment area was 1,012 or 9.2 percent of the total regional population (USCB 2000). Because the percentage of minority populations is less than 50%, the region is not a location of a concentrated minority population.

Table 3-7. Percentage of Races in Washington and Lincoln Counties

Counties	White, Not Hispanic	Black/African American, Not Hispanic	American Indian/Alaska Native	Asian	Native Hawaiian/Pacific Islander	Other	Hispanic or Latino of any Race *
Lincoln	86.3	5	0.9	0.6	0	7.3	8.5
Washington	96.4	0	0.6	0.1	0	2.9	6.3

Source: US Census Bureau, 2000

3.5.2.2 Income and Poverty

In 1999, Lincoln County had a median household income of \$31,914 and Washington County had a slightly higher income of \$32,431 (USCB 2000). Table 3-8 shows the number and percentage of families living below the poverty level in each county in 2000. The percentage of families below the poverty level is below 20% in both counties; therefore, none of the areas are considered impoverished.

1 **Table 3-8. Families below the Poverty Level in Washington and Lincoln Counties**

County	Families below the poverty level (2000 Census)	
	Number	Percent
Lincoln	114	8.1
Washington	121	8.6

Source: USCB 2000

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1 **4.0 ENVIRONMENTAL CONSEQUENCES**

2 **4.1 BIOLOGICAL RESOURCES**

3 Impacts to biological resources would be considered significant if implementation of the
4 proposed Amendment resulted in incidental take, which includes disturbance, of a
5 threatened or endangered species.

6 **4.1.1 Proposed Action**

7 The proposed CREP Amendment would have positive long term impacts on protected
8 species and their habitats. The primary goals of CREP are to improve water quality and
9 to restore native vegetation and wildlife habitat. Benefits to the Pallid sturgeon would be
10 realized shortly after implementation of CPs to improve water quality are installed and
11 would improve over the long-term. Restoring native grasses would promote and improve
12 Black-footed ferret habitat in the CREP area. Restoring riparian buffers and wetlands
13 would result in beneficial impacts to the Interior Least Tern, Piping Plovers, and
14 Whooping Cranes which all use wetlands and beach areas for nesting and foraging.

15 There is potential for negative impacts to protected species during activities related to
16 establishing the CPs including grading, leveling, filling, and construction of bridges,
17 fences, and pipelines. Informal consultation with Colorado's Fish and Wildlife Service is
18 recommended for those areas that support habitats where the protected species listed in
19 Section 3.1 occur. Informal consultation would verify the presence or absence of a
20 protected species and provide mitigation measures to eliminate or reduce potential
21 impacts.

22 **4.1.2 No Action**

23 Under this alternative the Republican River Basin CREP would continue as it is currently
24 administered. The additional benefits to biological resources from enrolling eligible
25 lands in Washington and Lincoln Counties, specifically protected species, would not be
26 realized. Lands that would have been eligible would remain in agricultural production or
27 would be enrolled in CRP or another conservation program. The continued use of land
28 for agriculture or the conversion of land to another type of agricultural production would
29 increase susceptibility for additional loss of habitat for protected species. Runoff of
30 agricultural chemicals, animal wastes, and sediment would continue to degrade water
31 quality.

4.2 CULTURAL RESOURCES

An impact to cultural resources would be significant if the proposed activity resulted in:

- The destruction or alteration of all or a contributing part of any National Register-eligible cultural or historic property without prior consultation with the State Historic Preservation Office (SHPO);
- The isolation of an eligible cultural resource from its surrounding environment;
- The introduction of visual, audible, or atmospheric elements that are out of character with a National Register-eligible site or would alter its setting;
- The neglect and subsequent deterioration of a National Register-eligible site; or
- The disturbance of important sites of religious or TCPs to American Indians.

4.2.1 Proposed Action

The proposed action is not expected to result in adverse impacts to cultural resources. The installation of approved CPs would not directly affect architectural resources on the National Register since these practices do not include removal or modification of structures. However, if a listed property is within the immediate vicinity of a site proposed for enrollment, consultation with the SHPO should occur prior to installation of CPs to ensure protection of the property.

