

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Refuge Level 2 Water Exchange between the United States and San Luis and Del Puerto Water Districts Resulting in Additional Incremental Level 4 Refuge Water

FONSI Number 14-29-MP

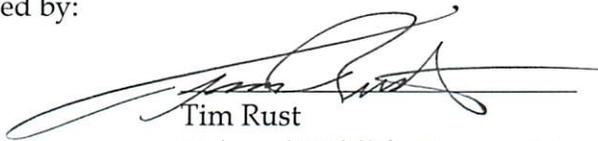
Recommended by:



Date: 10/30/2014

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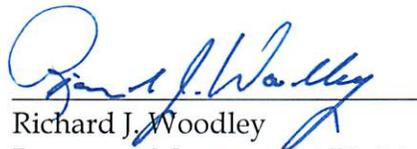
Concurred by:



Date: 10/30/14

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Date: 10/30/14

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U.S. Department of the Interior
Bureau of Reclamation
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Background

Reclamation is responsible for providing Level 2 (L2) and Incremental Level 4 (IL4) water to 19 designated federal, state, and privately owned/managed wetlands and wildlife areas (refuges), including the Grassland Resource Conservation District (GRCD). L2 water supplies are primarily provided from Central Valley Project (CVP) supplies. The proposed action is needed to provide additional IL4 water supplies to GRCD lands to maintain habitat for migratory waterfowl.

Alternatives Including the Proposed Action

No Action: The No Action Alternative would consist of Reclamation not approving the exchange of L2 water supplies from GWD to the San Luis and Del Puerto Water Districts (Districts). The proposed 2,000 AF of groundwater to be developed as part of this Proposed Action would not be delivered to GRCD this year. The Districts would not receive L2 water supplies (equivalent to 50% of the 2,000 AF delivered to GRCD) delivered by Reclamation to help meet agricultural water needs.

Proposed Action: The Districts propose to fund the costs associated with the delivery of groundwater supplies from three private wells located in GWD (up to 2,000 AF) in exchange for refuge L2 water supply (up to 1,000 AF). The developed groundwater would discharge directly into the GWD's conveyance system (Santa Fe Canal and Standard Ditch/San Luis Canal) and be delivered to the private wetlands of the GRCD to meet a component of its L2 and IL4 water supply demands. GWD will provide all the oversight and coordination for delivery of the groundwater to confirm that water quality is suitable for refuge use. Monitoring data would be used to ensure suitable water quality in conveyance channels, and to ensure that groundwater levels are maintained and that the project would not result in significant impacts to any resources identified in the Environmental Assessment (EA). Based on the water quality data acquired, a determination would be made to modify or curtail the groundwater pumping operations at any time during the four-month project period in the event water quality exceeds the criteria and standards set in the Monitoring and Mitigation Plan. The Proposed Action would utilize existing facilities and would not involve any ground disturbance or construction.

The Districts will enter into an agreement with Reclamation for the exchange of water. The Districts, in cooperation with the GWD, will be responsible for all water quality monitoring associated with the development of these groundwater supplies and insure that all water quality monitoring criteria and standards identified in the Monitoring and Mitigation Plan are met. The GWD will provide monthly water quality and volumetric results to the Districts and Reclamation.

The GWD started taking delivery of its L2 water in the latter part of September 2014 and plans to receive L2 water deliveries through the end of the water year (February 28, 2015). When the exchange agreement with Reclamation is executed and the GWD starts taking delivery of its scheduled L2 water the exchange can be initiated. It is anticipated the wells will be operated for exchange purposes through the end of February 2015.

Public Comment

Reclamation provided agencies and the public an opportunity to comment from October 20 through 27, 2014. One comment letter was received during the comment period from the Friant Water Authority (FWA), dated October 27, 2014. FWA's comment letter asserts Reclamation is improperly delivering water to the wildlife refuges this year. FWA claims that due to this improper action by Reclamation, the Proposed Action's description and environmental analysis are inadequate.

Reclamation disagrees with FWA's interpretation of the Central Valley Project Improvement Act (CVPIA) with respect to refuge water deliveries. CVPIA Section 3406 provides refuges a statutory commitment of water. Annually, Reclamation delivers such commitment water to the wildlife refuges, as scheduled by refuge managers, pursuant to the CVPIA.

Findings

Based on the attached EA, Reclamation finds that the Proposed Action is not a major Federal action that will significantly affect the quality of the human environment. The EA describes the existing environmental resources in the area of the Proposed Action, and evaluates the effects of the No Action and Proposed Action alternatives on specific resources. This EA was prepared in accordance with National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR 1500-1508), and Department of the Interior Regulations (43 CFR Part 46). Effects on several environmental resources were examined and found to be absent or minor. That analysis is provided in the attached EA, and the analysis in the EA is hereby incorporated by reference.

Following are the reasons why the Proposed Action's impacts are not significant:

1. The Proposed Action will not significantly affect public health or safety (40 CFR 1508.27(b)(3)).
2. The Proposed Action will not significantly impact natural resources and unique geographical characteristics such as historic or cultural resources; parks, recreation, and refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order (EO) 11990); flood plains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas (40 CFR 1508.27(b)(3) and 43 CFR 46.215(b)).
3. The Proposed Action will not have possible effects on the human environment that are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5)).
4. The Proposed Action will neither establish a precedent for future actions with significant effects nor represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6)).

5. There is no potential for the effects to be considered highly controversial (40 CFR 1508.27(b)(4)).
6. The Proposed Action will not have significant cumulative impacts (40 CFR 1508.27(b)(7)).
7. The Proposed Action has no potential to affect historic properties (40 CFR 1508.27(b)(8)).
8. The Proposed Action will not affect listed or proposed threatened or endangered species (40 CFR 1508.27(b)(9)).
9. The Proposed Action will not violate federal, state, tribal or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)).
10. The Proposed Action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum dated December 15, 1993).
11. Implementing the Proposed Action will not disproportionately affect minorities or low-income populations and communities (EO 12898).
12. The Proposed Action will not limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007 and 512 DM 3).