

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

**DRAFT**

**FINDING OF NO SIGNIFICANT IMPACT**

**Groundwater Savings Facility Storage Agreement**

**Freeport-McMoRan Corporation  
And  
Roosevelt Water Conservation District  
Maricopa County, Arizona**

Approved: \_\_\_\_\_

Randy N. Chandler  
Area Manager  
Phoenix Area Office  
Bureau of Reclamation

Date: \_\_\_\_\_

FONSI No.: \_\_\_\_\_

## **INTRODUCTION**

In accordance with the National Environmental Policy Act (NEPA) of 1969, Council on Environmental Quality regulations implementing NEPA (40 CFR 1500-1508), and Department of the Interior NEPA regulations (43 CFR 46), the Bureau of Reclamation, as the lead Federal agency, has issued the attached Environmental Assessment (Reclamation 2013) to disclose the potential environmental impacts that will result from approval of a Groundwater Savings Facility (GSF) storage agreement (Storage Agreement) between Freeport-McMoRan Corporation and the Roosevelt Water Conservation District (RWCD). The Storage Agreement was executed by Freeport-McMoRan Corporation and RWCD on August 21, 2013, for a term of approximately 10 years. Beginning January 1, 2023, the Storage Agreement would be automatically renewed for an additional period of 10 years, unless either party provides written notice to terminate or renegotiate the terms of the Storage Agreement.

The purpose of the Storage Agreement is to permit Freeport-McMoRan Corporation to store CAP water it leases from the Gila River Indian Community (Community) in the RWCD GSF. All such CAP water ordered by Freeport-McMoRan for delivery to the RWCD GSF will earn long-term storage credits pursuant to Arizona Revised Statute § 45-852.01. Approval by Reclamation, on behalf of the Secretary of the Interior, is needed before CAP water can be delivered to the RWCD GSF in accordance with the Storage Agreement. Reclamation considers the Storage Agreement to be an exchange agreement. Reclamation's approval is needed pursuant to Section 6.8 of the CAP Lease between Freeport-McMoRan and the Community and Section 5.3.12 of the Community's CAP Contract, which necessitates Secretarial approval of all lease and exchange agreements of the Community's CAP Water.

## **PUBLIC INVOLVEMENT**

The Environmental Assessment and draft Finding of No Significant Impact (FONSI) were posted on Reclamation's web site at [www.usbr.gov/lc/phoenix](http://www.usbr.gov/lc/phoenix) for a 14-day public comment period. Paper copies of the Environmental Assessment and draft FONSI were distributed to the Arizona Department of Water Resources, Arizona Game and Fish Department, Central Arizona Water Conservation District, Roosevelt Water Conservation District, Freeport-McMoRan Corporation, Gila River Indian Community, and U.S. Fish and Wildlife Service.

## **FINDING OF NO SIGNIFICANT IMPACT**

Based upon consideration of the effects presented in the attached Environmental Assessment, the Area Manager of Reclamation's Phoenix Area Office has determined that the proposed action is not a major Federal action that would significantly impact the quality of the human environment. Therefore, preparation of an environmental impact statement is not warranted.

Following are the reasons why the impacts of the proposed action are not significant:

1. Land use, air quality, and soils will not be affected.

2. There will be no impact to historic properties, traditional cultural properties or sacred sites.
3. The proposed action will not affect Indian trust assets
4. There will be no impact to unique ecological areas or other rare or unique characteristics of the landscape.
5. Biological resources, including sensitive species, will not be affected.
6. The proposed action is not related to other actions which are individually insignificant, but when considered collectively will result in cumulatively significant effects.
7. Low income or minority populations (EO 12898) will not be affected.
8. The proposed action will not have highly controversial environmental impacts or involve unresolved conflicts concerning alternative uses of available resources. In addition, the action will not have highly uncertain environmental impacts or involve unique or unknown environmental risks.
9. The proposed action would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant effects.
10. The proposed action will not result cumulatively significant effects.

Documents cited above:

Bureau of Reclamation. 2013. Environmental assessment for groundwater savings facility storage agreement. Freeport-McMoRan Corporation and Roosevelt Water Conservation District. Phoenix Area Office, Phoenix, AZ