There are no known archaeological resources within Washington and Lincoln Counties, however, the state is rich with archaeological history. CPs that are ground disturbing beyond what is normally disturbed from agricultural plowing have the potential to impact unknown archaeological resources. Such practices include earthmoving for installation of filter strips, firebreaks, fencing, and roads, as well as construction of dams, levees, and dikes in wetland restoration areas and excavation of potholes or other structures to regulate water flow. If an archaeological resource is discovered during installation of a practice, installation must cease and consultation with the SHPO must occur.

4.2.2 No Action

Under the no action alternative, the Republican River Basin CREP would continue as it is currently administered. The installation of approved CPs is not expected to impact architectural properties. Any known or unknown archaeological resources discovered during the installation of CPs would require consultation with the SHPO.

4.3 WATER RESOURCES

Impacts to water resources would be considered significant if implementation of the proposed Amendment resulted in violating laws or regulations established to protect

1 wetlands. An adverse impact to wetland areas would include dredging, filling, or altering
2 the characteristics of the wetland.

3 **4.3.1 Proposed Action**

4 Implementation of CPs such as wetland restoration, playa lakes restoration, and riparian
5 buffers is expected to restore or enhance the acreage of wetlands and riparian habitat in
6 Washington and Lincoln Counties. The positive impacts of restoring wetlands and
7 riparian areas would have corresponding impacts on biological resources, namely
8 protected species, which use and live in these areas.

9 The installation and associated construction of CPs in these sensitive areas could have
10 short term negative impacts. Activities such as vegetation clearing and soil disturbance
11 could result in temporary and minor localized negative impacts to water quality and
12 associated runoff. The use of filter fencing or similar best management practices would
13 reduce or eliminate these impacts. Areas that are suspected of being wetlands during the
14 site specific environmental evaluation may require a wetland determination and permit
15 prior to implementation of the practice.

16 **4.3.2 No Action**

17 Under the no action alternative, the Republican River Basin and High Plains Region
18 CREP would continue as it is currently administered. The additional benefits to
19 improving and restoring wetlands and riparian areas in Washington and Lincoln Counties
20 would not be realized.

21 **4.4 SOCIOECONOMICS**

22 Significance of an impact to socioeconomics varies depending on the setting of the
23 Proposed Action, but 40 CFR 1508.8 states that indirect effects may include those that
24 induce changes in the pattern of land use, population density, or growth rate.

25 **4.4.1 Proposed Action**

26 Implementing the proposed action could produce a slight beneficial impact to the
27 economy of the ROI. The proposed action calls for expenditure of \$71.9 million for the
28 CREP area.

29 For the ROI, the average net cash income per acre of farmland was \$2.87 in 2002. The
30 sales for fertilizer and chemicals (chemical inputs) averaged \$4.54 per acre. The average
31 annual expenditures on labor (hired and contract) averaged \$3.98 per acre. The average
32 annual wage for all persons engaged in agricultural employment was \$19,244 in 2002
33 (CDLE 2007).

1 Absent any payments under the CREP program, the loss of 35,000 acres from production
2 could be anticipated to result in a reduction of \$100,450 net cash income, a loss of
3 \$158,900 in chemical inputs purchased for agricultural use, and \$139,300 in labor
4 expense, which equates to approximately seven jobs at the prevailing wages within the
5 ROI. However, the inclusion of 35,000 acres into CREP would result in the expenditure
6 of \$71.9 million within the ROI from cost sharing and annual rental payments which
7 would more than account for the economic loss.

8 **4.4.2 No Action**

9 Under the no action alternative, the proposed Amendment would not be implemented.
10 Socioeconomic conditions would continue to follow current trends associated with the
11 ROI and northeastern Colorado and surrounding States. Farmland could continue to be
12 used for agricultural purposes or enrolled in other conservation programs that provide
13 financial incentives.

14 **4.5 ENVIRONMENTAL JUSTICE**

15 Environmental justice is achieved when everyone, regardless of race, culture, or income,
16 enjoys the same degree of protection from environmental and health hazards and has
17 equal access to the decision-making process. Significant environmental justice impacts
18 would result if access to decision-making documents was denied or if any adverse
19 environmental effects occurred that would disproportionately affect minority or low-
20 income populations.

21 **4.5.1 Proposed Action**

22 The proposed action would allow for additional enrollment into CREP in Washington and
23 Lincoln Counties. Neither of these counties is considered a concentrated minority
24 population or an impoverished area, therefore, there are no environmental justice
25 concerns.

26 **4.5.2 No Action**

27 The no action alternative would allow for the current Republican River Basin CREP to
28 continue as it is currently administered. As assessed in the original PEA, there are no
29 environmental justice concerns.

