

RECLAMATION

Managing Water in the West

Final Environmental Assessment

Table Mountain Rancheria as Recipient for the Madera Irrigation District and Flyin' J Contracts

EA-16-007



U.S. Department of the Interior
Bureau of Reclamation

August 2016

Mission Statements

The mission of the Department of the Interior is to protect and manage the Nation's natural resources and cultural heritage; provide scientific and other information about those resources; and honor its trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated 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.

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Section 1 Introduction

The Bureau of Reclamation (Reclamation) provided the public with an opportunity to comment on the Draft Finding of No Significant Impact (FONSI) and Draft Environmental Assessment (EA) between July 18, 2016 and August 17, 2016. No comments were received. Changes between this Final EA and the Draft EA, which are not minor editorial changes, are indicated by vertical lines in the left margin of this document.

1.1 Background

Table Mountain Rancheria is located adjacent to Millerton Lake in Fresno County, California (Figure 1). Table Mountain Rancheria has an agreement with Madera Irrigation District (Madera ID) to receive a portion of Madera ID's pre-1914 water rights water from North Fork Willow Creek (referred to as Soquel water). Since 2009, this water has been delivered to Table Mountain Rancheria under Warren Act contracts and/or agreements issued by Reclamation to Madera ID. Table Mountain Rancheria also has a Warren Act Contract (Contract No. 15-WC-20-4686) with Reclamation for introduction, storage, and conveyance of up to 600 acre-feet per year (AFY) of groundwater pumped from Flyin' J Ranch (Figure 1) for delivery to Friant Division and/or Cross Valley contractors located in Fresno County. Table Mountain Rancheria is requesting to take delivery of 600 AF of the groundwater and up to 500 AFY of Madera ID's Soquel water through direct delivery.

Madera Irrigation District's Soquel Water

Madera ID has pre-1914 water rights to divert water from the North Fork of Willow Creek, which provides an estimated annual average supply of 9,700 AF, depending on a fluctuating annual yield. North Fork Willow Creek, a tributary of the San Joaquin River, is located approximately 9 miles upstream of Bass Lake. Water from the creek can be redirected to flow through Soquel Ditch to Nelder Creek, a tributary of the upper Fresno River or left in the creek to flow to Bass Lake and eventually to the San Joaquin River, where it can be diverted further downstream at Millerton Lake.

On May 13, 2014, Reclamation executed Contract No. 10-WC-20-3984B authorizing Madera ID to introduce, store, and convey up to 25,000 AFY of its Soquel water in Central Valley Project (CVP) Friant Division facilities through February 28, 2019. The execution of the contract was analyzed in EA-11-016 and a FONSI was issued on January 31, 2014 (Reclamation 2014). EA-11-016 also analyzed the delivery of up to 500 AF of Madera ID's Soquel water to Fresno County Waterworks #18 (Waterworks #18) for ultimate delivery to Table Mountain Rancheria. Both EA and FONSI 11-016 are incorporated by reference.

Currently, up to 100 AFY of Madera ID's Soquel water is delivered to Waterworks #18 facilities at Millerton Lake and then transported by truck to Table Mountain Rancheria. Waterworks #18 facilities do not have the ability to treat more than what is currently being delivered to their

facilities. In order to receive the remainder of their available water supplies, Table Mountain Rancheria has requested approval from Reclamation to change the point of delivery of this water to Fresno County Service Area #34 (CSA #34) facilities at Millerton Lake.

