

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Delano-Earlimart Irrigation District Turnipseed Groundwater Bank Phase II

FONSI-09-108

Recommended by:


Michael Inthavong
Natural Resources Specialist
South-Central California Area Office

Date: 2/25/2010

Concurred by:


Mike Kinsey
Acting, Supervisory Natural Resources Specialist
South-Central California Area Office

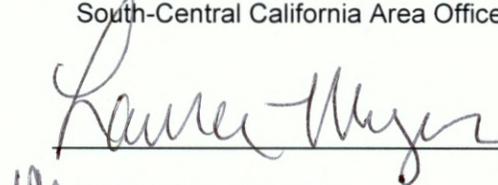
Date: 02/25/2010

Concurred by:


Laura Myers
Chief, Resources Management Division
South-Central California Area Office

Date: 02/25/2010

Approved by:


Deputy Area Manager
South-Central California Area Office

Date: 02/25/2010



U.S. Department of the Interior
Bureau of Reclamation
South-Central California Area Office

January 2010

Introduction

In accordance with section 102(2)(c) of the National Environmental Policy Act of 1969 (NEPA), as amended, the South-Central California Area Office of the U.S. Bureau of Reclamation (Reclamation), has determined that the approval to partially fund Delano-Earlimart Irrigation District's (DEID) Turnipseed Groundwater Bank Phase II is not a major federal action that would significantly affect the quality of the human environment and an environmental impact statement is not required. This Finding of No Significant Impact (FONSI) is supported by Reclamation's Final Environmental Assessment (EA)/Initial Study (IS) and Mitigated Negative Declaration (MND) number EA/IS-09-108, *Delano-Earlimart Irrigation District Turnipseed Groundwater Bank Phase II*, and is hereby incorporated by reference. The Final EA/IS and MND was jointly prepared by Reclamation, as the lead federal agency, and DEID, as the lead state agency, to satisfy the requirements of both NEPA and the California Environmental Quality Act (CEQA), respectively.

Reclamation provided the public with an opportunity to comment on the draft FONSI and the NEPA portion of the draft EA/IS from February 5, 2010 through February 24, 2010 and did not receive any comments. Through the State Clearing House, DEID made the CEQA portion of the draft EA/IS and the proposed adoption of a MND (#2010011085) available for public comment from January 28, 2010 through February 26, 2010.

Background

The American Recovery and Reinvestment Act (Recovery Act) of 2009 is a bill signed into law by President Barack Obama on February 17, 2009 in an effort to jumpstart the nation's economy, create and/or save jobs, and foster unprecedented levels of accountability and transparency in government spending. The Department of the Interior has been tasked with managing \$3 billion in investments as part of the Recovery Act, of which Reclamation will devote \$260 million for projects in the State of California (State) to expand water supplies, repair aging water infrastructure, and mitigate the effects of a devastating drought that the State is currently experiencing. Through a Challenge Grant, Reclamation provides 50/50 cost-share using Recovery Act funds for approved projects focused on water conservation, efficiency, and marketing.

DEID applied for and was selected as a potential recipient to receive a Recovery Act-funded Challenge Grant to help with the construction of their Turnipseed Groundwater Bank Phase II (Proposed Action). The Proposed Action will convert an existing 80-acre recharge basin into a true water banking facility. Construction will include installing three extraction wells and increasing the surface storage capacity of the facility by excavating (deepening) into the basin and building up the levees.

Findings

Water Resources

The Proposed Action will not generate a new supply of water; rather, it will improve the reliability of DEID water supplies by using available surplus surface water to recharge the

underlying groundwater subbasin for later use when groundwater pumping is necessary. The Proposed Action does not include additional groundwater pumping; rather, it will help to mitigate the water-level impacts associated with existing groundwater pumping. In particular, the increased ability to recharge available surface water supplies will help to mitigate the projected long-term decline in groundwater levels. Groundwater recoveries will not exceed the total water recharged, as to not deplete any groundwater supplies.

Since the surface water supply has a lower salinity level than the groundwater, the long-term infiltration of these surface water supplies will serve to maintain and enhance the generally good quality of groundwater underlying the district area. Therefore, the Proposed Action will have slight beneficial impacts to DEID water resources.