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1 **5.0 CUMULATIVE EFFECTS AND IRRETRIEVABLE COMMITMENT OF** 2 **RESOURCES**

3 **5.1 CUMULATIVE EFFECTS**

4 CEQ regulations stipulate that the cumulative effects analysis consider the potential
5 environmental impacts resulting from “the incremental impacts of the action when added
6 to other past, present and reasonably foreseeable actions regardless of what agency or
7 person undertakes such other actions.” Cumulative effects most likely arise when a
8 relationship exists between a Proposed Action and other actions expected to occur in a
9 similar location or during a similar time period. Actions overlapping with or in proximity
10 to the Proposed Action would be expected to have more potential for a relationship than
11 those more geographically separated. Similarly, actions that coincide, even partially, in
12 time tend to have potential for cumulative effects.

13 The Amendment to the Republican River Basin CREP proposes only to enroll 35,000
14 acres in Washington and Lincoln Counties in the program. These counties are
15 geographically close to those included in the original Republican River Basin and High
16 Plains Region CREP PEA and the potential environmental impacts are expected to be
17 similar (USDA 2006). Section 5.2 of the original PEA described the Federal programs
18 available in the CREP area designed to prevent degradation of natural resources including
19 the Conservation Reserve Program, Wildlife Habitat Incentives Program, Environmental
20 Quality Incentives Program, and Wetlands Reserve Program. The analysis concluded
21 that the proposed action, when considered with these past, present, and reasonably
22 foreseeable actions, is expected to result in positive impacts to the biological, water, soil,
23 and recreational resources of the CREP area (USDA 2006).

24 **5.2 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

25 Irreversible and ir retrievable resource commitments are related to the use of
26 nonrenewable resources and the effect that the use of these resources has on future
27 generations. Irreversible effects primarily result from the use or destruction of a specific
28 resource that cannot be replaced within a reasonable time frame. Irretrievable resource
29 commitments involve the loss in value of an affected resource that cannot be restored as a
30 result of the action. No commitments of such resources are expected to result from the
31 implementation of the proposed Amendment.

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6.0 MITIGATION MEASURES

6.1 INTRODUCTION

The purpose of mitigation is to avoid, minimize, or eliminate negative impacts on affected resources to some degree. CEQ Regulations (40 CFR 1508.20) state that mitigation includes:

- Avoiding the impact altogether by not taking a certain action or parts of an action.
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- Compensating for the impact by replacing or providing substitute resources or environments.

6.2 ROLES AND RESPONSIBILITIES

CEQ regulations state that all relevant reasonable mitigation measures that could improve a project should be identified, even if they are outside the jurisdiction of the lead agency or the cooperating agencies. This serves to alert agencies or officials who can implement these extra measures, and will encourage them to do so. The lead agency for this Proposed Action is FSA.

6.3 MITIGATION MEASURES

There are no expected negative impacts associated with implementation of the Proposed Action. Prior to installation of CPs, producers must complete site specific environmental analysis which would reveal any protected resources on the property. In those site specific instances where a wetland, threatened or endangered species, or a cultural resource may be present, consultation with the appropriate lead agency would identify specific mitigation measures required to eliminate or reduce the negative impacts to those sensitive resources.

1 7.0 LIST OF PREPARERS

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8.0 PERSONS AND AGENCIES CONTACTED

Name	Organization
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Rick Cervenka	State Environmental Coordinator
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Don Ament	Colorado Department of Agriculture
Dave Anderson	Colorado Wheat Growers
Alison Banks	Rocky Mountain Bird Observatory
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Denny Brachtotech	Producer
Shane Briggs	Colorado Division of Wildlife
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William Burnidge	The Nature Conservancy
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Mike Carter	Playa Lakes Joint Venture
Ed Cecil	Producer
John Cevette	Colorado Corn Growers
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Robert Cordova	Colorado Association Conservation Districts
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22	Scott Richrath	Colorado Division of Water Resources
23	Bruce Rosenbach	High Plains Land Conservancy
24	Richard Roth	Producer
25	Randy Schafer	Phillips County
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27	Leon Sikman	FSA State Committee
28	Jerry Sonnenburg	Colorado Farm Bureau
29	Brian Starkebaum	Lower South Platte Watershed
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31	Timothy Sullivan	Environmental Defense
32	Ted Toombs	Environmental Defense
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34	Reagan Waskon	Colorado State University
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38	Rick Young	Pheasants Forever
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APPENDIX A
Colorado CREP Agreement