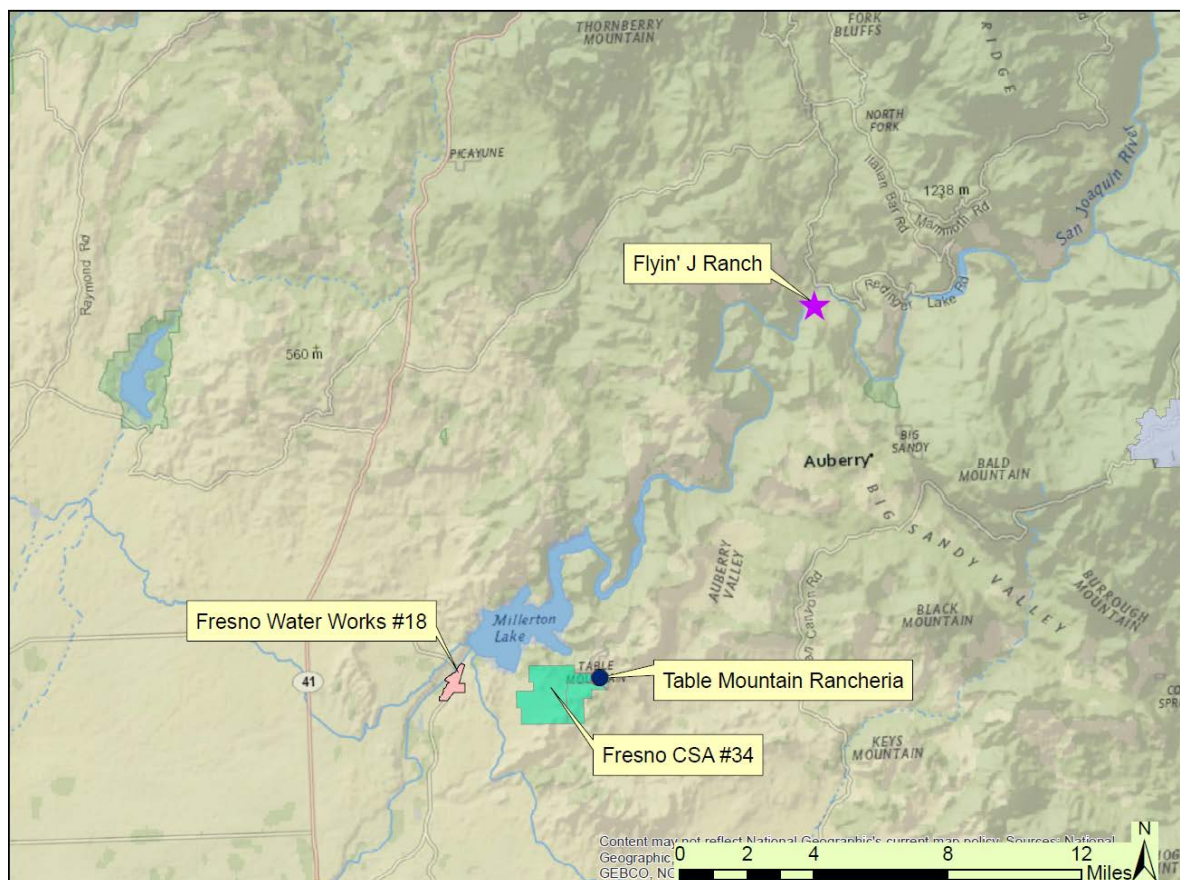


Figure 1 Proposed Action Area

Flyin' J Ranch Groundwater

On July 15, 2015, Reclamation executed a Warren Act Contract (Contract No. 15-WC-20-4686) with Table Mountain Rancheria to introduce, convey, and store up to 600 AFY of pumped groundwater from Flyin' J Ranch within and through CVP Friant Division facilities for delivery to Friant Division and Cross Valley contractors located within Fresno County over a 5-year period. The execution of the contract was analyzed in EA-14-019 and a FONSI was issued on March 23, 2015 (Reclamation 2015). Both EA and FONSI 14-019 are incorporated by reference.

In order to receive this water, Table Mountain Rancheria has requested approval from Reclamation to add Table Mountain Rancheria as an additional point of delivery for the pumped groundwater as it was not part of the original proposal.

1.2 Need for the Proposed Action

Table Mountain Rancheria needs to find a reliable, efficient, and timely way to receive their available water supplies for existing purposes at the Rancheria. The purpose of the Proposed Action is to provide a mechanism for Table Mountain Rancheria to more directly receive their available water supplies.

1.3 Scope

This EA has been prepared to analyze the following: (1) adding Table Mountain Rancheria as an additional point of delivery for Madera ID's Soquel water under Contract No. 10-WC-20-3984B, (2) adding Table Mountain Rancheria as a recipient of groundwater pumped from Flyin' J Ranch under Warren Act Contract No. 15-WC-20-4686.

