

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Agreement for the Reimbursement of Pumping Costs between the United States and the State of California for Refuge Water Supplies at Wildlife Areas

FONSI Number 14-34-MP

Recommended by:

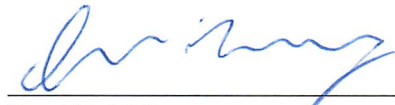


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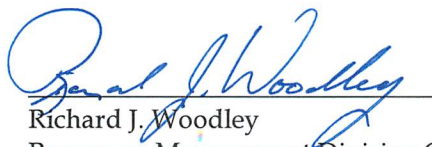


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**U.S. Department of the Interior
Bureau of Reclamation
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Introduction

The Bureau of Reclamation (Reclamation) is entering into the “*Agreement for the Reimbursement of Pumping Costs for Refuge Water Supplies at Department of Fish and Wildlife Region 4 Wildlife Areas between the United States and the State of California*” (Agreement or Proposed Action). The Agreement reimburses the California Department of Fish and Wildlife (CDFW) for costs associated with: 1) lift pumping refuge surface water supplies to CDFW Wildlife Areas (WAs) and 2) pumping sources of Incremental Level 4 (IL4) water supplies developed at CDFW WAs located in the San Joaquin Valley. The Agreement’s term would be effective from the date of execution through February 29, 2032, approximately 15 years.

Alternatives Including the Proposed Action

No Action: Under the No Action Alternative, Reclamation would not reimburse CDFW for lift pumping costs of CVPIA refuge surface water supplies or costs related to developing IL4 water supplies at the WAs. CDFW’s current budget does not provide for costs to develop IL4 water supplies at the WAs, nor is there any funding identified for this purpose in projected budgets over the next few years. Thus, no IL4 water supplies would be developed at the WAs, resulting in reduced quantities of IL4 water supplies available to SOD Refuges to provide for optimal habitat management. Diminished CDFW “wildlife restoration fund” budgets have already resulted in CDFW foregoing several irrigations of L2 water supplies to certain impoundments at the Volta WA in Water Year 2013 and 2014. This was a result of lack of sufficient CDFW funding to cover lift pumping costs associated with the necessary lift pumping of full quantities of L2 surface water supplies needed at Volta WA. The CDFW wildlife restoration fund has been known to fluctuate quite radically. At this time, future CDFW wildlife restoration fund budgets are unknown, but it is anticipated these budgets will follow a pattern similar to the last several years of decreasing and/or static funding amounts.

Under the No Action Alternative, CDFW may likely have to reduce further irrigations of L2 supplies at several or all of its SOD WAs. Reduced irrigations may reasonably include a portion of the limited IL4 water supplies allocated from the SOD IL4 Pool. And under this alternative, Reclamation would not meet its obligations under CVPIA Section 3406(d)(1) in delivering full L2 supplies to the Refuges; and under Section 3406(d)(2) in advancing its goal of delivering greater quantities of IL4 water supplies to SOD Refuges. CDFW WAs may be restricted to taking less than full L2 supplies until an alternative funding source could be secured; and SOD Refuges including CDFW WAs would receive less IL4 water supplies.

Proposed Action: Reclamation proposes to reimburse CDFW through the Agreement for the costs associated with operation and maintenance of CDFW’s lift pumps and pump stations required to complete the initial conveyance of CVPIA surface water supplies for use by the Los Banos, Mendota, and Volta WAs and the China Island Unit of the North Grasslands WA. Reclamation would reimburse CDFW for costs to pump groundwater developed on the WAs and for the recirculation lift pumping of water through the Ruth Lake Water Conservation Project (WCP), providing another source of IL4 supplies for SOD Refuges. In critically dry years when Refuge L2 allocations are reduced below 100%, this groundwater and recirculated surface water

could be used to augment limited L2 supplies on the WAs.

