BUREAU OF RECLAMATION

Finding of No Significant Impact (FONSI) LC-25-10

Salton Sea Management Program Phase I: 10-Year Plan

Based on a thorough review of the analysis of the potential environmental impacts presented in the Final Environmental Assessment (EA), the Bureau of Reclamation (Reclamation) finds that implementation of the Proposed Project will not significantly affect the quality of the human environment within or adjacent to the project area, therefore an Environmental Impact Statement (EIS) will not be prepared.

Accordingly, this FONSI is submitted to document environmental review and evaluation of the Proposed Project Alternative in compliance with the National Environmental Policy Act (NEPA) of 1969, as amended.

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Chief, Resource Management Office

Interior Region 8: Lower Colorado Basin
Boulder City, Nevada **December 2024**

BACKGROUND

Overview

Reclamation cooperated on the preparation of an EA prepared by the U.S. Army Corps of Engineers (Corps) pursuant to NEPA that analyzes and discloses the effects of the implementation of the Salton Sea Management Program's (SSMP's) Phase 1: 10-Year Plan (SSMP 10-Year Plan) being proposed by California Natural Resource Agency (CNRA), California Department of Water Resources (DWR), and the California Department of Fish and Wildlife (CDFW), collectively known as the SSMP team. The SSMP team is also working with partners such as Riverside and Imperial Counties, Salton Sea Authority, and non-governmental organizations such as Audubon (SSMP Partners) to design, construct and implement SSMP projects. The SSMP team is seeking Department of the Army (DA) authorization from the Corps, Los Angeles District, pursuant to Section 404 of the Clean Water Act (CWA; 33 United States Code [USC] §1344). The SSMP 10-Year Plan proposes to implement a total of 29,800 acres of aquatic habitat restoration and dust suppression projects around the perimeter of the Salton Sea (Sea). At least 50 percent of the project acreage will be created as habitat for fish and wildlife that depend on the Salton Sea ecosystem, and the remainder will be projects to suppress dust.

Reclamation is a federal Cooperating Agency for preparation of the EA because of anticipated use authorizations that may be issued by Reclamation for habitat restoration and dust suppression projects on lands under its jurisdiction and for funding assistance.

Project Purpose and Need

The Corps determined that the purpose of the Proposed Project (the SSMP Phase 1: 10-Year Plan) pursuant to NEPA is to implement a minimum of 29,800 acres of habitat restoration and dust suppression projects on lakebed areas that have been, or will be, exposed at the Salton Sea by 2028. The need for the Proposed Project is to provide habitat for species that depend on the Sea ecosystem and to reduce dust emissions from the increased extent of exposed lakebed that may impact public health.

ALTERNATIVES CONSIDERED

The EA analyzed eight alternatives:

- Proposed Project – SSMP 10-Year Plan
- Alternative 1 – Maximum Lake Edge
- Alternative 2 – Aquatic Habitats and Enhance and Expand Existing Wetlands
- Alternative 3 – North End/South End Aquatic Habitat
- Alternative 4 – Water Conservation
- Alternative 5 – Maximum Build Out
- Alternative 6 – No Federal Action
- Alternative 7 – No Action

The Proposed Project, the SSMP 10-Year Plan, is the selected alternative.

The Proposed Project

The Proposed Project would be implemented at various locations, including on Reclamation lands, within the exposed lakebed areas around the perimeter of the Salton Sea in Riverside and Imperial counties and includes creation and enhancement of aquatic habitat ponds and wetlands, and dust suppression projects which may include planting and enhancement of native vegetation. The number, types, and locations of aquatic habitat and dust suppression projects would be based on location and availability of a water supply, suitable soils, landscape/habitat compatibility, and the amount of emissions from the exposed lakebed. Associated project infrastructure, such as access areas, staging areas, and/or visitor facilities could be located outside the exposed lakebed areas. The projected elevation levels for Salton Sea were modeled with best available information, but the actual exposed lakebed could change with future dry and wet years as well as Colorado River agreements that change the amount of inflow to the Salton Sea.