**DRAFT
AMENDMENT
TO THE
CREP AGREEMENT
BETWEEN
THE U.S. DEPARTMENT OF AGRICULTURE,
THE COMMODITY CREDIT CORPORATION,
AND
THE STATE OF COLORADO**

The Conservation Reserve Enhancement Program (CREP) Agreement between the U.S. Department of Agriculture (USDA), Commodity Credit Corporation (CCC), and the State of Colorado (State) originally executed on April 21, 2006, is hereby modified pursuant to Section VII, paragraph 6 of the Republican River CREP Agreement (Agreement).

Revisions to the Agreement are denoted by “*--underlined text--*” and referenced as “added” or “revised” in {brackets}; deleted text is denoted by “***” and referenced in {brackets}.

{Section I – unchanged}

II GENERAL PROVISIONS – is amended as follows:

The goals of the Colorado Republican River CREP are to enroll up to 35,000 eligible cropland acres “*--and up to 35,000 new eligible cropland acres for a total of 70,000 eligible cropland acres--*” {added}.

1. {Unchanged}
2. Seek permanent forfeiture of water rights through the State of Colorado and compensation through the Republican River Water Conservation District Water Activity Enterprise (“*--RRWCD-WAE--*” {revised}), “*--60,000 to 70,000--*” {revised} acre-feet of annual water savings.
3. Reduce soil erosion from approximately “*--956,624 tons to 210,000 tons per year, a total reduction of 746,624 tons per year--*” {revised}.
4. Reduce annual fertilizer and pesticide application from enrolled acres by approximately “*--5,862 tons per year from 2004 levels--*” {revised}.
5. {Unchanged}
6. {Unchanged}
7. {Unchanged}
8. {Unchanged}
9. In addition to the goal listed in Item 5, enroll up to “*-- 1,500--*” {revised} acres of riparian buffer and wetland practices to permit natural restoration of stream and wetland hydraulic and geomorphic characteristics which meet habitat requirement of the targeted fish species.
10. Reduce by approximately “*--ten percent--*” {revised} from 2004 levels, the number of ground water wells containing nitrogen levels above EPA standards.

11. Through reductions in groundwater pumping, reduce the total use of electricity by “*-
-4.2--*” {revised} million kilowatt hours.

III. AUTHORITY {unchanged}

IV. **PROGRAM ELEMENTS is amended as follows:**

{First paragraph –unchanged}

1. {Unchanged}

2. {Unchanged}

3. For the Colorado Republican River CREP, cropland and practices enrollment goals are as follows:

- CP22, CP23, and CP23A – up to “*- 2,000 acres--*” {revised}.
- CP2 and CP4D – up to “*- 68,000 acres--*” {revised}.

4. {Unchanged}

5. {Unchanged}

6. {Unchanged}

7. {Unchanged}

8. Irrigated cropland requirements for land to be eligible for enrollment under this program, as determined by the Deputy Administrator, FSA, are as follows:

- Irrigated cropland must have been irrigated at the rate of not less than ½ acre foot per acre for four out of six years, 1996-2001. “*-For the Republican River CREP only, alfalfa is considered eligible for enrollment if it meets all of the irrigation requirements outlined in this Agreement--*” {added}
- {Unchanged}
- Irrigated cropland must be physically and legally capable of being irrigated in a normal manner when offered for enrollment, or in cases where the irrigated cropland has been enrolled in the 2006 Republican River Water Conservation District Water Activity Enterprise One Year Lease Program, within 12 months after being offered for enrollment, “*- or in cases where the irrigated cropland was enrolled in the NRCS Ground and Surface Water Conservation Program (GSWCP) 3 year or 5 year water retirement through EQIP prior to the approval of this Addendum, within 30 days of the cancellation or expiration of the GSWCP Contract. Any irrigated acres enrolled in the NRCS GSWCP after the approval of this Addendum are ineligible for enrollment in the Republican River CREP upon cancellation or expiration of the GSWCP contract.--*” {added}

- {Unchanged}
 - {Unchanged}
9. For non-irrigated (dryland) cropland to be eligible for enrollment under this program, the land must be a center-pivot corner enrolled with the adjacent irrigated center-pivot cropland area, as determined by the Deputy Administrator. No more than “*--10,000 acres--*” {revised} of eligible non-irrigated (dryland) cropland corners may be enrolled under this program.
 10. Participants may be allowed to apply not more than ½ acre foot of irrigation water to enrolled irrigated land during the first “*--24--*” {revised per previous amendment} months of a CRP contract under this program, but only if/when necessary to establish the vegetative conservation cover as outlined in an approved conservation plan, as determined by CCC. Otherwise, no irrigation water may be applied to the land at any time during the term of the CRP contract except as further agreed to by CCC.

