United States Department of the Interior
Bureau of Reclamation

Mid-Pacific Region
Central California Area Office
Folsom, California

FINDING OF NO SIGNIFICANT IMPACT

FONSI__10-02___

Approval by United States
For The
Award of a Challenge Grant from the United States for
Construction of the Mt. Vernon Siphon Project

Recommended: _____ Date: 8/20/10
Melissa Harris
Natural Resource Specialist

Concur: _____ Date: 8/20/10
Robert Schroeder,
Chief, Division of Resources

Approved: _____ Date: 8/26/2010
Michael Finnegan,
CCAO Area Manager

FINDING OF NO SIGNIFICANT IMPACT

Award of a Challenge Grant from the United States
For
Construction of the Mt. Vernon Siphon Project

In accordance with the National Environment Policy Act (NEPA) of 1969, as amended, the Central California Area Office of the U.S. Bureau of Reclamation (Reclamation) has determined that an environmental impact statement is not required for the award of a Challenge Grant to Nevada Irrigation District (NID). This Finding of No Significant Affect (FONSI) is supported by Reclamation's 'Environmental Assessment for Award of a Challenge Grant from the United States for Construction of the Mt. Vernon Siphon Project.'

Background

Under the Proposed Action, Reclamation proposes to award a Challenge Grant to Nevada Irrigation District (NID) for the $300,000 to partially fund the construction of a 3,550-foot long raw water pipeline to bypass a 5,680-foot long portion of the Combie Ophir IV Canal.

Jones and Stokes prepared a Preliminary Review and Initial Study report for this project in December 2007 discussing potential environmental impacts and mitigation measures for the California Environmental Quality Act (CEQA). The analysis contained in the December 2007 Preliminary Review and Initial Study has been incorporated in Reclamation's finding that implementation of the Proposed Action will result in no significant impact to the quality of the human environment.

FINDINGS

The Preliminary Review and Initial Study completed for CEQA for the Mt. Vernon Siphon Project found that there were no potential impacts to land use, recreation, air quality, soils, visual resources, transportation, noise, hazards and hazardous materials public services, non-water utilities and service systems, and socio-economics. Reclamation concurs with this analysis. An Environmental Assessment (EA) was prepared to disclose potential environmental impacts pursuant to NEPA, and distributed for public review in July 2010. No comments were received during the 30-day public comment period which ended August 11, 2010.

Hydrology, Water Quality and Groundwater

The Proposed Action results in no significant impacts to hydrology, water quality or groundwater. Construction-related activities that may pose a risk to water quality will be mitigated through the acquisition and compliance with a National Pollutant Discharge Elimination System general construction permit and completion of a Storm Water Pollution Prevention Plan. Prevention of potential future canal failures which may result in erosion would beneficial impact to water quality. Groundwater wells in the vicinity of the project will be monitored for changes in productivity, and a significant decrease in well productivity related to the dewatering of the Combie Ophir IV Canal will be mitigated by

NID. The monitoring and, if appropriate, mitigation for declining groundwater infiltration reduce the impact of dewatering the Combie Ophir IV Canal to less than significant.

Although the Proposed Action will result in the loss of 0.032 acre riparian scrub wetland and 0.007 acre of freshwater emergent wetland, and 0.056 acre of a seasonal tributary, all appropriate permits from regulating agencies will be obtained before construction begins including the appropriate Section 404 permit from the United States Army Corp of Engineers (USACE). By fulfilling the terms of the 404 permit and providing the planned compensatory mitigation, the impacts to water quality and hydrology are reduced to a less than significant level.

Water Supply

Implementation of the Proposed Action may have a minor but less than significant affect to water supply. The Proposed Action will modernize the aging NID canal system, resulting in increased capacity and reduced losses due to seepage, and is part of Reclamation and Placer County's efforts to increase efficiency and water system reliability. Implementation of the Proposed Action, when added to other past, present and reasonably foreseeable future actions, will result in a more efficient and better maintained water delivery system for NID, and result in a positive benefit to water supplies.