Land Use

The construction of wells and water banking facilities for irrigation use is considered to be agriculture-related, so there will be no impacts to prime farm lands. The Proposed Action will not involve the development of new agriculture lands since the district is almost fully developed to agriculture. There are no residences adjacent to the basin boundaries, and construction of the Proposed Action will not result in any new housing or new permanent population growth that will exceed official regional or local population projections in the DEID service area. The main purpose of the Proposed Action is to improve DEID's water supply reliability in order to meet irrigation demands during dry hydrological years; therefore, no significant impacts to land use are expected.

Biological Resources

Most of the habitat types required by species protected by the Endangered Species Act (ESA) do not occur in the Proposed Action area. The Proposed Action will not involve the conversion of any land fallowed and untilled for three or more years. The Proposed Action will not change the land use patterns of cultivated or fallowed fields. No critical habitat occurs within the area affected by the Proposed Action and so none of the primary constituent elements of any critical habitat will be affected.

The Proposed Action will implement Environmental Protection Measures to avoid or minimize effects to special-status species. Prior to construction, a pre-activity survey will be conducted by a qualified biologist to ensure that the construction areas remain unoccupied by sensitive species and, during construction, standard avoidance and minimization protocols will be followed to avoid impacts. Therefore, the Proposed Action is expected to have no significant impacts on biological resources.

Cultural Resources

Under the Proposed Action, construction will disturb existing rights-of-way of the recharge basin, add fill to the levees of the channelized White River, and disturb immediately adjacent farmland. An archaeological inventory report identified the need to consult with the State Historic Preservation Officer (SHPO) because, for the purposes of this project and this project only, Reclamation assumed that the modified White River was eligible for the National Register of Historic Places.

Reclamation determined that impacts associated with the Proposed Action comprise a no adverse effect to historic properties pursuant to 36 CFR Part 800.5(b). SHPO concurred with this finding on January 26, 2010. In the unlikely event that project implementation revealed previously unidentified cultural resources, then procedures outlined at 36 CFR Part 800.13(B) will be followed to insure that there will be no significant impacts.

Indian Trust Assets (ITA)

There are no tribes possessing legal property interests held in trust by the United States in the lands involved with the Proposed Action. The nearest ITA is the Tule River Reservation approximately 22 miles northeast of the project location; therefore, this action will have no significant impacts on ITA.

Socioeconomic Resources

Over the long term, the Proposed Action will facilitate an increase in the reliability of DEID's surface water supply. This will subsequently help to maintain the economic viability of irrigated agriculture within the district, which presently includes a significant percentage of permanent crops. There is greater economic output associated with permanent crops, which includes a year-round demand for farm labor (as compared to annual crops). As a result, there could be slight beneficial impacts to socioeconomic resources.

Environmental Justice

To the extent that water supply reliability is improved in DEID, it will serve to support the continued viability of the agricultural economy that has developed in reliance (in whole or in part) upon it, which provides jobs to the residents of disadvantaged populations within the vicinity of DEID. As a result, there will be beneficial impacts to environmental justice from the implementation of the Proposed Action.

Air Quality

Short-term air quality impacts will be associated with construction, and will generally arise from dust generation (fugitive dust) and operation of construction equipment. The Proposed Action will include Environmental Protection Measures to reduce the amount of fugitive dust released from these construction activities.

Comparison of the estimated Proposed Action emissions with the *de minimis* thresholds for Federal conformity determinations indicate that project emissions are estimated to be below these thresholds. Therefore, there will be no significant impacts to air quality.

Global Climate Change

The Proposed Action will involve short-term impacts consisting of emissions during construction and long-term impacts are attributable to project operations and will involve the generation of electrical energy to power the electric motor pump drivers. Accordingly, project construction and operations under the Proposed Action will result in *de minimis* impacts to global climate change.

Cumulative Impacts

The Proposed Action, when taken into consideration with other similar existing and proposed projects, will ultimately improve water resources management in DEID. There will be a cumulative positive impact on groundwater levels and quality, owing to the long-term, increased groundwater recharging capability during times of surface water supply availability.

