

RECLAMATION

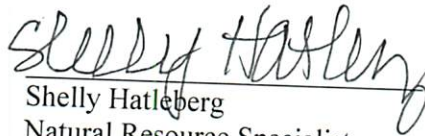
Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Reclamation District 2035/Woodland-Davis Clean Water Agency Joint Intake/Fish Screen Project

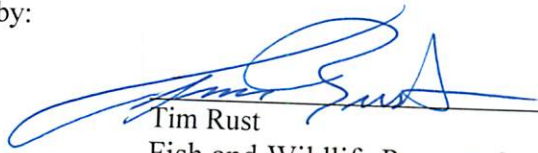
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Recommended by:



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Date: 11/18/13

Concurred by:

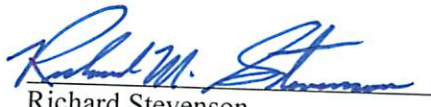

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Date: Nov. 18, 2013

Approved by:


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Date: NOV 19, 2013



U.S. Department of the Interior
Bureau of Reclamation
Mid Pacific Region

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BACKGROUND

In accordance with the National Environmental Policy Act (NEPA), the Bureau of Reclamation (Reclamation) and Reclamation District (RD) 2035 have prepared a joint Environmental Assessment/Initial Study (EA/IS) for the *RD 2035/Woodland-Davis Clean Water Agency Joint Intake Project*, dated September 2012.

The loss of juvenile fish at water diversions in the Central Valley has been identified as contributing to anadromous fish population declines. The Central Valley Project Improvement Act (CVPIA) provides that the Central Valley Project (CVP) shall be operated to meet all obligations under state and Federal law, including the Endangered Species Act (ESA). One measure to help fulfill CVPIA's goals of at least doubling the average population levels of anadromous fish in the Central Valley is to provide funds for the construction of fish screens on unscreened water diversions.

PROPOSED ACTION

The Proposed Action is the construction of RD 2035's/Woodland-Davis Clean Water Agency's (WDCWA) new fish screen and intake facility on the Sacramento River (River) immediately upstream of the Interstate-5 overcrossing near the Sacramento International Airport. The proposed facility would have the same maximum pumping capacity as RD 2035's existing intake (400 cubic feet per second [cfs]). RD 2035 would continue to pump up to 400 cfs for agricultural uses and WDCWA would pump up to 100 cfs for municipal & industrial uses. RD 2035 and WDCWA would coordinate pumping of their respective water supplies so as to not exceed the proposed facilities' maximum pumping capacity. The Proposed Action would allow RD 2035 and WDCWA to divert water for agricultural irrigation and municipal uses, respectively, in the future while reducing diversion impacts on fisheries.

Reclamation's involvement is limited to contributing up to 50 percent of the cost of screening RD 2035's share of the new joint intake's construction. Funding will be provided by Reclamation, through the Anadromous Fish Screen Program, under Section 3406(b)(21) of the CVPIA, which authorizes Reclamation to develop and implement measures to avoid losses of juvenile anadromous fish resulting from unscreened diversions on the Sacramento and San Joaquin Rivers and their tributaries.

FINDINGS

Based on the EA/IS, Reclamation finds that the Proposed Action is not a major federal action that will significantly affect the quality of the human environment. The EA/IS describes the existing environmental resources in the Proposed Action area, evaluates the effects of the No Action and Proposed Action alternatives on the resources, and proposes measures to avoid, minimize, or mitigate any adverse effects. Effects on several environmental resources were examined and found to be absent or minor. This analysis is provided in the EA/IS, and is hereby incorporated by reference.

Air Quality and Climate Change

The Proposed Action would not alter existing land use designations in the project area and would not facilitate any new growth not previously envisioned in the County's currently adopted General Plan. Following construction, operational vehicle trips would be similar to existing conditions. Consequently, construction and operation of the Proposed Action would not conflict with or obstruct implementation of any applicable air quality regulation, plan, or policy. As a result, there would be no significant impacts to air quality or climate change.