Between 10,790 and 19,062 acres of aquatic habitat restoration projects are analyzed for coverage as part of the Proposed Project. Aquatic habitat restoration activities would include the construction of aquatic habitat ponds and wetlands. The 10,790 acres represent the minimum planned habitat acreage of 14,900 acres minus the already approved 4,110-acre Species Conservation Habitat (SCH) Project currently under development. The high end of the range, 19,062 acres, represents the total amount of aquatic habitat that could be created. Up to 14,900 acres of dust suppression and vegetation enhancement projects may be built. This acreage maximum represents half of the minimum total project area. Most dust suppression projects are water dependent to support initial growth of native vegetation and would also need some water supplies. The dust suppression projects would use surface water sources where these are available; areas with extremely limited surface water sources in proximity would involve the development of groundwater wells as a water supply. Waterless dust suppression techniques would also be used as a proactive measure to limit potential emissions from exposed lakebed areas.

No Action Alternative

Under the No Action Alternative, the Corps would not issue a permit for the SSMP 10-Year Plan Project, and no components of the Proposed Project would be constructed, except for the SCH Project which is under construction. Other activities are expected to occur that would affect the Salton Sea ecosystem. The No Action Alternative is intended to reflect existing conditions (those present at the time the Notice of Preparation was issued) plus changes that are reasonably expected to occur in the foreseeable future if none of the alternatives are implemented, based on current plans and consistent with available infrastructure and community services.

With respect to Reclamation, No Action would mean that Reclamation would not fund any components of the Proposed Project, nor would it issue authorizations for projects on lands under its jurisdiction, regardless of whether the SSMP was implemented elsewhere. Should Reclamation consider supporting restoration projects at the Salton Sea in the future, such actions would be subject to NEPA on a case-by-case basis.

CONSULTATION AND COORDINATION

The following parties were consulted during the development of the EA.

U.S. Fish and Wildlife Service

The Corps is the lead federal agency for complying with Section 7 of the federal Endangered Species Act (ESA). Efforts to clarify the project description, conservation measures, and effects to listed species included bi-weekly meetings and electronic mail correspondence. The Biological Assessment (BA) was submitted, and formal consultation requested by the Corps, with formal consultation starting on August 31, 2022. A draft of the Biological Opinion (BO) was sent to the Corps, Cooperating Agencies, and the SSMP team in December 2022. Draft comments were provided to the USFWS in February 2023, and the Final Programmatic BO was issued on February 23, 2023. The final BO covers Reclamation's proposed action of granting land access agreements for implementation of SSMP projects on Reclamation land and providing funding assistance.

In addition to USFWS regulatory staff, Sonny Bono Salton Sea National Wildlife Refuge (Refuge) staff attended meetings for preparation of the BA. Any project-related activities proposed within the Refuge will require coordination with the Refuge Manager and issuance of a Refuge special use permit. Because of anticipated authorizations of SSMP 10-Year Plan projects or activities within the boundaries of the Refuge that are deemed compatible with Refuge purposes, the USFWS also became a federal Cooperating Agency for preparation of the EA.

State Historic Preservation Officer

The Corps is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA). The Corps identified consulting parties (36 CFR § 800.2) who are integral within the Section 106 process, or with a demonstrated interest in the effects of the undertaking on historic properties, including the (California) State Historic Preservation Officer (SHPO), Advisory Council on Historic Preservation (ACHP), the federal Cooperating Agencies, the SSMP team, and federally recognized Native American Indian tribes, and non-federally recognized tribes.

The Corps initiated consultation with the SHPO on October 6, 2021, sending a letter that provided a brief discussion of the SSMP 10-Year Plan and requested a meeting with SHPO staff to discuss the need to phase the historic properties identification efforts. At a meeting in November 2021, the Corps and SHPO agreed that given the phased nature and complexity of the SSMP 10-Year Plan, a Programmatic Agreement (PA) would be appropriate. A subsequent letter in March 2022 documented the area of potential effect, and formally sought SHPO participation in the development of a PA. The draft PA was sent to SHPO for review and comment in November 2022, and comments were received in February 2023. A revised draft PA was sent to SHPO, the Cooperating Agencies, and interested Tribes in July 2023, with comments received from SHPO in August 2023. Consulting parties were invited to be signatories or concurring parties to the PA. Reclamation signed the PA on October 8, 2024. The Corps concluded consultation with the SHPO, ACHP, and all consulting parties by executing the Programmatic Agreement on October 22, 2024.