CDFW would continue to operate lift pumps and pump stations necessary to complete the initial delivery of CVPIA external surface water supplies to the boundaries of the Los Banos, Mendota, and Volta WAs and the China Island Unit of the North Grasslands WA, including lifting water to reach the elevations of the respective WA's internal distribution systems. CDFW would operate up to 6 groundwater wells and the Ruth Lake WCP to produce IL4 water supplies. Water pumped through these facilities would be discharged into the San Luis Canal or into internal WA distribution systems, with some facilities providing for both discharge options. The groundwater wells are located at the Los Banos WA; and China Island, Salt Slough, and Gadwall Units of the North Grasslands WA. The Ruth Lake WCP is located on the Los Banos WA.

Water discharged into the San Luis Canal would be conveyed to Refuges served through the San Luis Canal. These water supplies would only be discharged into the San Luis Canal when there is demand by the Refuges and sufficient carriage water in the canal. The Ruth Lake WCP would be operated during the time frame of approximately March through August, and provides the option of discharging water supplies into the San Luis Canal or the Los Banos WA's internal distribution system. Water is initially pumped via Low Lift #12 from the Boundary Drain and delivered into Ruth Lake for storage. These water supplies can then be pumped into San Luis Canal for conveyance to other Refuges, or pumped from Ruth Lake into the Los Banos WA's internal distribution system.

A water quality monitoring plan (WQMP), referred to as the *CDFW Region 4 Wildlife Areas CVPIA Water Development Project*, will be implemented for the developed water supplies. Groundwater and return flows pumped from the Boundary Drain would be monitored in accordance with the WQMP, and pumping would be curtailed, maintained or accelerated on an adaptive management basis.

The Proposed Action will also involve monitoring in accordance with the Hydrogeologic Monitoring Plan titled *Hydrogeologic Monitoring for the CDFW R-4 Wildlife Areas Water Development Project Groundwater Level and Subsidence Monitoring Plan* (Hydrogeologic Monitoring Plan). An adaptive management process will be utilized to ensure that the monitoring for the Proposed Action achieves the listed objectives and pumping can continue annually without causing cumulative adverse impacts to the local aquifer or land surface elevation. The process should follow the guidance provided in "Adaptive Management: The U.S. Department of Interior Technical Guide" (Williams, 2009). This document can be found at <http://www.doi.gov/initiatives/AdaptiveManagement/documents.html>.

Public Comment

Reclamation provided agencies and the public an opportunity to comment from July 18 through August 1, 2014. No public comments were received during the comment period.

U.S. Fish and Wildlife Service (FWS) provided comments via email on April 22, 2015. FWS requested clarification on the proposed action, requested a map for inclusion in the

Environmental Assessment (EA) and clarification on the water quality monitoring thresholds and sampling methods. Reclamation met with FWS on April 28, 2015 and provided information to respond to FWS's comments. Additional information has been added to the EA and to the WQMP to clarify the action and clarify the monitoring methods. Additionally, Reclamation added a general vicinity map and added the Hydrogeologic Monitoring Plan to the EA.

After the close of the public comment period, further consideration was given to the water quality of the 6 original proposed wells. After further review, the WQMP was revised to include additional safeguards for water quality. The primary change involved including boron as one of the constituents for water quality monitoring. The WQMP changes were based on recommendations from water quality specialists who are familiar with surface and groundwater quality issues and regulatory requirements in the vicinity of the Proposed Action area.

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 result in adverse impacts to water resources or land resources. The Proposed Action will result in no substantial change or impact to CVP operations, nor will it result in any change to Delta projected pumping by the CVP. The acquired water will be delivered to the WAs using existing conveyance facilities. Implementation of the WQMP will ensure that pumping and conveyance of water under this Proposed Action will not impact existing water supplies or water quality. The Proposed Action will not adversely impact water conveyance facilities or activities within the WAs.
9. The Proposed Action will not affect listed or proposed threatened or endangered species (40 CFR 1508.27(b)(9)).
10. 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)).
11. The Proposed Action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum dated December 15, 1993).
12. Implementing the Proposed Action will not disproportionately affect minorities or low-income populations and communities (EO 12898).
13. 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).