Biological Resources

The EA/IS's analysis indicates that impacts to wildlife would be less than significant with the implementation of avoidance and minimization measures. Impacts to special-status species, including giant garter snake (GGS), salmonids and North American green sturgeon, would be avoided or minimized by implementing the measures discussed in the EA/IS, the Biological Assessment (BA), and U.S. Fish and Wildlife Service's (USFWS) and National Oceanic and Atmospheric Administration National Marine Fisheries Service's (NOAA Fisheries) Biological Opinions (BOs) (August 2013 and October, 2013, respectively). The Proposed Action would result in an overall benefit to listed fish species.

To reduce and minimize the Proposed Action's impacts to GGS, the measures described in the EA/IS, BA and USFWS's BO would be implemented as appropriate. Compensation would be required for permanent loss of GGS habitat. With implementation of the mitigation measures presented in the EA/IS, there would be no significant impacts to GGS.

Given the Proposed Action's overall benefit to fish; the use of a cofferdam; fish salvaged from dewatered work sites; localized and minimal in-river disturbances; and restricting in-river construction to the period when fish would least likely be in the area; the Proposed Action is expected to have minimal impacts to the Sacramento River's fishery resources. With the implementation of the mitigation measures presented in the EA/IS and NOAA Fisheries BO, impacts to listed fish species would not be significant.

The Proposed Action's placement within the ordinary high water mark of Sacramento River, a perennial stream channel, would temporarily and permanently fill portions of the river at the new intake's location. The Sacramento River, a water of the U.S., is a navigable waterway regulated under Section 10 of the Rivers and Harbors Act. Implementation of mitigation measures in the EA/IS would reduce impacts to wetlands in the event that the potential fill of these features requires compensation.

Cultural Resources

The Proposed Action constitutes an undertaking pursuant to Section 301(7) of the National Historic Preservation Act of 1966 (NHPA) (16 U.S.C. 470) as amended, triggering Section 106 review of that act and the Section 106 implementing regulations at 36 CFR Part 800. The Section 106 process was used to assess potential impacts to cultural resources by this Action. Pursuant to Section 800.2(a)(2), Reclamation and the U.S. Army Corps of Engineers (Corps) determined that the Corps would be the lead agency for complying with Section 106 fulfilling both agencies collective responsibilities to assess potential effects to cultural resources that are eligible for or are listed on the National Register of Historic Places. The Corps initiated Section 106 consultation on November 20, 2012 seeking concurrence from the California State Historic Preservation Officer (SHPO) on a finding of no historic properties affected pursuant to Section 800.5(b). As provided in the regulations at Section 800.5(c), the SHPO shall have 30 days from receipt of a finding of no adverse effect to review the finding. The SHPO failed to respond to the Corps request to comment on their finding. According to Section 800.5(c)(1) the agency official may proceed after the close of the 30 day review period if the SHPO has agreed with the finding or has not provided a response. As the SHPO has not responded, the Corps' finding fulfills the Section 106 process for Reclamation. As a result of the Corps' effort to identify effects to cultural resources to historic properties, Reclamation finds that no significant cultural resources will be impacted by the Proposed Action.

Water Quality

Short-term increases in turbidity may occur during construction activities; however, the increases would be temporary. Minimization and avoidance measures, as presented in the EA/IS, would be implemented to reduce adverse impacts on water quality in accordance with the water quality certification standards and conditions of the Clean Water Act Sections 404 and 401 permits. The Proposed Action would have no significant impacts on water quality.

Environmental Justice

The Proposed Action would not disproportionately affect any minority or low income populations. Therefore, no impacts regarding Environmental Justice would occur as a result of the Proposed Action.

Indian Trust Assets and Indian Sacred Sites

There are no Indian reservations, Rancherias, allotments or Indian Sacred Sites in the project area. The Proposed Action does not have the potential to affect ITAs.