

FINDING OF NO SIGNIFICANT IMPACT

San Joaquin River Restoration Program  
Tulare Irrigation District Cordeniz Basin Project

United States Department of the Interior  
Bureau of Reclamation  
Mid-Pacific Region  
Sacramento, California

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## **FINDING OF NO SIGNIFICANT IMPACT**

### **BACKGROUND**

In 1988, a coalition of environmental groups, led by the Natural Resources Defense Council (NRDC), filed a lawsuit challenging the renewal of long-term water service contracts between the United States and Central Valley Project Friant Division. After more than 18 years of litigation, *NRDC, et al., v. Kirk Rodgers, et al.*, a settlement was reached (Settlement). On September 31, 2006, the Settling Parties, including NRDC, Friant Water Users Authority (now represented by the Friant Water Authority), and the U.S. Departments of the Interior and Commerce, agreed on the terms and conditions of the Settlement, which was subsequently approved by the U.S. Eastern District Court of California on October 23, 2006. The Settlement establishes two primary goals:

- Restoration Goal – To restore and maintain fish populations in “good condition” in the main stem of the San Joaquin River below Friant Dam to the confluence of the Merced River, including naturally reproducing and self-sustaining populations of salmon and other fish.
- Water Management Goal – To reduce or avoid adverse water supply impacts on all of the Friant Long-Term Contractors that may result from the Interim Flows and Restoration Flows provided for in the Settlement.

The Secretary of the Interior is authorized and directed to implement the terms and conditions of the Settlement in the San Joaquin River Settlement Act (Act), included in Public Law 111-11. Part III of Title X, Subtitle A of Public Law 111-11 (Part III) authorizes the U.S. Department of the Interior, Bureau of Reclamation (Reclamation), to provide financial assistance to local agencies within the Central Valley Project (CVP) of California for the planning, design, environmental compliance, and construction of local facilities to bank water underground or to recharge groundwater to reduce, avoid, or offset the quantity of expected water supply impacts to Friant Division long-term contractors caused by Restoration flows authorized by Public Law 111-11.

The Tulare Irrigation District (TID) is proposing expanding an existing groundwater recharge basin from a footprint of approximately 20 acres to about 80 acres. Water would be conveyed to this new facility via realigning the Serpa Ditch. The realigned portion of Serpa Ditch would be a concrete pipeline transitioning back to an open channel after crossing the intersection of Cartmill Road and Enterprise Avenue. Additional information about the project is described in Section 2.2 of the attached environmental assessment/initial study (EA/IS).

### **FINDINGS**

The attached EA/IS was prepared to evaluate the potential environmental impacts associated with the proposed action and the no action alternative. In accordance with the

National Environmental Policy Act of 1969, as amended, Reclamation has found that the Proposed Action of providing partial funding for the TID Cordeniz Basin Project, as further described in the attached EA/IS, is not a major Federal action that would significantly affect the human environment. Therefore, an environmental impact statement is not required.

This finding of no significant impact is based on the following, as further described in the attached EA/IS:

- The Proposed Action would have no impacts to aesthetics, hazards, geology and soils, population and housing, public services and utilities, transportation, Indian Trust Assets, environmental justice, and recreation.
- The Proposed Action would not generate a new supply of water; it would improve the reliability of TID's water supplies by using surface water (floodwater captured during wet periods or spill water generated when the irrigation system becomes unbalanced, or potentially other water sources, subject to supplemental environmental compliance, as necessary) to recharge the underlying groundwater subbasin for use by private landowners within the District when groundwater pumping is necessary. Water that infiltrates in the groundwater basin would spread out in a radial pattern with most of the water following the flow path of the existing groundwater. The Proposed Action would not include installation of any wells capable of extracting groundwater. The Proposed Action would have beneficial impacts to TID's water resources.
- Groundwater monitoring well construction has the potential to result in the degradation of water quality in adjacent TID canals. This potential impact would be mitigated through the development and implementation of a Storm Water Pollution Prevention Plan.
- Construction activities under the Proposed Action have a small potential to result in disturbance to San Joaquin kit fox and nesting Swainson's hawks, western burrowing owls, and other birds protected under the Migratory Bird Treaty Act. Implementation of preconstruction surveys and other avoidance and minimization measures consistent with the USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance and San Joaquin River Restoration Program Conservation Strategy, would reduce and avoid the potential for impacts to San Joaquin kit fox. Mitigation measures to reduce or eliminate potential direct and indirect impacts to nesting Swainson's hawks, western burrowing owls, and other migratory birds include avoidance of project construction during the nesting season to the extent feasible, and preconstruction surveys and buffers around active nests if construction activity is to occur within the nesting season. The attached EA/IS further describes the measures included in the Proposed Action to avoid and minimize the potential for impacts to special status species. Reclamation has received concurrence from the USFWS with the determination that the proposed action is not likely to adversely affect San Joaquin kit fox.
- The Proposed Action would not result in adverse impacts to lands designated as

prime agricultural land since the construction of water facilities have been determined to be compatible uses within any agricultural preserve. The Proposed Action would not lead to the development of new agricultural lands since the majority of the land within TID has already been developed for agricultural uses.

- The Proposed Action to construct the basin expansion would involve the use of heavy machinery and excavation, which is a type of action that has the potential to cause effects to historic properties as outlined in the Section 106 regulations at 36 CFR § 800.3(a)(1). As a result, Reclamation entered into consultation with the California State Historic Preservation Officer (SHPO), seeking their input and concurrence on a finding of no adverse effect to historic properties for the proposed undertaking. Reclamation received SHPO concurrence with this finding on November 6, 2015. As a result of Reclamation's efforts to consider impacts to cultural resources through the Section 106 process, it is determined that there will be no impacts to cultural resources.
- Short-term air quality impacts would be associated with construction, and would generally arise from dust generation (fugitive dust) and operation of construction equipment. However, project construction and operations under the Proposed Action would not result in adverse impacts to air quality beyond Federal thresholds, and GHG emissions would be *de minimis*.
- Noise from construction activities would exceed the Tulare County General Plan Noise Element (2012) "normally acceptable" noise standards of 75 dBA at the exterior of nearby residences. However, noise from construction activities is considered temporary and construction activities would be limited to the hours of 7 am to 7 pm, Monday through Friday and best practices guidelines would be implemented as appropriate and feasible in accordance with Tulare County General Plan policies.
- The Proposed Action would have a minor beneficial effect on local socioeconomics resulting from increased local water supply reliability.
- The Proposed Action, when added to other similar past, existing, and future actions would not considerably contribute to cumulative adverse impacts from construction activities due to the short term of construction activities. The Proposed Action would result in an increase in TID's water supply reliability and improve groundwater conditions. As a result of improved water resource conditions, the Proposed Action could contribute to minor beneficial cumulative impacts in regards to socioeconomic resources resulting from increased local water supply reliability.