



— BUREAU OF —  
RECLAMATION

# FINDING OF NO SIGNIFICANT IMPACT (FONSI-21-02-BDO, CGB- EA-2021-014)

## 5-Year Groundwater Acquisitions for South of Delta Central Valley Project Improvement Act Refuges (2021-2026)

Bay-Delta Office, Sacramento, CA

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## **Mission Statements**

The Department of the Interior (DOI) conserves and manages the Nation's natural resources and cultural heritage for the benefit and enjoyment of the American people, provides scientific and other information about natural resources and natural hazards to address societal challenges and create opportunities for the American people, and honors the Nation's trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated island communities to help them prosper.

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.

# Background

The Bureau of Reclamation (Reclamation) prepared an Environmental Assessment (EA) on December 2015 and signed a Finding of No Significant Impact (FONSI) on January 2016 for the purchase/exchange of groundwater to help meet the Incremental Level 4 (IL4) water supply needs of South of Delta (SOD) Central Valley Project Improvement Act (CVPIA) wetland habitat areas (aka “Refuges”) located in California’s San Joaquin Valley. Reclamation’s water purchases and exchanges for SOD Refuges are authorized under CVPIA, Section 3406(d)(2).

The 2016 FONSI and 2015 EA focused on the potential impacts of acquiring up to 29,000 acre feet (AF) of IL4 groundwater supplies for SOD Refuges annually for a period of five years. IL4 groundwater was acquired from willing providers by either direct purchase or exchange.

Reclamation proposes the continuation of acquiring, either through direct purchase or exchange, up to 29,000 AF of IL4 groundwater supplies for SOD Refuges annually for an additional period of five years. Analyses and background information from the 2015 EA and 2016 FONSI are incorporated by reference and can be located at the following link:

[https://www.usbr.gov/mp/nepa/nepa\\_project\\_details.php?Project\\_ID=23467](https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=23467).

## Alternatives Including Proposed Action

### No Action Alternative

Under the No Action Alternative, Reclamation would not enter into agreements with various parties for the purchase of groundwater supplies and/or exchange of Level 2 (L2) water for groundwater supplies to help meet SOD Refuges' demand for IL4 water, and no exchange of L2 water for irrigation and domestic uses would occur.

### Proposed Action Alternative

Reclamation proposes to enter into agreements with various parties SOD to acquire IL4 water supplies from privately owned groundwater production wells within or near the Grasslands Ecological Area (Proposed Action). The proposed annual groundwater purchases/exchange would occur for five years (March 2021 through March 2026). The Proposed Action will include monitoring well production, water quality, groundwater levels, and land subsidence. Monitoring would occur at each well location to confirm that groundwater quality is suitable for refuge use. Based on the data acquired, a determination would be made to modify or curtail the groundwater pumping operations at any time during the five year period to mitigate potential impacts.

The groundwater production wells would collectively produce up to 29,000 AF of groundwater annually of acceptable quality, which can be conveyed to and used within the SOD Refuges. Monitoring data would be used to ensure that the Proposed Action would not result in significant impacts to resources identified in the EA, including water quality within the delivery canals and groundwater levels within the Proposed Action area. The Proposed Action would utilize

existing facilities and would not involve any ground disturbance or construction.

The Proposed Action allows for the extension of current agreements as well as new water purchase and exchange agreements between Reclamation and parties in the vicinity of the SOD Refuges. The Proposed Action will allow for individual wells to be included in a water purchase agreement as well as an exchange agreement and for flexibility in adding and removing wells on an as-needed basis to achieve the Proposed Action's objectives.

IL4 water may also be acquired under the Proposed Action via an uneven exchange of L2 water. L2 water means the amount of Central Valley Project water historically delivered to the Refuges prior to 1989, pursuant to CVPIA Section 3406 (d)(1). Such exchanges would be with local water districts and other interested parties. Such parties would provide groundwater to the SOD Refuges in exchange for a lesser amount of L2 water. The exchanged L2 water would likely be used for agricultural or municipal and industrial purposes, depending on who the exchange agreements are with and how they intend to put this water to beneficial use.

The Proposed Action's monitoring will include metering of the flows received from each groundwater well. To minimize any potential for surface water quality degradation associated with the utilization of groundwater to supplement IL4 water supplies, water quality monitoring will consist of both surface water and groundwater quality monitoring. Surface water quality monitoring will consist of both continuous and instantaneous sampling. Monitoring will include sampling from upstream locations to determine base flow constituent concentrations, a downstream location, and at each wellhead. If water quality objectives are exceeded at any time, corrective actions will be implemented within 24 hours, including modification of or ceasing well pumping operations until water quality objectives are again met.

To minimize any potential impacts on groundwater levels, preproduction groundwater levels will be measured using an electronic water level sensor. Well drawdown would be monitored during pumping operations, and groundwater recovery will be measured annually during years when pumping occurs. All results will be provided to Reclamation with the monthly water quality data.

To minimize potential impacts on land subsidence associated with cumulative groundwater pumping in the Delta-Mendota Subbasin, all parties will collaborate with and participate in the San Luis and Delta-Mendota Water Authority's and Central California Irrigation District's established land subsidence monitoring programs.

In compliance with the Sustainable Groundwater Management Act, any parties considered Groundwater Sustainable Agencies will submit annual reports to the Department of Water Resources (DWR) following the adoption of groundwater sustainability plans. Should DWR identify significant concerns in the annual report that are not remedied, Reclamation will reassess the Proposed Action and identify the potential solutions, including not moving forward with the Proposed Action.

The Proposed Action remains unchanged from the 2016 FONSI and 2015 EA, aside from the updated five-year timeline of March 2021 through March 2026.

# Findings

Reclamation considered potential short-term and long-term effects of the Proposed Action, both beneficial and adverse. Following are the reasons why the impacts of the Proposed Action are not significant, with respect to the affected environment and degree of effects of the action (40 CFR 1501.3(b)).

1. Cultural Resources: Reclamation has determined that the proposed action is the type of undertaking that does not have the potential to cause effects on historic properties, should such properties be present, pursuant to 36 CFR § 800.3(a)(1). As such, Reclamation has no further obligations under 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act.
2. Section 7 Endangered Species Act (ESA): The Proposed Action will not significantly affect listed threatened or endangered species or their designated critical habitat. Reclamation has determined that the Proposed Action will have No Effect on ESA-listed species and, therefore, will not seek concurrence from U.S. Fish and Wildlife Service or the National Marine Fisheries Service. Overall, the Proposed Action would provide a benefit to waterfowl, shorebirds, and raptors, as the water would be used for refuge management to sustain wetland habitats. The Proposed Action may benefit Giant Garter Snake in that it would provide additional wetland habitat. Giant Garter Snake prefer permanent or semi-permanent water with vegetated perimeters, similar to conditions found in the Proposed Action refuges.
3. The Proposed Action will not significantly affect public health or safety (40 CFR 1501.3(b)(2)(iii)).
4. The Proposed Action will not violate federal, state, tribal or local law protecting the environment (40 CFR 1501.3(b)(2)(iv)).
5. The Proposed Action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum – July 2, 1993).
6. Implementing the Proposed Action will not disproportionately affect minorities or low-income populations and communities (EO 12898 – February 11, 1994).
7. 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 – May 24, 1996 and 512 DM 3 – June 5, 1998).