

# RECLAMATION

*Managing Water in the West*

## FINDING OF NO SIGNIFICANT IMPACT

### **AMENDMENT No. 9 (10th YEAR RENEWAL) FOR AGREEMENT FOR THE REIMBURSEMENT OF DEEP WELL PUMPING COSTS ON THE GRAY LODGE WILDLIFE AREA BETWEEN BUREAU OF RECLAMATION AND THE STATE OF CALIFORNIA (2014-2015)**

**FONSI NO. 14-04-MP**

Recommended by:

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Date: 4/7/14

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Date: Apr. 18, 2014

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

April 2014

## BACKGROUND

The Bureau of Reclamation (Reclamation) proposes to extend the *Agreement for the Reimbursement of Deep Well Pumping Costs on the Gray Lodge Wildlife Area between the United States and the State of California*, No. 05-WC-20-2903, DFG No. R0420012 executed on December 20, 2004 (2004 Reimbursement Agreement) an additional 12 months (until February 28, 2015) (Proposed Action). The 2004 Reimbursement Agreement was subsequently amended in 2005, 2006, 2007, 2009, 2010, 2011 and 2012.

An Environmental Assessment/Finding of No Significant Impact (EA/FONSI) was prepared in May 2003 for the original agreement and covered the period from May 12, 2003, through February 29, 2008. A Supplemental EA/FONSI was prepared for the period from March 1, 2008, through February 28, 2009; and an EA/FONSI was prepared for the period from March 1, 2009 through February 28, 2012. A Finding of No New Significant Impacts (FONNSI) was signed in September 2012 for the 8<sup>th</sup> and 9<sup>th</sup> year renewal covering the period between 2012 and 2014. For the current Amendment (10<sup>th</sup> year renewal), Reclamation prepared an EA to evaluate and disclose any potential environmental impacts associated with amending the 2004 Reimbursement Agreement (attached).

On January 17, 2014, a Drought State of Emergency was declared by Governor Edmund G. Brown Jr. for the State of California. On February 15, 2014, Reclamation issued a critical dry year notification to California Department of Fish and Wildlife (CDFW) pursuant to Central Valley Project Improvement Act (CVPIA) Refuge Water Supply Contract #01-WC-20-1755, which provides for water supplies to Gray Lodge Wildlife Area (WA). Reclamation's notification letter identified an initial Water Year (WY) 2014 allocation for Gray Lodge WA at 40 percent of the contract annual full Level 2 water supply. In December 2013, the California Department of Water Resources (DWR) announced zero allocation to State Water Project (SWP) contractors.

The Gray Lodge WA lies within the Biggs-West Gridley Water District's (BWGWD) sphere of influence. BWGWD is a pre-1914 water right holder with water allocations from the SWP, per the 1969 Agreement on the Diversion of Water from the Feather River. Portions of Gray Lodge WA have both primary (original lands within BWGWD) and secondary (lands annexed into BWGWD in the 1970s and 1980s) water allocations from the BWGWD. The water allocations derived from these lands, along with ground water pumping, make up a large portion of the Gray Lodge WA's annual Level 2 water supplies. The primary and secondary water rights allocations, along with groundwater, comprise the non-project component of Level 2 water supplies provided to Gray Lodge WA. On an annual basis, Reclamation indirectly provides limited quantities of CVP water supplies to Gray Lodge WA through exchange with SWP supplies under the Coordinated Operations Agreement between DWR and Reclamation. These SWP supplies originate from Oroville Reservoir, and are conveyed to Gray Lodge WA by BWGWD subject to BWGWD's existing available capacity. It is currently unknown whether or not DWR will identify any SWP supplies in Oroville Reservoir as available for delivery to Gray Lodge WA in WY2014 in exchange for federal CVP water supplies. These combined circumstances may likely result in no surface water supplies (CVP, SWP) available for Gray Lodge WA. In this event, Gray Lodge WA will be completely dependent upon groundwater in WY2014.

