

FINDING OF NO SIGNIFICANT IMPACT

**San Joaquin River Restoration Program
Shafter-Wasco Irrigation District
Kimberlina Groundwater Recharge Basin and Banking Project**

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

Recommended: Rebecca Victorine 9/29/16
Natural Resource Specialist Date
Rebecca Victorine

Concurred: Adam Nickels 9/29/16
Project Manager Date
Adam Nickels

Concurred: Erika Kegel 9/29/16
Acting Deputy Program Manager Date
Water Management Goal
FOR Erika Kegel

Approved: Alicia Forsythe 9/29/16
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 Shafter-Wasco Irrigation District (District) is proposing to construct the Kimberlina Groundwater Recharge Basin and Banking Project (Project) as a means to capture excess surface water in wet periods for recharge and storage as groundwater and help to achieve a sustainable water supply for the District and its landowners. Because the proposed action will contribute to achieving the Settlement Water Management Goal, Reclamation is proposing to provide partial funding for the proposed action in accordance with Part III. The proposed action includes construction of a 270 acre recharge basin and three wells for added recovery capacity and infrastructure to connect sources of supply with groundwater storage capacity. The proposed action also includes a groundwater recovery component that will, in some years, return banked groundwater via conveyance in the Friant Kern Canal (FKC). Two existing wells on the site would be converted to

monitoring wells. Additional information about the proposed action is described in the attached environmental assessment (EA).

FINDINGS

The attached EA 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 Kimberlina Groundwater Recharge Basin and Banking Project, as further described in the attached EA, 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:

- The proposed action will have no impacts to Indian Trust Assets and Indian sacred sites, aesthetics, mineral resources, population and housing, public services, traffic, noise, or recreation.
- The purpose of the proposed action is to take advantage of wet-year conditions by diverting excess water from the FKC in wet years to the recharge basin. Although the proposed action does include installation of wells capable of recovering a portion of the recharged groundwater, they will not be operated to remove more water than has been recharged. Under the proposed action, meters will monitor the amount of water taken from/returned to the FKC and delivered to the recharge basin and recovered from the wells and returned to the District system. As further discussed in the EA, groundwater returned to the FKC by way of the existing mainline will be monitored, consistent with groundwater pump-in actions that would occur under the No Action Alternative. Coupled with the proposed leave-behind component with banking participants, the proposed action is anticipated to have beneficial effects by facilitating replenishment of the groundwater aquifer and improving water supply reliability for the District.
- Construction activities under the proposed action have a small potential to result in disturbance to San Joaquin kit fox and 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 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 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 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 17, 2016.
- Short-term air quality impacts will be associated with construction, generally 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 flexibility in storage and management of water supplies in the District.
- The increased local water supply reliability resulting from the proposed action will have a minor beneficial effect on local socioeconomics and minority and/or disadvantaged populations and would not result in any adverse impact to minority groups. The proposed action would not disproportionately affect one community over another.
- The proposed action, when added to other similar past, existing, and future actions, would not contribute to cumulative adverse effects to any biological resources. Because the proposed action would not utilize the FKC for conveyance in all years, and implementation of the proposed monitoring as described in the attached EA would ensure that the water introduced into the FKC under the proposed action would meet the same water quality requirements as other actions to convey groundwater in the FKC, the proposed action would not considerably contribute to cumulative water quality effects in the region. The proposed action would 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 would contribute to beneficial cumulative effects in regards to socioeconomic, environmental justice, air quality and groundwater resources resulting from increased local water supply reliability.