Biological Resources

Although possible habitat was noted for special-status plant and wildlife species within the project area, no special-status species occurrences were detected. The canal was determined to not contain suitable breeding or nonbreeding habitat for Red legged frog *(Rana aurora)* (RLF). Areas recognized as providing suitable habitat for RLF within the project area will not be used as staging areas for construction, and will not be permanently impacted by the proposed action. The United States Fish and Wildlife (FWS) reviewed the RLF survey results, and concurred that the Mt. Vernon Siphon Project is not likely to result in take of this listed species. Given the lack of presence and the minimal/temporary impact on suitable area within the project area, the proposed action will have no effect to listed or proposed species or designated or proposed critical habitat protected under the Endangered Species Act (ESA).

The dewatered section of the canal does not have micro-habitats to support special-status species. No vernal pools were observed in the project area. One raptor was observed perched in a tree nearby the proposed project area and no migratory bird nests were detected in the project area. Therefore the proposed action will have less than significant impact on special status species or migratory birds.

Climate Change

Implementation of the Proposed Action may have a minor but less than significant affect to climate change. The Proposed Action will not result in any additional emissions associated with operation as the Mt. Vernon Siphon will be gravity-fed. There are temporary and short-term construction activities associated with the Proposed Action, but do not approach the time scale necessary to negatively impact climate change.

Cultural Resources
Implementation of the Proposed Action would result in no potential to affect historic properties pursuant to 36 CFR Part 800.3(a) (1).

Indian Trust Assets (ITAs)
No ITAs exist within or near the project site so no impacts to ITAs would occur.

Environmental Justice
Minority or low income populations would not be differentially affected within the project area and therefore no environmental justice impacts would occur.

ENVIRONMENTAL ASSESSMENT

Award of a Challenge Grant from the United States
For
Construction of the Mt. Vernon Siphon Project

Introduction

Under the Proposed Action, the United States Bureau of Reclamation (Reclamation) proposes to award a Challenge Grant to Nevada Irrigation District (NID) for the $300,000 to partially fund the construction of a 3,550-foot long raw water pipeline to bypass a 5,680-foot long portion of the Combie Ophir IV Canal.

In December 2007, Jones and Stokes prepared a Preliminary Review and Initial Study report for this project discussing potential environmental impacts and mitigation measures for the California Environmental Quality Act (CEQA). Jones and Stokes analysis is incorporated by reference into this EA, and a copy of the entire Preliminary Review and Initial Study can be found in Appendix A.

Purpose and Need for the Proposed Action

The purpose of awarding this Challenge Grant to NID is to conserve water by modernizing existing infrastructure improve, the service and system reliability to customers served by the Combie Ophir IV Canal, and increase carrying capacity.

Proposed Action and Alternatives

The location of the existing Combie Ophir IV Canal and the proposed action is within Placer County, near the intersection of Atwood and Mt Vernon roads, near the city of Auburn, California (Figure 1). Reclamation proposes to award $300,000 in a Challenge Grant to NID for the construction of an approximately 3,550-foot long raw water pipeline (herein referred to as the Mt. Vernon Siphon and represented by red in Figure 1) to bypass a 5,680-foot long portion of the Combie Ophir IV Canal (herein "canal" and represented by gray in Figure 1). At the terminus of the Mt. Vernon Siphon raw water will be directed into the portion of the Combie Ophir IV Canal that will remain in service. The Mt. Vernon Siphon will be a 24-inch water pipeline buried using a trench and fill method and will include appurtenances such as air release valves, blow-off valves, overflow stand pipe structures, and air vents. The trench for the Mt. Vernon Siphon will be about 5 feet wide and up to 7 feet deep. A 12-foot wide gravel road will be constructed on top of, or along side, the Mt. Vernon Siphon for access and maintenance purposes. Approximately 1,109 feet of the Mr. Vernon Siphon will follow the canal alignment south of Atwood Road. The canal diverges west from the project alignment at this juncture and a 400-foot long, 4-inch pipeline will connect the Mt. Vernon Siphon to two turnout structures in the canal (one turnout being for the Howard Ditch). Another 300-foot long, 6-inch pipeline will be installed parallel to the Mt. Vernon Siphon in order to provide alternatives for service to current NID raw water customers using the Howard Ditch for irrigation water supply.