## **ALTERNATIVES INCLUDING PROPOSED ACTION**

### ***No Action Alternative***

The No Action Alternative would consist of Reclamation not amending the 2004 Reimbursement Agreement with the State of California for reimbursement of groundwater pumping costs at Gray Lodge WA to supplement limited Level 2 surface water supplies (CVP, SWP). CDFW would likely not have the budget to cover these groundwater pumping costs, and would significantly reduce the amount of groundwater pumped. Under this alternative, Reclamation would not meet its obligations under CVPIA Section 3406(d)(1). Given current CDFW budgetary constraints, Gray Lodge WA would receive almost no Level 2 water supplies, with Level 2 supplies reduced up to approximately 34,000 acre feet (AF) in WY2014.

### ***Proposed Action Alternative***

Under the Proposed Action, Reclamation would amend the 2004 Reimbursement Agreement to allow for a 12-month extension period, thereby changing the term date through February 28, 2015. This extension would allow Reclamation to meet part of its obligations under CVPIA Section 3406(d)(1) by providing up to approximately 16,159 AF of groundwater, the quantity currently covered by previous environmental documentation. The groundwater would supplement limited Level 2 surface water deliveries (CVP, SWP) and CDFW would be reimbursed for pumping costs. These costs include, but are not limited to:

- Well rehabilitation and upgrade costs;
- Well pump repair costs;
- Well monitoring (water level) costs;
- Power costs; and
- Indirect costs.

## **FINDINGS**

Reclamation reviewed the 2003 EA, 2008 Supplemental EA, 2009 EA and 2012 FONNSI and finds those analyses fully considered the range of effects that could result from renewing the 2004 Reimbursement Agreement and as such, are incorporating those documents by reference. The EAs and Supplemental EA were provided for public review in 2003, 2008 and 2009, and no agency or public comment was received.

According to the 2004 Reimbursement Agreement and the environmental documentation supporting the original agreement and subsequent amendments, Reclamation and CDFW agreed to immediately terminate the 2004 Reimbursement Agreement should significant environmental effects or detrimental impacts to nearby property interests occur. Since the 2004 Reimbursement Agreement has been in place, no such effects or impacts have been identified. Reclamation implemented a water quality monitoring plan, per the 2004 Reimbursement Agreement, and regularly collects, analyzes, and monitors the water quality data for both groundwater and surface water supplies at Gray Lodge WA throughout the year. No impacts have been observed and groundwater levels recover fairly quickly, sometimes monthly depending on the time of year.

The 2004 Reimbursement Agreement was also reviewed for impacts to threatened and endangered species, and none were found. Additionally, it had no potential to affect historic properties pursuant to 36 CFR Part 800.3(a)(1), and no additional consideration under Section 106 of the National Historic Preservation Act was required.

Therefore, based on the above information, Reclamation has determined that the Proposed Action would not result in any new significant impacts and is not a major federal action that would significantly affect the quality of the human environment requiring preparation of an Environmental Impact Statement.

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## ENVIRONMENTAL ASSESSMENT

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

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## **Mission Statements**

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian Tribes and our commitments to island communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

# Section 1 Introduction

## 1.1 Background

The Bureau of Reclamation (Reclamation) proposes to extend the *Agreement for the Reimbursement of Deep Well Pumping Costs on the Gray Lodge Wildlife Area between the United States and the State of California, No. 05-WC-20-2903, DFG No. R0420012* executed on December 20, 2004 (2004 Reimbursement Agreement) performance period an additional 12 months (until February 28, 2015) (Proposed Action). The 2004 Reimbursement Agreement was subsequently amended in 2005, 2006, 2007, 2009, 2010, 2011 and 2012.

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On January 17, 2014, a Drought State of Emergency was declared by Governor Edmund G. Brown Jr. for the State of California. On February 15, 2014, Reclamation issued a critical dry year notification to California Department of Fish and Wildlife (CDFW) pursuant to Central Valley Project Improvement Act (CVPIA) Refuge Water Supply Contract #01-WC-20-1755, which provides for water supplies to Gray Lodge Wildlife Area (WA). Reclamation's notification letter identified an initial Water Year (WY) 2014 allocation for Gray Lodge WA at 40 percent of the contract annual full Level 2 water supply. In December 2013, the California Department of Water Resources (DWR) announced zero allocation to State Water Project (SWP) contractors.