V. FEDERAL COMMITMENTS {unchanged}

VI. STATE COMMITMENTS

In determining State Direct Payments, Cost-share, and Bonus Payments, made through the “*-- RRWCD-WAE--*” {revised}, the location of the well for ground water irrigated cropland or the point of diversion for surface water irrigated cropland will be the point that is used to calculate the operative distance from the South Fork and the North Fork of the Republican River in the schedule set out in this paragraph. “*--Upon enrollment of the initial 30,000 irrigated acres in the Republican River CREP, the Arikaree River within the CREP project area will be included and State Direct Payments will be determined in the same manner as are State Direct Payments for the South Fork and the North Fork of the Republican River --*” {added}.

Colorado agrees to contribute not less than 20 percent of the overall costs of the CREP, through payments to program participants, new funding for the CREP project, or in-kind contributions, as agreed to by the CCC, including:

1. Direct payments to participants for permanent water rights retirement paid in an equal payment in each of three years (year 5, year 10, and year 15). Payments will range from \$100 per acre for any irrigated acres four miles or greater from the South Fork and the North Fork of the Republican River to \$600 per acre for any surface irrigated acres less than one mile from the South Fork and the North Fork of the Republican River “*-- for the first 30,000 acres of eligible irrigated acres enrolled--*” {added} “*--Direct payments to participants for permanent water rights retirement paid annually within 30 days of participant receiving CRP-1 annual rental payment from CCC for any eligible acres after the first 30,000 irrigated acres are enrolled--*” {Added}. Payments will range from “*-- \$175 per acre for any irrigated acres less than four miles from the South Fork and the North Fork of the Republican River and the Arikaree River, to \$600 per acre for any surface irrigated acres less than one mile from the South Fork and North Fork of the Republican River and the Arikaree River on all eligible acres enrolled after all of the initial 30,000 of the eligible irrigated acres are enrolled --*” {added}.

2. Cost-share with all participants for eligible reimbursable costs for practice installation on specific CREP Conservation Practices upon practice completion on ~~“*--the first 30,000 irrigated acres--*”~~ {added} at the following rates:

{No changes on rates for the first 30,000 irrigated acres enrolled}

~~“*--Cost-share will not be provided for any acres after the first 30,000 irrigated acres are enrolled--*”~~ {added}

3. A one-time Bonus Payment, paid directly to the participant within 30 days of the effective date of the CRP-1 Contract on ~~“*-- the first 30,000 acres of--*”~~ {added} enrolled CREP irrigated acres at the following rates:

{No changes on rates for the first 30,000 irrigated acres enrolled}

~~“*--A one-time Bonus payment will not be provided after the first 30,000 irrigated acres are enrolled--*”~~ {added}

4. An annual rental payment on ~~“*--the first 30,000 acres of--*”~~ {added} enrolled irrigated acres paid within 30 days of participant receiving CRP-1 annual rental payment from CCC at the following rates:

{No changes on rates for the first 30,000 acres enrolled}

~~“*-- An annual rental payment will not be provided after the first 30,000 irrigated acres are enrolled--*”.~~ {added}

5. Through 18. {unchanged}

VII. MISCELLANEOUS PROVISIONS

1. Through 7. {unchanged}

8. Acreage will be enrolled in CRP contracts under this Agreement until December 31, 2007 or when the ~~“*-- 70,000--*”~~ {revised} acre project limit is reached, whichever comes first.

IT IS SO AGREED:

FOR THE U.S. DEPARTMENT OF AGRICULTURE AND THE COMMODITY CREDIT CORPORATION

Date

Mike Johanns
Secretary
U.S. Department of Agriculture
Chairman of the Board
Commodity Credit Corporation

FOR THE STATE OF COLORADO

Harris Sherman
Executive Director, Department of Natural Resources

Date _____