Water levels in the existing canal will be reduced over a three year period following completion of the Mt. Vernon Siphon to assess if dewatering the canal will result in any

groundwater affects. After this three year period, if no significant decreases in well productivity are observed, a pipeline approximately 1,450 feet long will be constructed from the terminus of the Mt. Vernon Siphon to service customers along this progressively dewatered portion of the canal. This final pipe will be 4 to 6 inch in diameter and constructed in the dewatered canal without trenching, and will be covered with fill material obtained from a commercial source, and the top line will be contoured to the surrounding landscape. The pipeline will include turnouts with service boxes to provide alternative water delivery to existing customers. Staging areas for this portion of the construction will be identified in the future, but will be in previously developed areas. The remainder of the canal, approximately 4,230 feet, will be dewatered and abandoned.

No Action Alternative

Under the No Action Alternative, Reclamation would not award the Challenge Grant to NID, and the Mt. Vernon Siphon would not be built. Raw water would continue to be delivered through the Combie Ophir IV Canal.

National Environmental Policy Act Compliance

The purpose of this document is to meet Reclamation's obligations pursuant to the National Environmental Policy Act (NEPA) of 1969 (42 United States Code [U.S.C.] 4321 et seq.), Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA(40 Code of Federal Regulations [CFR] Parts 1500-1508), and the Departmental Manual (DM) 516 DM 1-7.

Environmental Consequences

Jones and Stokes prepared a Preliminary Review and Initial Study report for this project in December 2007 discussing potential environmental impacts and mitigation measures for CEQA. Minor scoping changes have occurred since the completion of this document, and are discussed in this section. The analysis contained in the December 2007 Preliminary Review and Initial Study is incorporated by reference into this EA.

This EA does not analyze resources for which it would be reasonable to assume that impacts do not occur beyond those already analyzed in the Preliminary Review and Initial Study. Specifically, potential effects to land use, recreation, air quality, soils, visual resources, transportation, noise, hazards and hazardous materials public services, non-water utilities and service systems, and socio-economics are not analyzed in this document because they were considered in the Preliminary Review and Initial Study completed for CEQA for the Mt. Vernon Siphon Project, and were not found to be significant.

Resources Not Analyzed in Detail

Based on review of the Proposed Action, the following resources were determined to have no impacts as a result of the Proposed Action and are not analyzed in this EA. These resources category are:

Cultural Resources- Reclamation consulted with California State Historic Preservation Officer (SHPO) regarding this undertaking, Reclamations' determination that the Combie Ophir IV Canal segment and rock wall (CA-PLA-1405-H) are not historic properties, and a

finding of no historic properties affected pursuant to 36 CFR Part 800.4(d)(1) on October 26, 2009. SHPO concurred with Reclamations' determination and findings on November 10, 2009. Reclamation consulted with SHPO again on May 14, 2010 regarding the additional 1,450-foot-long pipeline, which does not change Reclamation's finding of no historic properties affected. SHPO concurred with this determination on June 7, 2010.

Indian Trust Assets (ITAs) - No ITAs exist within or near the project site so no impacts to ITAs would occur.

Environmental Justice – Minority or low income populations would not be differentially affected within the project area and therefore no environmental justice impacts would occur.

This section described the potential environmental consequences (i.e. potential impacts) for the Proposed Action and the No Action Alternative. The resources and issues described in this document include:

- Hydrology, Water Quality and Groundwater
- Water Supply
- Biological Resources
- Climate Change

Hydrology, Water Quality and Groundwater

Current Conditions: Local water bodies in the proposed project area include the Auburn Ravine, Dry Creek, the North Ravine and the American River. In addition to the Combie Ophir Canal, the Dudley and South Canals are generally in close proximity to the proposed project area. Groundwater is the primary source of potable water in the project and surrounding areas, and is obtained from private wells (Jones & Stokes, 2008).