Delivery of water to Table Mountain Rancheria through CSA #34 would be done through existing and proposed infrastructure (Figure 2). Table Mountain Rancheria is in the process of installing approximately 3,000 linear feet of pipeline, above ground water storage tanks, and a new water treatment plant on its property that would connect to its existing water distribution system. This system is being connected to the new raw water pipeline being installed by the County of Fresno as a back-up water supply pipeline for the Winchell Cove pipeline that delivers CSA #34's CVP water. Installation of the pipeline by the County of Fresno and its connection to Table Mountain Rancheria's facilities was previously covered in EA-10-045 (Reclamation 2013) and is therefore not covered in this EA.

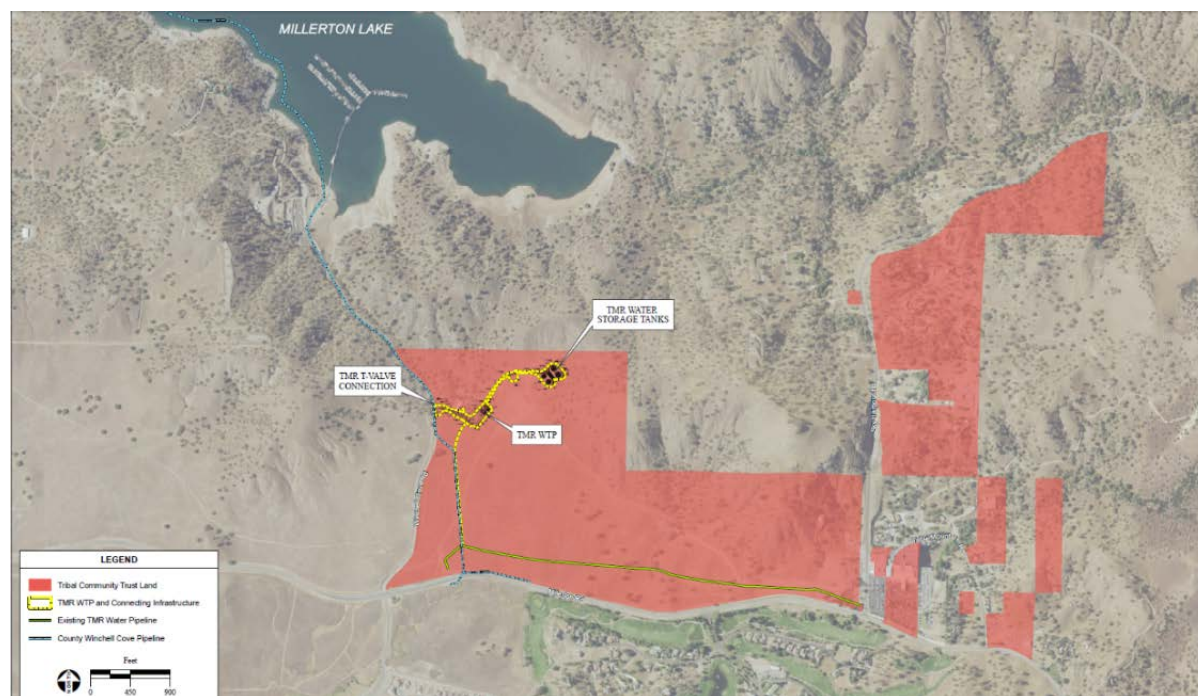


Figure 2 Existing and Proposed Infrastructure Connecting to Table Mountain Rancheria

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Section 2 Alternatives Including the Proposed Action

This EA considers two possible actions: the No Action Alternative and the Proposed Action. The No Action Alternative reflects future conditions without the Proposed Action and serves as a basis of comparison for determining potential effects to the human environment.

2.1 No Action Alternative

Under the No Action Alternative, Reclamation would not approve the addition of Table Mountain Rancheria as a point of delivery for Madera ID's Soquel water under Contract No. 10-WC-20-3984B. Table Mountain Rancheria would continue to receive up to 100 AFY of Madera ID's Soquel water through Waterworks #18 treatment facilities. Table Mountain Rancheria is currently negotiating with Madera ID to purchase an additional 400 AF of its Soquel water. As Waterworks #18 is near its capacity to treat the 100 AF Table Mountain Rancheria currently receives, the additional 400 AF would go untreated and would not be deliverable to Table Mountain Rancheria.