In recent years, land use changes to the south of DEID have involved the urbanization of agricultural lands. These types of changes are typically driven by economic pressures and they are as likely to occur without the Proposed Action as with it. Accordingly, no cumulative impacts to land use are anticipated.

Greenhouse gas (GHG) impacts are considered to be cumulative impacts. The Proposed Action, when added to other existing and proposed actions, will not contribute to adverse cumulative impacts to global climate change owing to the *de minimis* magnitude of annual GHG emissions. The Proposed Action will not contribute to cumulative impacts to air quality, inasmuch as construction activities are short-term and operations will not result in adverse impacts to air quality beyond Federal thresholds.

The Proposed Action, when added to other similar existing and proposed actions, will have a slight beneficial contribution to cumulative impacts associated with environmental justice and socioeconomic resources. The Proposed Action will help support and maintain farm-related jobs that low-income and disadvantaged populations rely upon. In addition, some of these communities rely on groundwater as their main source of water supply so the long-term application of groundwater recharge would provide some replenishment to this source.

Inthavong, Michael T

From: Overly, Stephen A
Sent: Monday, February 08, 2010 8:05 AM
To: Inthavong, Michael T
Cc: Barnes, Amy J; Bruce, Brandee E; Goodsell, Joanne E; Leigh, Anastasia T; Nickels, Adam M; Ramsey, Dawn
Subject: 09-SCAO-349 DEID Turnipseed ARRA Groundwater Bank Project (Section 106 Complete)
Attachments: 09-SCAO-349_CASHPO_Concurrence.pdf

Project 09-SCAO-349

Michael,

The proposed undertaking to provide federal appropriations to the Delano-Earlimart Irrigation District (DEID) through the American Recovery and Reinvestment Act (ARRA) and through Water for America Challenge Grant for the construction of the Turnipseed Groundwater Bank Project in Tulare County was determined to be the type of action that had the potential to affect historic properties. As a result, Reclamation entered into consultation with the California State Historic Preservation Office (SHPO) on a finding of no adverse effect to historic properties pursuant to the regulations at 36 CFR Part 800.5(b).

The proposed project will be undertaken in two phases. Phase I would include drilling one extraction well and five monitoring wells. Phase II would include the construction of three extraction wells and excavation of the existing recharge basin about one foot deeper. The excavation spoils would then be placed on top of the existing levees and along the berms of the White River.

DEID hired archaeological consulting firm RSO Consulting to complete the cultural resource identification for compliance with Section 106 of the National Historic Preservation Act. The only cultural resource identified within the APE was the channelized White River. Due to the short timeframe limiting the ability to conduct detailed archival study for this ARRA project, the channelized White River was considered eligible for the National Register of Historic Places (NRHP) under Criterion A (as one of many local conveyances that define the agricultural nature of the region). The assumption of eligibility for this segment of the White River Channel is for the purpose of this project and this project only.

Since NRHP eligibility status of the channel derives from simple presence, rather than from specific details of construction or character, and project changes to the facility (levee modifications) are consistent with both original and ongoing use of the channelized White River, Reclamation determined that the undertaking would result in no adverse effect to historic properties pursuant to the regulations at 36 CFR Part 800.5(b).

Reclamation submitted the report to the California State Historic Preservation Officer (SHPO) on January 21, 2010 seeking concurrence on a finding of no adverse effect to historic properties. In a letter dated January 26, 2010 and received at Reclamation on January 29, 2010, SHPO concurred with Reclamation's finding that the project as a whole would result in no adverse effect to historic properties (attached).

After receiving the SHPO concurrence on Reclamation's findings, the Section 106 process has been completed. Please retain a copy of this e-mail memo with the Administrative Record of the EA for this project. Please note that if project plans or actions change, this may require additional Section 106 consideration including consultation with the SHPO.