Proposed Action: According to the Preliminary Review and Initial Study completed for CEQA for the Mt. Vernon Siphon Project, ICF Jones & Stokes "the proposed project has the potential to impact water quality. Construction equipment and activities would have the potential to leak hazardous materials, such as oil and gasoline, and potentially affect surface or groundwater quality. Improper use or accidental spills of fuels, oils and other construction-related hazardous materials, such as pipe sealant, solvents, and paints, could also pose a threat to the water quality of local bodies. These potential leaks or spills, if not contained, would be considered a potentially significant impact on groundwater and surface water quality. Construction-related earth disturbing activities have the potential to increase sedimentation and erosion during storm events." As part of the Proposed Action, the contractor will obtain a National Pollutant Discharge Elimination System (NPDES) general construction permit to limit non-point source runoff from the construction site and will comply with all the requirements under the NPDES permit. The contractor will also complete a Storm Water Pollution Prevention Plan (SWPPP) to avoid adverse erosion and sedimentation-related environmental impacts that may result from construction activities

related to the Proposed Action. The acquisition and compliance with all NPDES requirements to prevent the release fuels, oils and other construction related hazardous materials, and the acquisition and compliance with all the SWPPP requirements to prevent adverse erosion and sedimentation-related impacts, reduce these impacts to less than significant.

As a result of the Proposed Action, 5,680 feet of the Combie Ophir IV canal will be dewatered. According to the Preliminary Review and Initial Study completed for CEQA for the Mt. Vernon Siphon Project, ICF Jones & Stokes "unlined portions of the Combie Ophir IV canal may seep irrigation water into local groundwater aquifers. When the water level is reduced in the canal, seepage may also decrease and may, in turn, affect groundwater recharge. If the recharge is affected (i.e., decreased) to a degree such that it affects the productivity of any local well user's well (in close proximity to the canal), this would be considered a potentially significant impact. Since precise impacts cannot be known pre-project, it would be more feasible to determine any such impacts once the segment of the canal is converted to a pipeline." As part of the Proposed Action, the canal will be progressively dewatered over a three year period, and local wells will be monitored for significant decreases in well productivity. If a significant decline in well production is noted and the decline is attributed to the dewatering of the canal, NID will mitigate for reduced groundwater infiltration. The monitoring and, if appropriate, mitigation for reduced groundwater infiltration reduce the impact of dewatering the Combie Ophir IV to less than significant.

According to a Wetland and Tributary Delineation Report prepared by EcoSythesis Scientific & Regulatory Services, Inc., the proposed construction of the Mt. Vernon Siphon Project will result in the disruption of 0.040 acres of riparian scrub wetland, 0.014 acres of freshwater emergent wetland, and 0.017 acres of seasonal tributary. A total of 0.056 acres of fill is proposed, which includes up to 165 lineal feet of ephemeral/intermittent tributaries. Some of this proposed fill is associated with active construction activities and is temporary, and will be removed when construction is completed. Although the Proposed Action will result in the loss of 0.032 acre riparian scrub wetland and 0.007 acre of freshwater emergent wetland, and 0.056 acre of a seasonal tributary, the total area of the fill is less than 0.10 acre, and all appropriate permits from regulating agencies will be obtained before construction begins including the appropriate Section 404 permit from the United States Army Corp of Engineers (USACE). Compensatory mitigation will be provided through the payment of in-lieu fees to the National Fish and Wildlife Foundation. By fulfilling the terms of the 404 permit and providing the planned compensatory mitigation, the impacts to water quality and hydrology are reduced to a less than significant level.

No Action: Under the No Action Alternative, no wetlands would be filled and the canal will continue to convey water. Under the No Action Alternative supplemental groundwater may continue to supplement aquifers as a result of soil infiltration from the canal. The No Action Alternative would therefore have no impact on hydrology and groundwater.

