

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Renewal of Authorization for Department of Water Resources to Store Excess Soil on Reclamation Property

FONSI-11-007

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Introduction

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of the Bureau of Reclamation (Reclamation), has determined that an environmental impact statement is not required for the renewal of a five-year authorization for the Department of Water Resources (DWR) to place excess soil on Reclamation property. This Finding of No Significant Impact (FONSI) is supported by Reclamation's Final Environmental Assessment (EA) Number EA-11-107, *Renewal of Authorization for Department of Water Resources to Store Excess Soil on Reclamation Property*, which is hereby incorporated by reference.

Reclamation provided the public with an opportunity to comment on the Draft EA and Draft Finding of No Significant Impact between May 6, 2013 and June 5, 2013. No comments were received.

Background

Over time, silt and debris settles at various locations along the rivers and canals in the area of the Sacramento-San Joaquin River Delta (Delta). When this material buildup becomes excessive, it can affect flood control efforts, levee stability, Delta channel navigation function, recreational opportunities and water quality/quantity for downstream users. DWR addresses these problems by removing sediment and soil on an as-needed basis. After removal from the waterway, soils are stored and dried until a beneficial reuse is found.

In the past, Reclamation has allowed DWR to store this excess soil from dredging or excavation on Reclamation property. Due to restrictions by the Central Valley Regional Water Quality Control Board, DWR can only place spoils from dredging in locations that have been approved by the Regional Board through their General Order Waste Discharge Requirements. In August 2000, DWR obtained General Order No. 5-00-183 under California Water Code Section 13263. This allowed DWR to place dredged material on Reclamation's land at the west end of Fabian Tract, a 34.4 acre parcel of land located in San Joaquin County, California, at the intersection of the Delta Mendota Canal and Grant Line Canal southeast of the Clifton Court Forebay (see Figures in the EA). The Fabian Tract property is also known as Parcel APN 189-050-18, or Settlement Pond #1.

Following issuance of the General Order in 2000, settling ponds were constructed at the Fabian Tract site to receive the dredged material. From August to November 2000, approximately 70,000 cubic yards (cy) of material were removed from around Hammer Island and the Rivers End Marina/Livermore Yacht club, and delivered to the ponds for management. DWR had two additional projects, in 2004 and 2005, which were much smaller in size and consisted of localized dredging of sediment that had blocked farmers' irrigation siphons. The 2004 project involved removal of approximately 31,000 cy from the west end of Union Island in Old River, northeast of Coney Island. The 2005 project involved removal of approximately 7,000 cy to the south of the 2004 area on Old River, south and southeast of Coney Island. Since the dredging method used in the later projects did not produce free liquids, the majority of the berms put in place in 2000 were removed.

DWR would like to be prepared for anticipated future soil storage and disposal needs. These future needs could involve anywhere from a few hundred cubic yards up to tens of thousands of cubic yards. In order to be prepared for these anticipated future needs, DWR is requesting renewal of the existing land use authorization with Reclamation to allow storage of excess soil on Parcel No. 189-050-18.

Proposed Action

Reclamation proposes to issue a five-year land use authorization to DWR for storage of excess soil on Reclamation property. Although future soil storage needs are still uncertain, DWR wants to be prepared so that problems can be dealt with in a timely manner.

In order to prepare the site, a bulldozer and grader would be used to build haul roads and pre-excavate cells where soil would be placed. Trucks would then deliver the material to the storage location by way of the temporary haul roads and/or Fink Road. DWR would continue the previous approach of filling from the north end of the site to the south, starting near where spoils from earlier dredging activities were placed. The soil would be neatly spread out or stockpiled to ensure a maintained appearance and discourage unauthorized dumping.

Once in place, the soil would be allowed to dry. When it meets applicable requirements, it would either be used in place for beneficial purposes or would be removed and transported by truck to other upland sites for reuse.

Equipment to be used would include a grader, bulldozer, dump trucks, track excavator and water truck. Equipment would be stored and operated on Reclamation property while a project is underway. DWR would be responsible for maintaining the site and complying with all permit requirements.

Findings

Water Resources

The primary difference in impacts between the Proposed Action and the No Action alternative would be due to construction of haul roads and storage cells at the Fabian Tract site rather than at another location.

Site work would include creation of storage cells for excess soil, and temporary haul roads to transport the material. Wetlands are known to have been present on the Fabian Tract property in the past, and although the land and drainage patterns have been heavily modified, some wetland areas may remain. It would be DWR's responsibility to assess the site for jurisdictional features and comply with applicable regulations.

Land Use

Under the Proposed Action, use of the project site would not change. It would continue to be undeveloped beyond storage of excess soil. Storage onsite would not interfere with any other uses, although changing the topography of the site could alter the flooding profile of the

property. DWR would be responsible for ensuring that the project does not create new flood hazards or worsen existing flooding.

Biological Resources

Effects are similar to the No Action Alternative. Most of the habitat types required by species protected by the ESA do not occur in the project area. The project area is dominated by agricultural habitat, and any remaining habitat consists of isolated fragments supporting small, highly vulnerable animal and plant populations.

Provisions for the avoidance of effects to federally-protected species under the Endangered Species Act have been incorporated into the Proposed Action (see specific Environmental Protection Measures and Commitments in Table 2-1 of the EA). Therefore, Reclamation has determined that the proposed project is *not likely to adversely affect* San Joaquin Kit Fox and Valley Elderberry Longhorn Beetle. The USFWS concurred with the current project determination on November 27, 2013.

Avoidance measures for burrowing owl and Swainson's hawk have also been incorporated into the Proposed Action (see specific Environmental Protection Measures and Commitments in Table 2-1 of the EA). By following these measures, Reclamation has determined there would be *no take* of bird species protected under the Migratory Bird Treaty Act. If burrowing owls are detected during the preconstruction surveys the Reclamation biologist shall be notified and the project halted. Reclamation would then consult with the California Department of Fish and Wildlife on appropriate mitigation measures.

Air Quality

Under the Proposed Action, DWR would operate construction machinery and vehicles to transport excess soil to storage cells for later use. Equipment used would include a grader, bulldozer, dump trucks, track excavator and water truck. Operating this equipment would produce air emissions of criteria pollutants. However, emission quantities cannot be calculated at this time because they depend on the hours that equipment would be operated, which cannot be known until soil locations and volumes are identified.

In addition to vehicle emissions, earthmoving operations can produce fugitive dust as loose soil becomes airborne. Construction of haul roads and the proposed storage cells could produce particulate matter emissions if not properly managed. To address this concern, contractors would be required to use best management practices to limit the extent to which grading, excavation and material stockpiling could impact air quality.

Global Climate

Greenhouse gas emissions would be produced by the vehicles and equipment necessary to construct haul roads and containment cells and place soil for storage. However, emission quantities cannot be calculated at this time because they depend on the hours that equipment would be operated, which cannot be known until source soil locations and volumes are identified.