

RECLAMATION

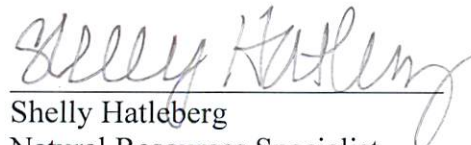
Managing Water in the West

Finding of No Significant Impact 18-36-MP

West Stanislaus Irrigation District Fish Screen Intake Project

**Anadromous Fish Screen Program
Bureau of Reclamation, Mid-Pacific Region
Sacramento, California**

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Date:

11/14/18

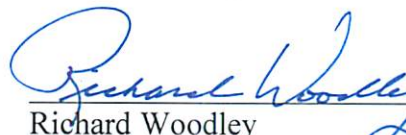
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11/14/18

Mission Statements

The Department of the Interior protects and manages the Nation's natural resources and cultural heritage; provides scientific and other information about those resources; and honors 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.

Introduction

This Finding of No Significant Impact (FONSI) is supported by the *West Stanislaus Irrigation District Fish Screen Intake Project Initial Study/Environmental Assessment (IS/EA)* (December 2017), hereby incorporated by reference.

Alternatives Including Proposed Action

No Action Alternative

Under the No Action Alternative, the Bureau of Reclamation (Reclamation) would not fund the proposed fish screen intake, pump station, conveyance facilities, intake canal improvements, wildlife crossings and restoration on-site. The proposed fish screen would not be installed and the existing unscreened intake system would continue to operate as it does currently.

Proposed Action

The Proposed Action consists of the following elements: (1) cone screens and a low-lift pump station located at the mouth of the existing intake canal; (2) sediment removal and management along the length of the intake canal; (3) approximately 2,100 feet of underground pipeline and an outfall structure for water conveyance from the proposed pump station to the intake; (4) two wildlife crossings over the intake canal; (5) facilities for providing late fall-water deliveries to the Refuge; (6) upgrading of existing roads along the intake canal; and (7) on-site restoration of riparian woodland.

In a letter dated January 25, 2018, the U.S. Fish and Wildlife Service (USFWS) requested additional information about the proposed Lara Tract spillway structure to initiate formal section 7 consultation for the Proposed Action. After a meeting with West Stanislaus Irrigation District (WSID), USFWS and Reclamation staff on February 26, 2018, it was decided that the spillway structure would be removed from the project design. Although the structure is described in the IS/EA, it is no longer a part of the Proposed Action.

Comments on the Draft IS/EA

The Draft IS/EA for the WSID Fish Screen Intake Project was circulated for public and agency review and comment between September 1 and October 2, 2017. Six written letters were received addressing the content and analysis contained in the Draft IS/EA. Responses to these comments are included in Appendix E of the Final IS/EA.

Findings

In accordance with the National Environmental Policy Act (NEPA), the Mid-Pacific Regional Office of Reclamation has found that approval of the Proposed Action is not a major federal action that will significantly affect the quality of the human environment. Consequently, an environmental impact statement is not required.

Following are the reasons why the impacts from the Proposed Action are not significant:

1. The Proposed Action will not significantly affect public health or safety (40 CFR 1508.27(b)(2)).
2. The Proposed Action will not significantly affect natural resources and unique geographical characteristics such as proximity to 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); floodplains (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)).
3. There is no potential for effects of the Proposed Action to be considered highly controversial (40 CFR 1508.27(b)(4)).
4. 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)).
5. 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)).
6. The Proposed Action will not have cumulatively significant impacts (40 CFR 1508.27(b)(7)).
7. The Proposed Action will not significantly affect historic properties (40 CFR 1508.27(b)(8)).

8. The Proposed Action will not significantly affect listed or proposed threatened or endangered species, or its habitat that has been determined to be critical under the Endangered Species Act of 1973 (40 CFR 1508.27(b)(9)). Reclamation consulted with the USFWS and National Marine Fisheries Service (NMFS) under section 7 of the federal Endangered Species Act, receiving biological opinions from both agencies on July 30, 2018 and October 31, 2018, respectively. USFWS concurred with Reclamation's determination that the Proposed Action may affect, and is likely to adversely affect the Valley elderberry longhorn beetle, Least Bell's vireo, riparian brush rabbit, and San Joaquin Valley woodrat and that the Proposed Action may affect, but is not likely to adversely affect the San Joaquin kit fox. In addition, USFWS concurred with Reclamation's determination that the Proposed Action will not adversely modify critical habitat for any of these species as none occurs within the Proposed Action area. NMFS concurred with Reclamation's determination that the Proposed Action is not likely to adversely affect the Southern Distinct Population Segment of North American green sturgeon, is not likely to jeopardize the continued existence of California Central Valley steelhead distinct population segment and Central Valley spring-run Chinook salmon Evolutionarily Significant Unit and is not likely to destroy or adversely modify designated critical habitat for California Central Valley steelhead. NMFS also concluded that the Proposed Action will adversely affect Essential Fish Habitat of Pacific Coast Salmon. Mitigation measures will be implemented to reduce construction impacts on federally and state-listed species that could occur within the Proposed Action area (see Final IS/EA).
9. The Proposed Action will not threaten a violation of Federal, state, tribal or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)).
10. The Proposed Action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum dated December 15, 1993).
11. Implementing the Proposed Action will not disproportionately affect minorities or low-income populations and communities (EO 12898).
12. The Proposed Action will not limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 13007 and 512 DM 3).
13. The Proposed Action will not result in adverse impacts to water or land resources. The Proposed Action would not adversely impact water conveyance facilities or activities within the Refuge.
14. The Proposed Action will not have significant air quality impacts.