Without the construction of the Mt. Vernon Siphon, this portion the Combie Ophir IV Canal would need ongoing maintenance and would suffer from intermittent spills due to

canal wall failures. The ongoing maintenance and intermittent spills could result in adverse sedimentation and erosion. Although the load of these contaminants is currently low and the impact is limited, maintenance and canal wall failures are expected to increase with time as the canal continues to deteriorate.

Cumulative Effects: The Proposed Action does not result in cumulative effects to water quality, hydrology or groundwater. There are no cumulative effects to water quality, hydrology or groundwater because any potential impacts to water quality, hydrology or groundwater will be mitigated.

Conclusions: The Proposed Action results in no significant impacts to hydrology, water quality or groundwater because any adverse potential impacts to water quality, hydrology or groundwater will be mitigated. Prevention of potential future canal failures which may result in erosion would beneficial impact to water quality.

Water Supply

Current Conditions: The Combie-Ophir IV Canal is the main artery for the water system supplying the town of Auburn, California and delivers raw water to several different canal systems in the southern portion of the Nevada Irrigation District's service area. NID serves 23,000 water users and the current total system water demand is approximately 152,000 acre-feet annually (Bureau of Reclamation, 2007).

Proposed Action: Under the Proposed Action, Reclamation proposes to award a Challenge Grant to NID for the construction of the Mt. Vernon Siphon. The Challenge Grant program funds projects that will increase flexibility, reliability and conservation of existing water resources. Implementation of the Proposed Action may have a minor but less than significant affect to water supply. Implementation of the Proposed Action will result in a more efficient and better maintained water delivery system for NID.

No Action: By 2027 total system demand are expected to approach the average annual watershed runoff volume and will result in a greater reliance on management carry-over storage, conservation, and purchased water, particularly in dry years or periods of prolonged drought.

Cumulative Effects: The Proposed Action is congruent with goals to increase water efficiency and reduce water demand outlined in the current Placer County General Plan. Reclamation's Challenge Grant program funds projects that will increase flexibility, reliability and conservation of existing water resources. The cumulative effects to water supply these actions is a positive benefit to water supplies.

Conclusions: Implementation of the Proposed Action may have a minor but less than significant affect to water supply. Implementation of the Proposed Action, when added to other past, present and reasonably foreseeable future actions, will result in a more efficient and better maintained water delivery system for NID, and result in a positive benefit to water supplies.

Biological Resources

Current Conditions: As part of the Preliminary Review and Initial Study completed for CEQA for the Mt. Vernon Siphon Project, ICF Jones & Stokes reviewed existing information and conducted appropriate field surveys to identify any potential impacts to biological resources within the construction area of the Mt. Vernon Siphon. Selected passages summarizing their results are quoted below. Copies of the completed species surveys are available in appendixes of the ICF Jones & Stokes Preliminary Review and Initial Study (Appendix A of this document).

The proposed project is located in Placer County in the Sierra Nevada foothill region (elevations of 1160 to 1300 feet above mean sea level) approximately 2 miles northwest of the City of Auburn. The proposed pipeline alignment extends south of Atwood Road south to Mount Vernon Road where it crosses to the west. This project site is located on rolling hills, with only a slight slope towards the north end of the alignment. Rural residential and agricultural areas, including a tree farm and cattle grazing, surround the proposed alignment.

Nonnative annual grassland habitat is dominant along the proposed alignment, also forming the understory of the mixed oak woodland habitat. Species common to the mixed oak woodland habitat include interior live oak (Quercus wislizenii), blue oak (Quercus douglasii), valley oak (Quercus lobata), black oak (Quercus kelloggii), and foothill pine (Pinus sabiniana) in the canopy, California buckeye (Aesculus californica), and poison oak (Toxicodendron diversilobum) in the understory with the nonnative annual grassland forming the herbaceous layer. The nonnative annual grass habitat is dominated by soft-chess brome (Bromus horeaceus) and ripgut brome (Bromus diandrus).

