


# RECLAMATION

## *Managing Water in the West*


**Finding Of No Significant Impact**

### **Southwest Groundwater Banking Project for Fresno Irrigation District**

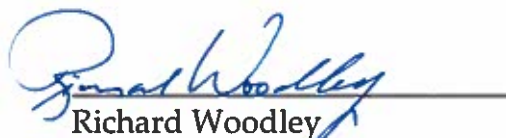
**FONSI 17-03-MP**

Recommended by:   
Jamie LeFevre  
Natural Resource Specialist  
Mid-Pacific Regional Office

Date: 3/31/17

Concurred by:   
Anna Sutton  
CVPIA Program Specialist  
Mid-Pacific Regional Office

Date: 3/31/17

Approved by:   
Richard Woodley  
Chief, Resources Division  
Mid-Pacific Regional Office

Date: 3/31/17

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## **Background**

The Bureau of Reclamation (Reclamation) providing a WaterSMART Water and Energy Efficiency Grant funding to Fresno Irrigation District (FID). The project would construct a groundwater banking facility and increase conveyance capacity along the downstream portion of Dry Creek Canal. The project is located 7 miles west of Raisin City in Fresno County, California . The project is located in an area that does not have access to surface water supplies and relies exclusively on groundwater to meet agriculture demands. The project would help to reduce groundwater overdraft in the area west of Raisin City by utilizing excess regional flood waters to recharge the groundwater basin.

## **Alternatives Including the Proposed Action**

### **No Action**

Under the No Action Alternative, Reclamation would not award WaterSMART Grant funding to FID to construct a groundwater banking facility or to increase conveyance capacity along the Dry Creek Canal. FID would need to raise additional money from other public or private sources to continue with the project as described. However, if funding cannot be secured, the proposed project would not be constructed and the continued level of groundwater overdraft would remain.

### **Proposed Action**

Under the Proposed Action, Reclamation would provide a WaterSMART grant in the amount of one million dollars to FID towards the construction of a groundwater banking facility, and to increase conveyance capacity along the downstream portion of Dry Creek Canal. FID would provide the remaining funds to complete the project.

This project includes improvements to the existing 60 acre groundwater recharge basin, and construction of a new 60 acre groundwater recharge basin. Additionally, improvements would be made on the Lower Dry Creek canal system that includes: the replacement of a culvert crossing at Lincoln Avenue, installation of two culvert crossings downstream of the new recharge basin, and widening or deepening of the canal, if needed. The new water recharge basin is anticipated to have a regulation structure and up to four distribution structures so that water can be moved between potential cells in the basin.

The project would utilize existing wells to provide an annual average water supply of 5,500 acre feet (AF) to FID or James Irrigation District (JID) users, and provide approximately 270 AF of flood water surface storage in the recharge basins. If necessary, three shallow monitoring wells would be constructed to help monitor and manage the facility. Floodwater and other available surface waters would be delivered to the new basin and recharged into the aquifer. The banked water would later be pumped out using existing wells and delivered to FID or JID.

## Environmental Commitments

FID shall implement the environmental protection measures identified in the 2016 Initial Study/Mitigated Negative Declaration and all conservation measures recommended by U.S. Fish and Wildlife Service (USFWS).

Conservation measures listed in the 2016 Initial Study/Mitigated Negative Declaration:

1. A protocol Burrowing Owl survey shall be conducted, prior to construction, to ensure that no owls nest on or adjacent to the Project site. The surveys shall be conducted 4 times in the winter and five times during the February through January period as per the CDFW (2012) guidelines.
2. If an owl is found, the CDFW shall be consulted and the project proponents shall select one or more of the following possible measures for implementation by a qualified biologist:
  - Redesign the project temporarily or permanently to avoid occupied burrows or nest sites until after the nesting/fledgling season.
  - Delay the project until after the nesting/fledgling season (March 1 through August 31)
  - Install artificial burrows in open space areas on or near the project site and wait for passive relocation of the Burrowing Owl
  - Active relocation of Burrowing Owl with conditions. The project proponents shall fund the relocation of Burrowing Owl to unoccupied, suitable habitat which is permanently preserved (up to 6.5 acres per nesting pair).
  - Though not endorsed by the CDFW, if any other measures are possible and can be successful, ensure that potential burrows are vacant, and destroy vacant burrows prior to March 1 and/or after August 31.
3. If, in the course of project construction or operation, any archaeological or historical resources are uncovered, discovered, or otherwise detected or observed, activities within one hundred (100) feet of the find shall be ceased and the County of Fresno shall be notified immediately. The project proponent shall retain a qualified archaeologist to assess the significance of the find and make mitigation recommendations, if warranted. The archaeologist shall document the resources using DPR 523 forms and file said forms with the California Historical Resources Information System (CHRIS). The resources shall be photo-documented and collected by the archaeologist for submittal. The archaeologist shall be required to submit to the County for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken.