Table Mountain Rancheria would continue to take delivery of the 100 AF of the Madera ID Soquel water via its tanker trucks which have a capacity of 3,000 gallons. A maximum of up to 40 round trips per day during the summer months (total deliveries averaging 10,862 round trips per year) must be made to deliver the water to Table Mountain Rancheria.

Reclamation would also not approve the direct delivery of groundwater pumped from Flyin' J Ranch to Table Mountain Rancheria under Warren Act Contract No. 15-WC-20-4686. Table Mountain Rancheria would not be able to directly receive any of the groundwater pumped from Flyin' J Ranch but would be able to transfer the water to Friant Division and/or Cross Valley contractors located in Fresno County, including CSA #34 as described in EA-14-019.

As described in Section 1.3, Table Mountain Rancheria is in the process of installing new infrastructure that would connect to its existing water distribution system. The water delivery system is also being connected to the back-up water supply pipeline currently being installed by the County of Fresno. Installation of these facilities will continue under the No Action Alternative.

2.2 Proposed Action

Reclamation proposes to approve the following: (1) the addition of Table Mountain Rancheria as a point of delivery for Madera ID's Soquel water under Contract No. 10-WC-20-3984B and (2) the delivery of groundwater pumped from Flyin' J Ranch to Table Mountain Rancheria under

Warren Act Contract No. 15-WC-20-4686. Specific details of each action are described more fully below.

2.2.1 Madera ID's Soquel Water

Reclamation proposes to add Table Mountain Rancheria to Contract No. 10-WC-20-3984B as an additional point of delivery for up to 500 AFY of Madera ID's Soquel Water. The Soquel water would enter Millerton Lake and would be drawn through CSA #34's existing pumping facility and pipeline as well as the back-up water supply pipeline once it is operational and the connection to Table Mountain Rancheria's infrastructure through a T-valve is completed (see Figure 2).

2.2.2 Flyin' J Groundwater

Reclamation proposes to approve the direct delivery of up to 600 AFY of groundwater pumped from Flyin' J Ranch to Table Mountain Rancheria. Table Mountain Rancheria would take delivery of the pumped groundwater through CSA #34's facilities as described above and the new pipeline system Table Mountain Rancheria is currently installing.

2.2.3 Environmental Commitments

Table Mountain Rancheria and Madera ID will ensure that the water involved with the Proposed Action would not be used to place untitled lands into production or to convert undeveloped lands for other uses.

Section 3 Affected Environment and Environmental Consequences

This section identifies the potentially affected environment and the environmental consequences involved with the Proposed Action and the No Action Alternative, in addition to environmental trends and conditions that currently exist.

3.1 Resources Eliminated from Further Analysis

Reclamation analyzed the affected environment and determined that the Proposed Action did not have the potential to cause direct, indirect, or cumulative adverse effects to the resources listed in Table 1.

Table 1 Resources Eliminated from Further Analysis

| Resource | Reason Eliminated |
|-----------------------|---|
| Air Quality | Use of wells to pump groundwater from the Flyin' J Ranch was previously analyzed in EA-14-019 and found to be below <i>de minimis</i> amounts specified in 40 CFR § 93.153. No changes in the amount of wells or pumping would occur under this Proposed Action so no additional air quality impacts would occur. In addition, direct delivery of Madera ID's Soquel water to Table Mountain Rancheria through CSA #34's facilities would substantially reduce the amount of air emissions released by trucking the water from Waterworks #18's facilities to the Rancheria resulting in beneficial effects to air quality. |
| Cultural Resource | The Proposed Action would facilitate the flow of water through existing facilities to existing users. As no construction or modification of facilities would be needed in order to complete the Proposed Action, Reclamation has determined that these activities have no potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1). See Appendix A for Reclamation's determination. |
| Environmental Justice | The Proposed Action would not cause dislocation, changes in employment, or increase flood, drought, or disease nor would it disproportionately impact economically disadvantaged or minority populations. |
| Global Climate Change | Use of wells to pump groundwater from the Flyin' J Ranch was previously analyzed in EA-14-019 and found to be far below the 25,000 metric tons per year threshold for reportable greenhouse gas emissions. In addition, direct delivery of Madera ID's Soquel water to Table Mountain Rancheria through CSA #34's facilities would substantially reduce the amount of greenhouse gas emissions released by trucking the water from Waterworks #18's facilities to the Rancheria resulting in beneficial effects. |
| Indian Sacred Sites | The Proposed Action would not limit access to ceremonial use of Indian Sacred Sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites. Therefore, there would be no impacts to Indian Sacred Sites as a result of the Proposed Action. |
| Indian Trust Assets | The Proposed Action would not impact Indian Trust Assets as there are none in the Proposed Action area. |
| Land Use | The Proposed Action would not change historic land and water management practices within recipient districts. Pumped groundwater would move through existing facilities for delivery to Contractor lands for use on existing crops. The water would not be used to place untitled or new lands into production, or to convert undeveloped land to other uses. |
| Recreation | The Proposed Action would not affect Recreation sites in the area. |