Sincerely,

Tony
Stephen (Tony) Overly, M.A.
Archaeologist
U.S. Bureau of Reclamation
Mid-Pacific Region



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JAN 29 2010

CODE	ACTION	SURNAME & DATE
150	✓	S. O. [unclear] 2-4-10

January 26, 2010

In Reply Refer To: BUR100125A

Michael A. Chotkowski
Regional Environmental Officer
United States Department of the Interior
Bureau of Reclamation
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825-1898

Re: Delano-Earlimart Irrigation District (DEID) Turnipseed Groundwater Bank Project, Tulare County, California (Project No. 09-SCAO-349).

Dear Mr. Chotkowski:

Thank you for consulting with me regarding the above noted undertaking. Pursuant to 36 CFR Part 800 (as amended 8-05-04) regulations implementing Section 106 of the National Historic Preservation Act (NHPA), the Bureau of Reclamation (BUR) is the lead Federal agency for this undertaking and is seeking my comments on the effects that the proposed project will have on historic properties. The BUR is proposing to provide a Water for America Challenge Grant and funds from the American Recovery and Reinvestment Act (ARRA) to the DEID for construction of the Turnipseed Groundwater Bank Project in Tulare County. The BUR has identified this use of federal funds as an undertaking pursuant to review under Section 106 regulations.

The BUR has determined that the area of potential effects (APE) consists of the entirety of the existing 80-acre recharge basin that will be converted to a recharge/extraction facility under this project and adjacent areas totaling an additional five acres. The undertaking will consist of the following elements: Phase I; drilling of one extraction well and five monitoring wells, Phase II; drilling of three extraction wells and the excavation of the basin by approximately one foot to both deepen the basin and raise the surrounding berms (with excavated soil). In addition to your letter of January 21, 2010, you have submitted the following document as evidence of your efforts to identify and evaluate historic properties in the APE:

- *A Cultural Resources Assessment for the DEID Turnipseed Groundwater Banking Project, Tulare County, California* (Rebecca S. Orfila, RSO Consulting: November and December 2009).

Efforts to identify historic properties in the APE have concluded there is one historic property within the proposed project location, the existing channelized White River.

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which bisects the recharge basin. The White River, originally a meandering Central Valley watercourse, now functions essentially as an irrigation canal due to its restriction to a straightened, levee-restricted channel, and has existed in this configuration for over 50 years. Currently lacking the resources to fully document this linear water conveyance structure, the BUR has proposed to assume that it is eligible, for the purposes of this undertaking only, for the National Register of Historic Places under criterion A for its significance in the development of irrigated agriculture in this portion of the San Joaquin Valley. Based on this strategy, the BUR has concluded that the project as designed will have no adverse effect to the qualities of this channelized section of the White River that would impart eligibility for the NRHP, and that a finding of No Adverse Effect is appropriate pursuant to 36 CFR Part 800.5(b).

After reviewing your letter and supporting documentation, I have no objection to your finding of No Adverse Effect. Be advised that under certain circumstances, such as unanticipated discovery or a change in project description, the BUR may have additional future responsibilities for this undertaking under 36 CFR Part 800. Thank you for seeking my comments and for considering historic properties in planning your project. If you require further information, please contact William Soule, Associate State Archeologist, at phone 916-654-4614 or email wsoule@parks.ca.gov.

Sincerely,

Handwritten signature of Susan H. Stratton in cursive script.

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

Inthavong, Michael T

From: Rivera, Patricia L
Sent: Wednesday, January 27, 2010 1:12 PM
To: Inthavong, Michael T
Subject: RE: ITA Request (EA-09-108)

Michael,

I reviewed the proposed action to award DEID with a Recovery Act-funded Challenge Grant to help the district fund the construction and operation of a groundwater banking facility.

The Proposed Action would convert an existing 80-acre recharge basin into a true groundwater bank by installing 3 extraction wells to recover the recharged water during dry hydrological years where surface water supply demands for irrigation are deficient. The new extraction wells would be connected to DEID's existing distribution system with short pipelines. In addition the surface storage and regulation capacity of the basin would be increased by excavating (deepening) the basin and building up/improving the levees. The Proposed Action would start construction as soon as permitted and completed by September 30, 2010.

The proposed action does not affect Indian Trust Assets. The nearest ITA is Tule River Reservation approximately 22 miles NE of the project location.

Patricia