Conservation measures recommended by the USFWS:

1. Pre-construction surveys shall be conducted by a qualified biologist no less than 14 days and no more than 30 days prior to the start of construction. These surveys will be conducted in accordance with the Service's 2011 Recommendations. When surveys identify potential dens (defined as burrows at least four inches in diameter which open up within two feet), potential den entrances shall be dusted for four consecutive calendar days to register and track activity of any kit fox present. If an active kit fox den is detected in, or within 200 feet of the area of work, the Service and the California Department of Fish and Wildlife (CDFW) shall be contacted immediately.
2. The surveyor shall thoroughly check the project site for kit fox dens and, if found, exclusion zones shall be placed, in consultation with the Service and CDFW, at the following radii: 50-feet for a potential den, 100-feet for a known den, and 50-feet for an atypical den. If a natal/pupping den is found, the Service will be contacted for guidance. Known kit fox dens, even if they are inactive, may not be destroyed.
3. Prior to the start of construction, the applicant will retain a qualified biologist to conduct an employee education program. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and agency personnel involved in the project. The program should include the following: a description of the kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site.
4. Project-related vehicles shall observe a 10-mph speed limit in all project areas during construction, except on county roads and State and federal highways. Off-road traffic outside of designated project areas will be prohibited during construction.
5. Project activities will occur only during daylight hours (one half hour following sunrise and one half hour prior to sunset).
6. The fence that will enclose the perimeter of the proposed project site will be permeable to kit fox, allowing their movement into, out of, and through the area. The fence will either be chain link, installed such that the bottom of the fence is suspended 4 to 5 inches from the ground, or standard barbed wire fencing.
7. All excavated steep-walled holes or trenches more than two feet deep shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Areas that are covered will be inspected daily, for as long as they are covered, to ensure that no kit fox have become trapped despite the presence of covers. Before such holes or trenches are filled, they

should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the procedures under numbers 11, 12 and 13 must be followed.

8. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.
9. All food-related trash items shall be disposed of in closed containers and removed at least once a week from a construction or project site.
10. No firearms shall be allowed on the project site.
11. To prevent harassment, mortality of kit foxes, or destruction of dens by dogs or cats, no pets shall be permitted on project sites during construction.
12. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape, or the Service shall be contacted for advice.
13. During project construction, a representative shall be appointed by FID who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service. Any contractor, employee, or agency personnel who inadvertently kills or injures a kit fox shall immediately report the incident to their representative.
14. In the case of an accidental death of or injury to a kit fox during project-related construction activities, the Sacramento Fish and Wildlife Office and CDFW shall be notified immediately by telephone or email, and project activities will cease until the agencies provide guidance. In addition, Reclamation would need to reinitiate consultation. Notification must include the date, time and location of the incident or of the finding of a dead or injured animal and any other pertinent information.
15. Use of rodenticides in project areas will be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. If it is later determined that the use of rodenticides is needed, Reclamation would need to reinitiate consultation.
16. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be revegetated to promote restoration and reduce erosion potential of the area to pre-project conditions.

# Findings

Based on the attached environmental assessment (EA), Reclamation finds that the Proposed Action is not a major Federal action that will significantly affect the quality of the human environment. The attached EA describes the existing environmental resources in the Proposed Action area and evaluates the effects of the No Action and Proposed Action alternatives on the resources. This EA was prepared in accordance with NEPA, 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 impacts of the proposed action are not significant:

1. The proposed action has no potential to affect historic properties (40 CFR 1508.27(b)(8)).
2. The proposed action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum dated December 15, 1993).
3. 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).
4. Implementing the proposed action will not disproportionately affect minorities or low-income populations and communities (EO 12898).
5. The proposed action may affect, but is not likely to adversely affect, the San Joaquin kit fox and the Fresno kangaroo rat based on the implementation of conservation measures recommended by USFWS. Consultation with the USFWS under Section 7 of the Endangered Species Act was completed February 28, 2017.
6. The proposed action would not produce emissions greater than the General Conformity Rule *de minimus* values for criteria pollutants and is consistent with the EPA-approved State Implementation Plan.
7. The proposed action will not significantly affect public health or safety (40 CFR 1508.27(b)(3)).
8. 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)).
9. 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)).

10. 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)).
11. There is no potential for the effects to be considered highly controversial (40 CFR 1508.27(b)(4)).
12. The proposed action will not have significant cumulative impacts (40 CFR 1508.27(b)(7)).
13. 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)).