

**FINDING OF NO SIGNIFICANT IMPACT**

**San Joaquin River Restoration Program  
Porterville Irrigation District In-Lieu Groundwater Recharge Project**

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

**Recommended:** Rebecca Victorine 9/18/16  
Natural Resource Specialist Date  
Rebecca Victorine

**Concurred:** Adam Nickels 9/19/16  
Project Manager Date  
Adam Nickels

**Concurred:** Erika Kegel 9/19/16  
Acting Deputy Program Manager Date  
Water Management Goal  
FOR Erika Kegel

**Approved:** Alicia Forsythe 9/19/16  
Program Manager Date  
Alicia Forsythe  
FOR

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### 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 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 Porterville Irrigation District (District) is proposing to build new water conveyance facilities in two service areas within the District that currently do not have infrastructure to receive surface water deliveries. Service Area 1 encompasses approximately 1,400 acres of land that do not currently receive surface water from the District. The proposed action would also include conveyance facilities for Service Area 2, an in-lieu service area that would serve approximately 720 acres within the District that currently does not have access to surface water. Both Service Areas are located within the District’s CVP service area. Increasing the area that can take surface water deliveries would allow the District to utilize more of its Friant Division CVP contract water supply instead of transferring water out of the District. It would also allow the District to capture additional wet-year water supplies available and help offset water supply impacts caused by the San Joaquin

River Restoration Settlement. Reclamation is proposing to provide partial funding for the proposed action in accordance with Part III. Additional information about the Service Areas and proposed action is described in 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 District's In-Lieu Groundwater Recharge 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 will have no impacts to aesthetics, hazards, population and housing, public services and utilities, transportation, Indian Trust Assets and Indian sacred sites, recreation, or geology and soils.
- The proposed action will not generate a new supply of water; rather, it will improve the reliability of the District's water supplies by expanding its distribution area and allowing for additional water deliveries. The proposed action will allow the District to utilize more of its Friant Division CVP water supply within the District. Given that surface water supplies from the Friant-Kern Canal are of high quality, groundwater quality will not be adversely impacted by implementation of the proposed action. Therefore, the proposed action will have beneficial impacts to the District's water resources.
- Construction activities under the proposed action have a small potential to result in disturbance to San Joaquin kit fox, American badgers, roosting bats, 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, will reduce and avoid the potential for impacts to San Joaquin kit fox. Measures to reduce or eliminate potential direct and indirect impacts to 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 U.S. Fish and Wildlife Service on its determination that the proposed action is not likely to adversely affect San

Joaquin kit fox.

- The proposed action will 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 will not lead to the development of new agricultural lands since the majority of the land within the District has already been developed for agricultural uses.
- The proposed action is a type of action that has the potential to cause effects to historic properties as outlined in the Section 106 of the National Historic Preservation Act 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 June 14, 2016.
- Short-term air quality impacts will be associated with construction, and will generally arise from dust generation and operation of construction equipment. However, project construction and operations under the proposed action will not result in adverse impacts to air quality beyond Federal thresholds, and GHG emissions will be *de minimis*. The effects of climate change (i.e. sea level rise, rainfall and snowfall amounts, and habitat changes) on the proposed action are not fully understood; however, water supplies in the Friant System vary from year to year due to various reasons which have already required Friant System water districts and users to adapt to water supply fluctuations and changes. The proposed action will allow for additional distribution and storage of water supplies in the years that they are available to the District.
- Noise from construction activities will be temporary and construction activities will be limited to the hours of 7 am to 7 pm, Monday through Friday and best practices guidelines will be implemented as appropriate and feasible in accordance with Tulare County General Plan policies.
- The proposed action will have a minor beneficial effect on local socioeconomics resulting from increased local water supply reliability.
- The proposed action will serve to improve water supply reliability for agriculture in the District. Agricultural operations will have reduced reliance on groundwater supplies, which will increase reliability for surrounding homes that rely on groundwater wells by necessity. As a result, there will not be any adverse impact to minority groups. The proposed action will not disproportionately affect any one community.
- The proposed action, when added to other similar past, existing, and future actions will not considerably contribute to cumulative adverse impacts from

construction activities due to the short term of construction activities. The proposed action will result in an increase in the District'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.