3.3 Biological Resources

3.3.1 Affected Environment

The affected environment includes TMP, CSA #34's existing pumping system and pipeline, Table Mountain Rancheria's new pipeline, storage tanks, treatment plant and existing distribution system.

Special Status Species

Reclamation requested an official species list for the Action Area via the U.S. Fish and Wildlife Service's (Service) website <http://ecos.fws.gov/ipac/>, on May 10, 2016 (Consultation Code: 08ESMF00-2016-SLI-1442). The California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB) was also queried for records of protected species near the Action Area (CNDDDB 2016). The information collected above, in addition to information within Reclamation's files, was combined to determine the likelihood of protected species occurrence within the Action Area (Table 2).

Table 2 Special-Status Species with the Potential to Occur in the Action Area

| Species | Status | Effects | Occurrence in the Study Area |
|--|--------|---------|---|
| INVERTEBRATES | | | |
| Conservancy fairy shrimp <i>Branchinecta conservatio</i> | E | NE | Possible. There are no CNDDDB records of this species within the Action Area; however, this species may occur within Table Mountain Rancheria if suitable vernal pool habitat is present. The water involved with the Proposed Action would not be used to place untitled lands into production or to convert undeveloped lands for other uses. The Proposed Action would have no effect on vernal pool habitat or conservancy fairy shrimp. |
| Vernal pool fairy shrimp <i>Branchinecta lynchi</i> | T | NE | Present. There are CNDDDB records of this species within the Action Area (CNDDDB 2016). The water involved with the Proposed Action would not be used to place untitled lands into production or to convert undeveloped lands for other uses. The Proposed Action would have no effect on vernal pool habitat or vernal pool fairy shrimp. |
| Critical Habitat Vernal pool fairy shrimp <i>Branchinecta lynchi</i> | X | NE | Present. Critical habitat for vernal pool fairy shrimp is present within Table Mountain Rancheria. The water involved in the Proposed Action would not be used to place untitled lands into production or to convert undeveloped land for other uses. The Proposed Action would have no effect on vernal pool fairy shrimp Critical habitat. |
| Vernal pool tadpole shrimp <i>Lepidurus packardii</i> | E | NE | Possible. There are no CNDDDB records of this species within the Action Area; however, this species may occur within Table Mountain Rancheria if suitable vernal pool habitat is present. The water involved with the Proposed Action would not be used to place untitled lands into production or to convert undeveloped lands for other uses. The Proposed Action would have no effect on vernal pool habitat or vernal pool tadpole shrimp. |