Tribal Trust Responsibilities

The Corps conducted government-to-government consultation with six federally recognized tribes pursuant to its Tribal Trust Responsibilities. The Corps conducted outreach via letter, email, and phone calls to a total of 25 federally recognized tribes and two non-federally recognized tribes, all of which were invited to participate in the PA process and to become a concurring party to the PA, including at any time after execution. Of these tribes, six federally recognized tribes requested consultation under Section 106 and are concurring party signatories to the PA. One of the six tribes, the Torres Martinez Desert Cahuilla Indians, is a signatory of the PA for projects on their Tribal lands and is provided the opportunity to consult on projects that could affect historic properties within their traditional land use area. Tribal government-to-government consultations were conducted concurrent with the Section 106 process. The Corps held meetings with consulting tribes with invited Cooperating Agencies in attendance.

ENVIRONMENTAL COMMITMENTS

To minimize or mitigate adverse effects as part of the Proposed Project, Reclamation would implement or incorporate the environmental commitments listed in **Chapter 5** of Appendix 1 of the Final EA, the CWA permitting requirements of the Corps, and in the PA developed with the SHPO.

ENVIRONMENTAL IMPACTS AND FINDINGS

Implementation of the Proposed Project Alternative would not result in significant unmitigable effects to any of the resources evaluated in the EA if mitigation measures described in the Final EA and identified here were implemented. There would be a range of effects on these resources, as described in **Chapter 5** of Appendix 1 to the Final EA and summarized below.

Aesthetics and Visual Resources. There would be minor effects to aesthetics and visual resources due to project construction and operation, as well as beneficial effects to the scenic quality around the Salton Sea. No mitigation measures would be required.

Air Resources. There would be temporary and localized fugitive dust, greenhouse gas emissions, and other air pollutants during construction of project features, but overall, the project would reduce the amount of emissive exposed lakebed and the total emissions of particulate matter in the project area. Standard mitigation measures for construction equipment and fugitive dust emissions would minimize these effects (**Mitigation Measure [MM] AQ-1** and **MM AQ-2**). There would be no significant effects from project implementation.

Aquatic Resources. In the short-term, project construction would result in temporary disturbance of Federal Waters of the United States and removal of wetlands, but in the long-run the project would result in a net increase in the amount of Federal Waters of the United States. Mitigation includes preparing and implementing a Habitat Protection, Mitigation, and Restoration Plan that would be completed prior to commencement of construction of each project under the SSMP 10-Year Plan (**MM BIO-1**). If measures in this plan are implemented, there would be no significant effects.

Biological Resources. The following effects and mitigation measures are described and analyzed in the EA. All effects would be mitigated so that there would be no significant effects resulting from project implementation.