Special-Status Plants: *A review of existing information and California Natural Diversity Database (CNDDB) records from a 10-mile radius around the project site resulted in the identification of five special-status plants—big-scale balsamroot (Balsamorhiza macrolepis var. macrolepis), Brandegee's clarkia (Clarkia biloba ssp. brandegeae), Butte County fritillary (Fritillaria eastwoodiae), dubious pea (Lathyrus sulphureus var. argillaceus), and oval-leaved viburnum (Viburnum ellipticum)—that have the potential to occur on the project area (Table 7). Other special-status plant species that have been identified to be within 10 miles of the project sites have specific microhabitat requirements that are not present on the sites (e.g., vernal pools, serpentine or basalt outcrops).*

With the exception of the Butte County fritillary and dubious pea, the biological field survey was conducted while the other special-status plant species would be apparent and identifiable. No special-status plants were observed in the project area. The habitat is likely too disturbed by grazing, cultivation of evergreen trees, and NID/property owner maintenance activities to support these five special-status plant species.

Subsequently, ICF Jones & Stokes botanists returned to the project site to undertake a

focused native plant survey. The survey was conducted during the blooming period in order to determine whether any such plants might exist on the site. No plants were observed during the survey. The survey report is found in Appendix C of this IS/MND.

Special-Status Wildlife: *Based on a review of existing information, including a search of the CNDDB (2007), species lists obtained from the USFWS (2007), and species distribution and habitat requirement data, eight special-status wildlife species were identified as having potential to occur in the project area. These species include California red-legged frog (Rana aurora draytonii), foothill yellow-legged frog (Rana boylii), western pond turtle (Clemmys marmorata), Cooper's hawk (Accipiter cooperi), sharp-shinned hawk (Accipiter striatus), tricolored blackbird (Agelaius tricolor), white-tailed kite (Elanus leucurus), and Townsend's big-eared bat (Corynorhinus townsendii).*

Following the field evaluation, it was determined that three of these species—foothill yellowlegged frog, tricolored blackbird, and Townsend's big-eared bat—have low potential to occur in the project area based on the absence of suitable breeding habitat.

The remaining five species California red-legged frog, western pond turtle, Cooper's hawk, sharp-shinned hawk, and white-tailed kite were determined after the field evaluation to have moderate to high potential to occur in the project area based on existing information and the presence of suitable habitat conditions.

There are no known occurrences of any of these species in the project area and no raptor nests were detected during the pedestrian survey. However, a white-tailed kite was seen perched in a tree near the project area.

In addition to the Preliminary Review and Initial Study which addressed the potential impacts of the Mt. Vernon Siphon Project, ICF Jones & Stokes completed a supplemental document specifically addressing the impacts of dewatering of the canal, as well as grading the downstream portion after constructing the final section of pipe. Selected passages summarizing the results are quoted below. The entire text from this Additional Environmental Analysis (Additional Environmental Analysis – Mount Vernon Siphon, Nevada Irrigation District) is in Appendix B of this document.

Seepage: *The predominant impacts to the canal would likely include dewatering of the surrounding subsurface. The subsurface in the near vicinity of the canal is likely saturated or wetted to some extent, and is evident by the vegetation that exists downslope of the canal. Although this vegetation is fed by natural rainfall, it likely receives seepage from the canal during the dry season. The upland area adjacent to the Combie Ophir Canal consists of nonnative annual grasslands and mixed oak woodlands. Vegetation adjacent to the canal includes native trees, such as oaks (primarily) and pines, Himalayan blackberry, ivy, and annual grasses. None of these species are likely to be adversely affected by dewatering of the canal.*

Species Effects*: Although the canal (other than the portion described above) and surrounding area were not specifically surveyed for special-status plant species by the ICF*

International botanist in 2008, in the opinion of the ICF International botanist, the area adjacent to the canal has low potential to support any special-status plants. While the canal itself does not provide any special-status plant habitat and dewatering of the canal would not directly affect any special-status plants, activities related to filling of the canal would disturb the area adjacent to the canal, which could support special-status plants. However, as described in the Initial Study for the pipeline alignment area, the area surrounding the Combie Ophir IV canal is too disturbed by previous and on-going activities, such as grazing, tree cultivation, and canal maintenance, to support special-status plant species. In addition, the only listed special-status plant species with the potential to occur in the area around the canal require specific microhabitats that are not present (serpentine or basalt outcrops). As noted in the Initial Study prepared for this project, there are no vernal pools that would be affected by the project. No preconstruction surveys of the area that would be affected along the existing canal and all potential staging areas are recommended, due to the lack of impacts on listed plant species and the low probability of impacts on non-listed special-status plant species.