| Species | Status | Effects | Occurrence in the Study Area |
|---|---------|---------|--|
| Valley elderberry longhorn beetle <i>Desmocerus californicus dimorphus</i> | T | NE | Possible. There are CNDDDB records of this species near Flyin' J Ranch (CNDDDB 2016). The Proposed Action would not involve any removal or disturbance of vegetation, construction, or changes in land use. The Proposed Action would have no effect on the valley elderberry longhorn beetle. |
| FISH | | | |
| Delta smelt <i>Hypomesus transpacificus</i> | T | NE | Absent. This species is not present within the Action Area. The Proposed Action would have no effect on delta smelt. |
| Northern California DPS steelhead <i>Oncorhynchus mykiss</i> | T, NMFS | NE | Absent. This species is not present within the Action Area. The Proposed Action would have no effect on the northern California DPS of steelhead. |
| AMPHIBIANS | | | |
| California tiger salamander, Central population <i>Ambystoma californiense</i> | T | NE | Present. There are several CNDDDB records of California tiger salamanders within 3 miles of the Action Area (CNDDDB 2016). The water involved with the Proposed Action would not be used to place untilled lands into production or to convert undeveloped land for other uses. The Proposed Action would not involve any construction or modification of areas that may provide suitable habitat for California tiger salamanders. The Proposed Action would have no effect on California tiger salamanders. |
| Critical Habitat California tiger salamander, Central population <i>Ambystoma californiense</i> | X | NE | Present. There is California tiger salamander critical habitat located within the northwestern portion of Table Mountain Rancheria. The Proposed Action would not result in the modification of any areas that may provide suitable habitat for California tiger salamanders, and would have no effect on California tiger salamander critical habitat. |
| California red-legged frog <i>Rana draytonii</i> | T | NE | Absent. This species is extirpated from the floor of the Central Valley, and does not occur within the action area (USFWS, 2002). |
| REPTILES | | | |
| Blunt-nosed leopard lizard <i>Gambelia sila</i> | E | NE | Absent. The Action Area is located outside of the blunt-nosed leopard lizard's range and does not provide suitable habitat for this species. The Proposed Action would have no effect on the blunt-nosed leopard lizard. |
| Giant garter snake <i>Thamnophis gigas</i> | T | NE | Absent. The Action Area is located outside of the giant garter snake's range and does not provide suitable habitat for this species. The Proposed Action would have no effect on the giant garter snake. |
| BIRDS | | | |

| Species | Status | Effects | Occurrence in the Study Area |
|--|----------------|---------|---|
| Golden eagle <i>Aquila chrysaetos</i> | MBTA, BGEPA | NT | Possible. There is one CNDDDB record of nesting golden eagles from 1985 about five miles to the south of Flyin' J Ranch in steep basalt bluffs (CNDDDB 2016). Marginally suitable habitat for this species exists in Flyin' J Ranch. The Proposed Action would not require any construction and would not change land use patterns in areas that may provide suitable habitat for this species. The Proposed Action would result in no take of golden eagles. |
| Prairie falcon <i>Falco mexicanus</i> | MBTA | NT | Possible. There is one CNDDDB occurrence of a nesting prairie falcon (recorded between 1977 and 1984) about five miles to the south of Flyin' J Ranch in steep basalt bluffs (CNDDDB 2016). Marginally suitable habitat for this species is present in Flyin' J Ranch. The Proposed Action would not change the land use patterns of areas that may provide suitable habitat for this species. The Proposed Action would result in no take of prairie falcons. |
| Bald eagle <i>Haliaeetus leucophalus</i> | MBTA, BGEPA | NT | Possible. Nesting bald eagles have been documented within ten miles of Flyin' J Ranch and this species commonly winters at Millerton Lake. There is some marginally suitable habitat for this species on Flyin' J Ranch. The Proposed Action does not involve any construction and would not change the land use patterns of areas that may provide suitable habitat for this species. The Proposed Action would result in no take of bald eagles. |
| MAMMALS | | | |
| Fresno kangaroo rat <i>Dipodomys nitratoideis exilis</i> | E | NE | Absent. The Action Area is located outside of this species range. The Proposed Action would have no effect on Fresno kangaroo rats. |
| San Joaquin kit fox <i>Vulpes macrotis mutica</i> | E | NE | Possible. There is one CNDDDB record of this species within 10 miles of the Action Area (CNDDDB, 2016); however, this species is not expected to occur within the Action Area. The Proposed Action would not involve any construction and would not change the land use patterns of areas that may provide suitable habitat for this species. The Proposed Action would have no effect on San Joaquin kit foxes. |
| PLANTS | | | |
| Fleshy owl's-clover <i>Castilleja campestris</i> ssp. <i>succulenta</i> | T | NE | Present. There are no records of this species within the Action Area. The Proposed Action would not involve any construction or conversion of lands that may provide suitable habitat for this species. The Proposed Action would have no effect on fleshy owl's clover. |
| San Joaquin Orcutt grass <i>Orcuttia inaequalis</i> | T,X | NE | Possible. There are no records of this species within the Action Area. The Proposed Action would not involve any construction or conversion of lands that may provide suitable habitat for this species. The Proposed Action would have no effect on San Joaquin Orcutt grass. |

| Species | Status | Effects | Occurrence in the Study Area |
|--|--------|---------|--|
| Hartweg's golden sunburst <i>Pseudobahia bahiifolia</i> | E | NE | Possible. There are no records of this species within the Action Area. The Proposed Action would not involve any construction or conversion of lands that may provide suitable habitat for this species. The Proposed Action would have no effect on Hartweg's golden sunburst. |