- Project construction and operation could cause a temporary disturbance or permanent loss of riparian habitat and/or sensitive habitat in limited areas to support project infrastructure or other elements. These effects would be mitigated by the preparation and implementation of a Habitat Protection, Mitigation, and Restoration Plan (**MM BIO-1**).
- Use of drain water to expand and develop herbaceous wetlands could result in adverse effects to wildlife due to bioaccumulation of water quality constituents of concern. These effects would be mitigated by the preparation and implementation of a Water Quality Assessment Plan for Projects Using Drain Water (**MM BIO-2**).
- Project construction could result in the removal or destruction of special-status plant species occurrences. These effects would be mitigated by conducting special-status plant species surveys prior to construction and through the preparation and implementation of an Avoidance and Mitigation Plan (**MM BIO-3**).
- Project construction and operation/maintenance and monitoring could affect habitat and individuals of desert pupfish and several special-status wildlife species. These effects would be mitigated by preparation and implementation of the following plans: Habitat Protection, Mitigation, and Restoration Plan (**MM BIO-1**); Desert Pupfish Protection and Relocation Plan (**MM BIO-4**); Program-Level Nesting Bird Management Plan (**MM BIO-5**); and Program-Level Special-Status Wildlife Species Management and Survey Plan (**MM BIO-6**). In addition, the following measures would be implemented: if needed, noise levels would be measured and noise attenuation techniques implemented near sensitive species (**MM BIO-7**); interception canals would be designed to minimize alteration of water levels in adjacent marshes (**MM BIO-8**); and power lines would be designed and constructed to minimize effects to local bird populations (**MM BIO-9**).
- Project operation would provide habitat for desert pupfish and several special-status bird species. This would be a beneficial effect, and no mitigation measures would be required.
- Project construction and operation/maintenance could interfere with movement of fish and wildlife species, and construction could remove snags for nesting and roosting birds. These effects would be mitigated by preparation and implementation of a Program-Level Nesting Bird Management Plan (**MM BIO-5**).
- Installation of above-ground power lines could result in bird collisions and electrocutions. This would be mitigated by designing and constructing power lines to minimize effects to local bird populations (**MM BIO-9**).
- Project construction and operation could affect nesting by some common bird species and introduction of invasive species. These effects would be mitigated by preparation and implementation of a Program-Level Nesting Bird Management Plan (**MM BIO-5**) and Program-Level Special-Status Wildlife Species Management and Survey Plan (**MM BIO-6**). In addition, the following measures would be implemented: if needed, noise measurements would be conducted and noise attenuation measures implemented near sensitive species (**MM BIO-7**), and equipment would be cleaned prior to site delivery (**MM BIO-10**).
- Project construction and operation/maintenance could have minor effects on common fish (native and non-native) and wildlife species. These effects would be mitigated by monitoring water quality in ponds to maintain suitable habitat for benthic invertebrates and fish species (**MM BIO-11**).

- Project construction and operation could benefit common fish (native and non-native) and wildlife species. This would be a beneficial effect, and no mitigation measures would be required.

Built Environment. The Proposed Project would have minor effects on water diverted from the Sea, water used for dust suppression during construction, generation of solid waste, and increased demand for emergency services. No mitigation measures would be required. The Proposed Project would have a beneficial effect by creating recreational opportunities at aquatic habitat pond and restoration sites, and no mitigation measures would be required. There would be no significant effects resulting from project implementation.

Community. In the short-term, construction air emissions could have a disproportionate effect on minority and low-income populations. This would be mitigated by implementation of the air resources mitigation measures described for air resources (**MM AQ-1** and **MM AQ-2**), and through developing and implementing a Truck Traffic Management Plan (**MM EJ-1**). The Proposed Project would result in beneficial effects to minority and low-income populations living around the Salton Sea in that the projects would result in lower dust emissions in the area. Beneficial effects would also occur due to the increased opportunities for passive recreational activity and research which could result in increased visitor days in the area. There would be no effects on the cost or supply of housing in the area. There would be no significant effects resulting from project implementation.

Cultural Resources. The Proposed Project could result in the disturbance or loss of cultural resources. This effect would be mitigated by implementation of the Programmatic Agreement (**MM CUL-1**) described above that was executed on October 22, 2024. There would be no significant effects from project implementation if the PA is implemented.

Energy. Pumping of water would be required for implementation of projects, which would be designed for the efficient use of power. This would not be a significant effect and no mitigation would be required. Construction and operation of projects proposed within the Known Geothermal Resource Area (KGRA) near the Alamo River and lands designated by the U.S. Bureau of Land Management (BLM) for renewable energy development could result in effects to this priority area. Any projects that would be constructed on BLM priority parcels for renewable energy development would have a thorough review conducted by BLM prior to approval and/or implementation (**MM EN-1**). There would be no significant effects from project implementation if this review is conducted.