Because water flows between 0.5 to 1 foot per second down the canal (corresponding to 10 to 21 cfs), aquatic animals and insects are not present due to the lack of standing or slow moving water. This has been observed by NID staff as well as the ICF International biologists during the field reconnaissance. Therefore, no impacts related to aquatic animals or insects are anticipated as a result of dewatering and potential fill. Animals that may drink water from the canal would find water in the near vicinity in private ponds, lakes, and small intermittent streams and reaches of the canal upstream and downstream of the project.

Proposed Action: Although possible habitat was noted for special-status plant and wildlife species within the project area, no special-status species occurrences were detected during site visits on July 3 and August 21, 2007. Red legged frog *(Rana aurora)* (RLF) surveys were performed in conformance with FWS protocols and all applicable field data can be obtained in Appendix A of the Results of a Site Assessment for the California Red-Legged Frog for the Nevada Irrigation District's Proposed Mt. Vernon Siphon Project, Placer County (Jones & Stokes, 2007). The canal was determined by Jones & Stokes to not contain suitable breeding or nonbreeding habitat for RLF. Areas recognized as providing suitable habitat for RLF within the project area will not be used as staging areas for construction, and will not be permanently impacted by the proposed action. A letter from the FWS to Jones & Stokes on September 18, 2008 reviewed the August 21, 2007 RLF survey results, and concurred with Jones & Stokes conclusion that the Mt. Vernon Siphon Project is not likely to result in take of this listed species. A copy of this correspondence is available in Appendix E of this document. Given the lack of presence during the July 3 and August 21, 2007 surveys and the minimal/temporary impact on suitable area within the project area, the proposed action will have no effect to listed or proposed species or designated or proposed critical habitat protected under the Endangered Species Act (ESA).

The dewatered section of the canal does not have micro-habitats to support special-status species. No vernal pools were observed in the project area. One raptor was observed perched in a tree nearby the proposed project area and no migratory bird nests were

detected in the project area. Therefore the proposed action will have less than significant impact on special status species or migratory birds.

No Action: Under the no action the canal would continue to be operated and maintained. It would be expected that the level of disturbance would continue and the current biological resources found on the project site would remain intact. Implementation of the No Action Alternative would have a less than significant impact to special status species or other biological resources. .

Cumulative Effects: The Proposed Action does not result in cumulative effects to listed species or critical habitat. There are no cumulative effects to listed species or critical habitat because any potential impacts to listed species or critical habitat will be mitigated.

Conclusions: Implementation of the Proposed Action would result in a less than significant impact to special status-species and critical habitat protected under the ESA.

Climate Change

Current Conditions: The Combie-Ophir IV Canal is a gravity-fed raw water canal with no emissions of greenhouse gases (GHGs) associated with its operation.