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result in no surface water supplies (CVP, SWP) available for Gray Lodge WA. In this event, Gray Lodge WA will be completely dependent upon groundwater in WY2014.

## **1.2 Need for the Proposal**

The need for the Proposed Action remains unchanged from previous environmental documents.

# **Section 2 Alternatives Including the Proposed Action**

### ***No Action Alternative***

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### ***Proposed Action Alternative***

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- Well rehabilitation and upgrade costs;
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- Indirect costs.

## **Section 3 Affected Environment & Environmental Consequences**

Effects on several environmental resources were examined and found to be minor and unchanged from the 2009 Final EA. Because of this, the following resources were eliminated from further discussion from this EA: Air Quality; Biological Resources; Aesthetic Resources; Geology, Soils, Seismicity and Minerals; Hazards and Hazardous Materials; Indian Sacred Sites; Land Use and Agriculture; Noise; Population and Housing; Recreation; Transportation and Circulation; Utilities, Public Services, and Service Systems.

### ***Indian Trust Assets***

The Proposed Action would not result in any ground breaking activities affecting any Indian reservations, Rancherias, or other legal interests held in trust by the United States for the benefit of Indian Tribes or individuals. Therefore, the Proposed Action would not affect Indian Trust Assets (ITA).

### ***Environmental Justice***

The Proposed Action would not disproportionately affect the health or environment of minority or low-income populations as change in the need for farm labor is not anticipated.

### ***Cultural Resources***

Reclamation's Proposed Action is to amend an existing agreement with CDFW for the reimbursement of deep well pumping costs at the Gray Lodge WA. The existing agreement will be extended 12 months until February 28, 2015. This extension would allow Reclamation to meet part of its obligations under CVPIA Section 3406(d)(1) by providing up to approximately 16,159 AF of groundwater, the quantity covered by previous environmental documentation. This action has no potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1). No ground disturbance, modification of existing infrastructure, or construction of new infrastructure will result from the implementation of this action and there will be no change in existing land use. Neither this action nor the no action alternative would have significant effects on properties listed, or eligible for listing, on the National Register of Historic Places as determined by Reclamation.

### ***Water Resources***

According to the 2004 Reimbursement Agreement and the environmental documentation supporting the original agreement and subsequent amendments, Reclamation and CDFW agreed to immediately terminate the 2004 Reimbursement Agreement should significant environmental effects or detrimental impacts to nearby property interests occur. Since the 2004 Reimbursement Agreement has been in place, no such effects or impacts have been identified. Reclamation implemented a water quality monitoring plan, per the 2004 Reimbursement Agreement, and regularly collects, analyzes, and monitors the water quality data for both groundwater and surface water supplies at Gray Lodge WA throughout the year. No impacts have been observed and groundwater levels recover fairly quickly, sometimes monthly depending on the time of year. Below is a table identifying groundwater pumping amounts (volume in acre feet) for WYs 2003 through 2013.

**Gray Lodge Wildlife Area  
Groundwater Pumping  
Volume in Acre Feet  
Water Years 2003 through 2013**

| <b>Water Year</b>     | <b>Acre-Feet</b> |
|-----------------------|------------------|
| 2003                  | 10,913.63        |
| 2004                  | 5,399.33         |
| 2005                  | 9,620.10         |
| 2006                  | 6,020.41         |
| 2007                  | 4,295.47         |
| 2008                  | 6,684.59         |
| 2009                  | 4,792.39         |
| 2010                  | 4,375.37         |
| 2011                  | 3,519.71         |
| 2012                  | 2,193.09         |
| 2013                  | 4,649.57         |
| <b>Annual Average</b> | <b>5,678.51</b>  |