Geology, Soils, Seismic and Minerals. The following effects related to geology, soils, seismicity, and minerals could occur with Proposed Project implementation: seismic events could cause berms to fail and damage water diversion/conveyance structures; project features would be located on unstable soils, potentially affecting the stability of berms; availability of a known mineral resource would be reduced; and construction of project features would destabilize emissive soils, potentially generating additional fugitive dust. Project structures and associated infrastructure (berms, roads, etc.) would be constructed to state and local standards. None of these effects would be significant and, therefore, no mitigation measures required.

Hazardous Waste and Materials. The following effects and mitigation measures are described and analyzed in the EA. All effects would be mitigated so that there would be no significant effects resulting from project implementation.

- Hazardous materials used during construction and operations could be released into the environment and construction could uncover previously unidentified unexploded ordnance (UXOs). This would be mitigated by preparing and implementing a Hazardous Materials Management Plan (**MM HAZ-1**), and by providing worker training for UXOs (**MM HAZ-2**).
- Project construction could encounter contaminated soils during soil excavation. This would be mitigated by preparation and implementation of a Site-Specific Health and Safety Plan (HASP) and conducting worker awareness training (**MM HAZ-3**), and by implementing standard dust suppression activities during ground disturbance and at the end of each workday (**MM AQ-2**).
- Project would attract birds in proximity to low-level military training routes. Because the military training routes are at an altitude of 30,000 feet, this would not conflict with birds using aquatic habitats associated with the Proposed Project. This would be a minor effect and no mitigation would be required.
- Increased traffic and construction near roadways could impair the implementation of an adopted emergency response or evacuation plan. This would be a minor effect because projects would be located in sparsely populated areas and no mitigation would be required.
- Project construction could increase the risk of wildland fire. There are no "Very-High Fire Hazard Severity Zone" or "Wildland Area that may Contain Substantial Forest Fire Risk and Hazard" designations within the study area. This would be a minor effect and no mitigation would be required.
- Project construction could release air and dust-borne disease-causing viruses. This would be mitigated by preparation and implementation of a Site-Specific HASP and conducting worker awareness training (**MM HAZ-3**), and by implementing standard dust suppression activities during ground disturbance and at the end of each workday (**MM AQ-2**).
- Project operation could increase breeding habitat for mosquito vectors. This would be mitigated by developing and implementing a Mosquito Control Plan (**MM HAZ-4**).
- For projects that use drain water as a water source, selenium and dichlorodiphenyldichloroethylene (DDE) levels in ponds could cause increased selenium and DDE levels in sport fish and waterfowl using the ponds. However, targeted monitoring will be used in these areas to ensure that contaminants do not rise to levels that would adversely affect fish and wildlife.

Indian Trust Assets. Ground-disturbing activities could result in effects on Indian Trust Assets (ITAs). These effects would be mitigated by submitting Individual Project Plans to Federal Land-Owning Agencies as needed (**MM ITA-1**).

Land (includes Agriculture). Depending on where specific features are located within the Proposed Project area, there is potential for 6.4 acres of prime farmland and 71 acres of farmland of local importance to be converted to nonagricultural use, but this would be negligible when compared to the total acres of farmland in Imperial and Riverside counties. No mitigation measures would be required. The Proposed Project would be designed to minimize conflicts with existing and future planned land uses. This would be a minor effect and no mitigation would be required.

Noise. Construction and maintenance would cause a temporary increase in noise levels near project sites. These effects would be mitigated by controlling construction noise from sensitive receptors located within approximately 200 feet of work limits (**MM NOI-1**), and by avoiding nighttime construction near sensitive receptors (**MM NOI-2**). In addition, construction truck traffic at some

locations would cause a temporary increase in noise near residents. This effect would be mitigated by developing and implementing a Truck Traffic Management Plan (**MM EJ-1**). There would be no significant effects if these measures are implemented.