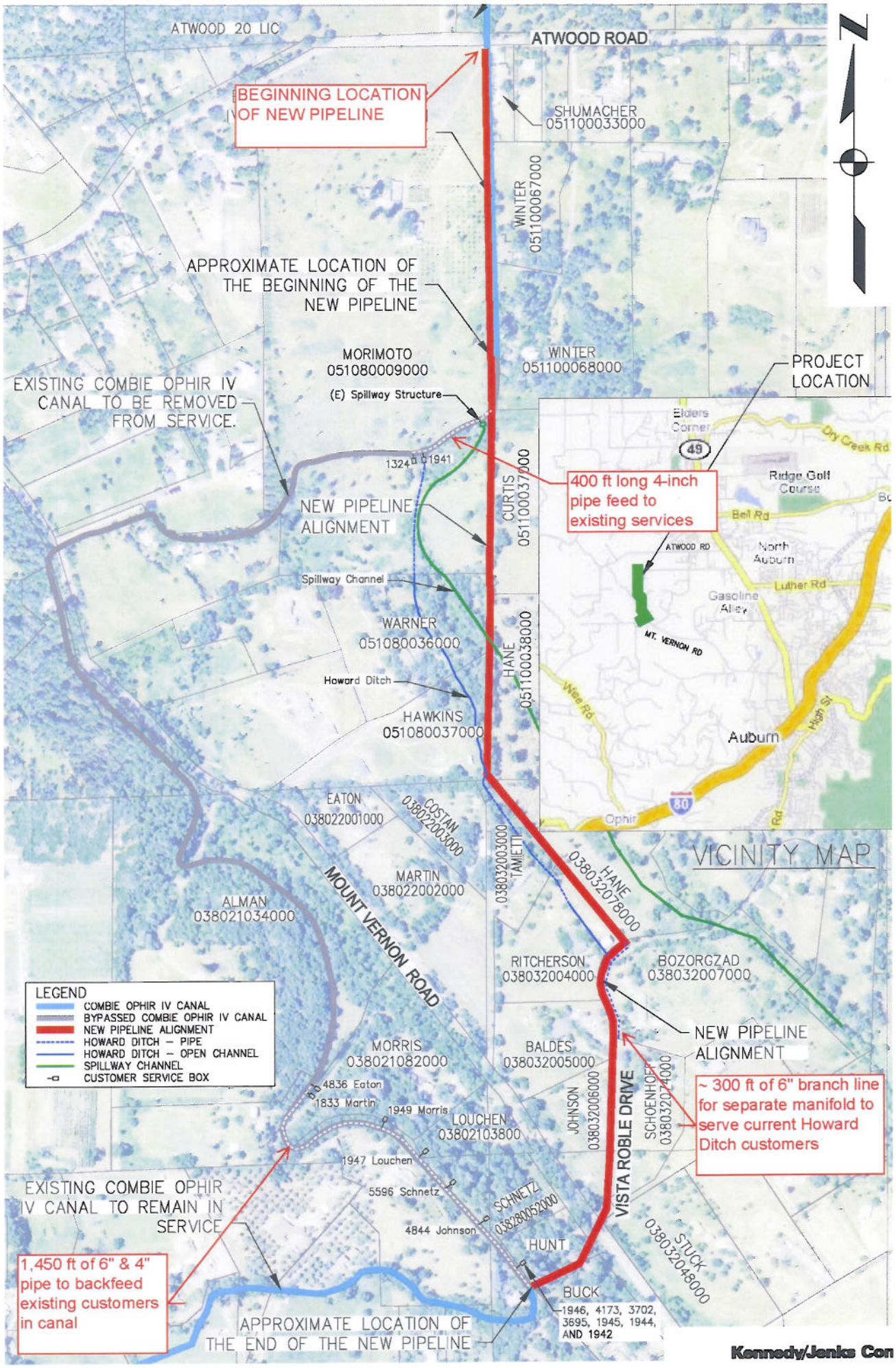
Proposed Action: The Proposed Action will not result in any additional emissions associated with operation as the Mt. Vernon Siphon will be gravity-fed. There are temporary and short-term construction activities associated with the Proposed Action, but do not approach the time scale necessary to negatively impact climate change.

No Action: If the Mt. Vernon Siphon is not built, maintenance and repair of the canal will continue to be needed, resulting in use of emission-generating equipment. As the canal ages, maintenance needs may increase, thereby increasing the production of GHGs.

Cumulative Effects: The Proposed Action does not result in cumulative effects to climate change. The Proposed Action has been included in the Placer County's General Plan, and would not induce population or employment growth (Jones & Stokes, 2008).

Conclusions: Implementation of the Proposed Action may have a minor but less than significant affect to climate change.

Figure 1: Project Map



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