1 Status= Listing of Federally special status species

E: Listed as Endangered

MBTA: Protected under the Migratory Bird Treaty Act

BGEPA: Protected under the Bald and Golden Eagle Protection Act

NMFS: Species under the Jurisdiction of the National Oceanic & Atmospheric Administration Fisheries

Service

T: Listed as Threatened

X: Critical Habitat designated for this species

2 Effects = Effect determination

NE: No Effect from the Proposed Action to federally listed species

NT: No Take would occur from the Proposed Action to migratory birds

3 Definition Of Occurrence Indicators

Absent: Species not recorded in study area and/or habitat requirements not met

Possible: Species not observed in the last 10 years in area

Present: Species recorded in or near action area and habitat present

3.3.2 Environmental Consequences

No Action

Under the No Action Alternative, there would be no impacts to biological resources because conditions would remain the same as existing conditions.

Proposed Action

The water delivered to Table Mountain Rancheria under the Proposed Action would be used for existing municipal purposes and would not be used to place untilled lands into production or to convert undeveloped land to other uses. No construction or modification of facilities would be required to deliver the water to Table Mountain Rancheria. With the implementation of the environmental commitments included in Section 2.2.3, Reclamation has determined that there would be *No Effect* to proposed or listed species or critical habitat under the Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et seq.) and *No Take* of birds protected under the Migratory Bird Treaty Act (16 U.S.C. §703 et seq.).

Cumulative Impacts

Because the Proposed Action is not expected to result in any direct or indirect impacts to biological resources, there would be no cumulative impacts.

3.4 Water Resources

3.4.1 Affected Environment

EA-14-019 and EA-11-016 included information and analyses of the water resources within Millerton Lake and the Soquel drainage that could be affected by the Proposed Action, including groundwater resources and subsidence trends within the Flyin' J Ranch. As this would be the same for the Proposed Action covered in this EA, it is not repeated here.

3.4.2 Environmental Consequences

No Action

Under the No Action Alternative, Reclamation would not approve the introduction of pumped groundwater into Kerckhoff Reservoir for conveyance to CSA #34 facilities. Table Mountain Rancheria would need to find alternative ways to move their Flyin' J groundwater to Table Mountain Rancheria by providing alternative conveyance path(s). Additionally, Table Mountain Rancheria would have to continue trucking 100 AF of water through Waterworks #18, and any water in excess of the 100 AF would not be able to be delivered to Table Mountain Rancheria.

Proposed Action

The total quantity of groundwater that would be pumped into Kerckhoff Reservoir under the Proposed Action by Table Mountain Rancheria would be limited to 600 AFY over a five year period as analyzed previously in EA-14-019. The only change between what was analyzed previously and what is proposed now is the delivery of this water to Table Mountain Rancheria for existing municipal purposes. There would be no additional impacts to water resources beyond those previously analyzed.

Up to 500 AF of Madera ID's Soquel water previously analyzed in EA-11-016 would be delivered directly to Table Mountain Rancheria's water treatment facility near Winchell Cove through CSA #34's facilities rather than through Waterworks #18 facilities. This would eliminate the need to have treated water trucked to Table Mountain Rancheria. All water would be used for existing municipal purposes.

Cumulative Impacts

Reclamation analyzed water resources cumulative impacts in EA-14-019 and EA-11-016. As the waters proposed for use under the Proposed Action are the same amounts of water previously analyzed and they would be used for existing municipal purposes no additional cumulative impacts would occur.

Section 4 Consultation and Coordination

4.1 Public Review Period

Reclamation provided the public with an opportunity to comment on the Draft FONSI and Draft EA between July 18, 2014 and August 17, 2014. No comments were received.

4.2 List of Agencies and Persons Consulted

Reclamation has consulted with the following regarding the Proposed Action:

- State Historic Preservation Office

Reclamation is coordinating with the Table Mountain Rancheria on the Proposed Action.

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David E. Hyatt, Resources Management Division Chief, SCCAO – reviewer

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