Paleontological Resources. Ground-disturbing activities associated with the Proposed Project could expose and damage undiscovered paleontological resources. These effects would be mitigated by preparing and implementing a Survey Plan and a Paleontological Monitoring Plan (**MM PAL-1**) and Paleontological Resource Data Recovery Plan (**MM PAL-3**), as well as conducting worker training (**MM PAL-2**). In addition, ground-disturbing activities could result in the need for handling paleontological resources. Reclamation has specific requirements that must be followed for collection of paleontological resources. This would be mitigated by submitting an Individual Project Plan to Reclamation (or other federal land-owning agencies) for approval prior to any activities being conducted on project sites (**MM PAL-4**).

Transportation and Traffic. Implementation of projects would increase traffic in the Proposed Project vicinity during construction and operations. If projects are proposed near residential communities, this would be mitigated by developing and implementing a Truck Traffic Management Plan (**MM EJ-1**). In addition, increases in traffic could affect emergency access to project areas during construction. If any project work was required along existing roadways, typical roadway safety precautions would be taken (e.g., flaggers, signs warning motorists of roadway work), and at least one travel lane would remain open at all times, thereby ensuring that emergency vehicles could pass. This would be a minor effect and no mitigation measures would be required.

Water. The following effects and mitigation measures are described and analyzed in the EA. All effects would be mitigated so that there would be no significant effects resulting from project implementation.

- Project implementation would cause a reduction in the Salton Sea's water surface elevation to be offset by areas of higher elevation close to shoreline communities. However, this would not result in substantial elevation changes that would have an adverse effect on or preclude the beneficial uses of the Salton Sea, and no mitigation is required.
- Project implementation would beneficially affect salinity in the Salton Sea's ecosystem by providing reduced salinity areas suitable for fish habitat. No mitigation measures would be required for this beneficial effect.
- Project construction and implementation would cause changes in Salton Sea water quality but would not violate established standards. Proposed Project construction would last approximately 10 years, during which time ground-disturbing activities would have the potential to temporarily increase suspended sediment and nutrient cycling in surface waters near active construction sites. The Proposed Project would implement erosion and sediment control measures and other design criteria that would be maintained throughout operations. Established surface water quality objectives exist for surface waters in the Colorado River Basin region. Degradation of Salton Sea water quality is related to the reduction in the ability to support aquatic species and recreation. Implementation of Proposed Project facilities, including habitat rehabilitations, ponds, wetlands, and dust suppression facilities, would have long-term benefits for removal of the pollutants identified in the EA. No mitigation measures would be required for this beneficial effect.

- Project implementation could affect groundwater availability or quality. These effects would be mitigated by coordinating with Indio Subbasin GSAs regarding groundwater extraction from the Coachella Valley Basin (**MM GW-1**) and placing groundwater extraction wells a sufficient distance from existing or proposed wells, including in the vicinity of Salt Creek (**MM GW-2**). There would be no significant effects if these measures are implemented.
- Project implementation would not result in any diversion of water supply from other beneficial uses and would not affect water rights. Some of the dust suppression projects are water dependent and would be constructed where water sources are available; others are not water dependent and could be implemented anywhere on the exposed lakebed. As future water-reliant projects are developed, available water supply would determine final project areas and design, and existing water conveyance infrastructure would be extended incrementally to serve those projects. The Proposed Project would not use drinking water supplies and would only consumptively use inflow water lost to evaporation (pond and dust suppression features) and evapotranspiration (wetland features). As a result, the Proposed Project would not substantially reduce the flow in a river to the detriment of downstream water users. The Proposed Project would not divert water supply from other beneficial uses and would have no effect to existing water rights. No mitigation measures would be required.
- Project implementation would not affect floodplain resilience nor increase flood risk. Aquatic habitat restoration sites would be located in areas identified on Federal Emergency Management Agency (FEMA) flood maps as occurring within the Sea's inundation area, which would not be within a flood hazard area because it is part of the Sea. Implementation of Proposed Project features would not occur within the floodplain and thus would have no effect. Aquatic habitat and dust suppression projects constructed under the Proposed Project are not habitable structures as defined by FEMA and, therefore, would not have an effect on life or safety of people. No mitigation measures would be required.