

RECLAMATION

Managing Water in the West

Finding of No Significant Impact

Miami Water Exchange

**Proposed Water Exchange between Freeport-McMoRan Miami Inc.
and Salt River Project**



**U.S. Department of the Interior
Bureau of Reclamation
Phoenix Area Office**

September 2016

**United States Department of the Interior
Bureau of Reclamation
Lower Colorado Region
Phoenix Area Office**

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MIAMI WATER EXCHANGE**

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Approved: _____

Leslie A. Meyers
Area Manager
Phoenix Area Office
Bureau of Reclamation

Date: _____

FONSI No.: 16-05

INTRODUCTION

The U.S. Department of the Interior, Bureau of Reclamation (Reclamation) has issued a final Environmental Assessment (EA) to disclose the potential environmental impacts that may result from a water exchange between Freeport-McMoRan Miami Inc. (Miami) and Salt River Project Agricultural Improvement District and The Salt River Valley Users' Association (SRP). The final EA for the proposed project was issued in September 2016 and is incorporated by reference in this Finding of No Significant Impact (FONSI). The EA and the FONSI have been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969 (Public Law [P.L.] 91-190), the Council on Environmental Quality regulations implementing NEPA (40 CFR 1500-1508), and the Department of the Interior NEPA regulations (43 CFR 46).

The project will facilitate the delivery of SRP surface water to Miami in exchange for delivery of an equivalent amount of Central Arizona Project (CAP) surface water to SRP. Reclamation is providing final environmental clearance for the diversion of SRP's surface water from Lower Pinal Creek and for the water infrastructure through which the water would be conveyed, stored, or treated by Miami. The points of diversion and related water infrastructure at the Miami Mine Complex already exist and are currently being used. Hence, the proposed project will not result in new construction, infrastructure, or ground disturbing activities, and no physical changes to water delivery, conveyance, storage, or treatment infrastructure will be necessary. The project will not change the amount of water diverted from Lower Pinal Creek for use at the Miami Mine Complex.

BACKGROUND

The Arizona Department of Water Resources (ADWR) issued Water Exchange Permit (Specific Use) No. 68-208833 (Water Exchange Permit; Appendix C) jointly to Miami and SRP to conduct the exchange (2006). "Specific Use" indicates that the permit is specific to the proposed exchange, allowing the parties to trade specific sources of water in specific quantities for use in specific locations. Pursuant to ARS § 45-1041, the application process required that Miami and SRP demonstrate to ADWR compliance with the following:

1. The water exchange will be made pursuant to a written contract.
2. The water exchange will not affect vested rights to water.
3. Each party to the water exchange contract has a right to the water the party will give in the water exchange.

ALTERNATIVES CONSIDERED

In addition to the proposed exchange, the EA also evaluated the "no action alternative." Under the no action alternative, Miami would continue to divert surface water from Lower Pinal Creek using the same infrastructure, relying instead on Miami's available surface water rights.

PUBLIC COMMENT AND INVOLVEMENT

Reclamation distributed a Notice of Availability and posted the draft EA on the Phoenix Area Office website for public and agency review in August 2016 and accepted comments until September 8, 2016. A newspaper notice was also issued to notify the public of the opportunity to review and comment on the draft EA. There was one written comment from the Arizona

Department of Environmental Quality encouraging Reclamation to finalize the EA with a FONSI. Two phone calls were received. The Bureau of Land Management, Phoenix Office indicated that they had no concerns about the project; the Arizona Department of Game and Fish inquired about the source of the water proposed for exchange. Reclamation responded that the water proposed for exchange was already being withdrawn and used, and that the project would not result in additional water demands.

FINDING OF NO SIGNIFICANT IMPACT MAJOR CONSIDERATIONS

The following issues have been taken into consideration in Reclamation's deliberation whether a Finding of No Significant Impact is appropriate, or an environmental impact statement should be prepared.

1. The EA demonstrates that there will be no significant adverse impacts on the quality of the human environment including water, air, land use, soil, and cultural and biological resources.
2. Land use will not be affected, there is no change expected in the use of the infrastructure site and conveyance system.
3. There will be no ground disturbance nor construction, therefore, Reclamation has determined that there is no potential to cause effects to cultural resources.
4. The Proposed Action will not affect Indian Trust Assets.
5. There will be no impacts to unique ecological areas or rare characteristics of the landscape.
6. There are no expected long-term or permanent adverse impacts to any threatened or endangered species as a result of the Proposed Action.
7. The Proposed Action is not related to other actions, and when viewed cumulatively with regard to past, present, or foreseeable future actions, impacts are not significant.
8. There are no low income or minority populations that will be affected by this action. There are no environmental health and safety risks and no children will be disproportionately affected a result of the Proposed Action. The socio-economic impacts were reviewed in accordance with Executive Orders 12898 and 13045, 40 CFR 1508.8, and 46 CFR 46.230.
9. The Proposed Action is not highly controversial and does not involve unresolved conflicts concerning alternative uses of available resources. The action will not have highly uncertain environmental impacts and does not include unknown risks to human health and the natural environment.
10. The Proposed Action does not establish a precedent for future action and it does not represent a decision in principle about future actions.

DOCUMENTS REFERENCED

Bureau of Reclamation. 2016. *Final Environmental Assessment for a Proposed Water Exchange between Freeport-McMoRan Miami Inc. and Salt River Project*. Phoenix Area Office, Phoenix, AZ.