

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION**

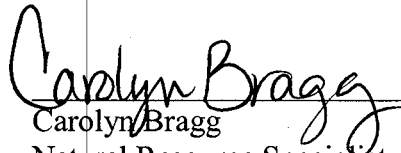
**MID-PACIFIC REGION
SACRAMENTO, CALIFORNIA**

FINDING OF NO SIGNIFICANT IMPACT

**SMITH RIVER RANCHERIA WATER RESOURCES
DEVELOPMENT PROJECT**

FONSI No. 10-053-MP

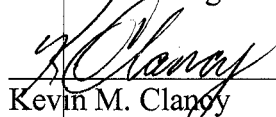
Recommended by:


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Date:

4-20-10

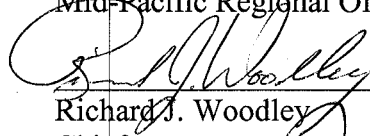
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4/26/2010

FINDING OF NO SIGNIFICANT IMPACT SMITH RIVER RANCHERIA WATER RESOURCES DEVELOPMENT PROJECT

In accordance with Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Mid-Pacific Regional Office of the Bureau of Reclamation (Reclamation), has determined that the approval and associated funding to test two possible well locations, and install and develop a community well for the Smith River Rancheria (SRR) Tolowa Tribe is not a major federal action that would significantly affect the quality of the human environment and an Environmental Impact Statement (EIS) is not required. This Finding of No Significant Impact is supported by Reclamation's Final Environmental Assessment (EA), *Smith River Rancheria Water Resources Development Project*, and is hereby incorporated by reference.

BACKGROUND

Under the Reclamation States Emergency Drought Relief Act of 1991, as amended (Drought Act), and other authorities, Reclamation is planning to use \$40 million from the American Recovery and Reinvestment Act (ARRA) to fund emergency drought relief projects that can quickly and effectively mitigate the consequences of the current drought in California.

2009 was the third consecutive year of drought conditions in the State of California. Governor Schwarzenegger has declared a drought emergency for the entire state. The SRR Tolowa Indian Tribe is suffering from the prolonged drought and experiencing severe effects to the health and safety of tribal members. In compliance with Section 104 of the Drought Act, the Tolowa Tribe has declared a drought emergency and requested Reclamation's assistance for the purpose of installing and developing a community well to provide an alternative source of water on the SRR.

The existing Howonquet Community Water System that serves the SRR relies on Gilbert Creek for their water supply which provides service to 49 homes and the United Indian Health Services (UIHS) health clinic. The water system includes a creek infiltration gallery, intake piping from the gallery to an underground wetwell (raw water storage), a well subject to the influence of surface water adjacent to the building, a 100,000 gallon treated water storage tank, and over 8,000 feet of water distribution mains.

The existing creek infiltration gallery and well that serve the system are subject to the influence of surface water. This in turn provides for an unstable supply to the system when either dry weather conditions do not provide enough water for the system and/or high water flows increase the turbidity levels to an untreatable level. The current operation poses a potential health risk/threat to all the residents that utilize the system.

FINDINGS

Reclamation has prepared an EA which analyzes the impacts of the Proposed Action. Based on the analysis in the EA, Reclamation has found that the testing of two possible well locations and the installation and development of a community well for the SRR Tolowa Tribe would not result in significant impacts to the environment and does not require the preparation of an EIS.

This Finding of No Significant Impact is based upon the following:

1. **Surface Water Resources** - The Proposed Action would not decrease surface water in the project area and in fact would decrease the amount of surface water withdrawn from Gilbert Creek to be utilized by the SRR therefore benefiting surface water resources in the project area. The Proposed Action would not result in short-term or long-term adverse impacts to surface water or the resources dependent on surface water.
2. **Groundwater Resources** - Groundwater resources are believed to be of good quality and quantity in the Smith River Groundwater Basin. Based on existing data, it is anticipated that groundwater production from the aquifer beneath the Gilbert Creek floodplain could be on the order of up to 100 gallons per minute (gpm). The amount of groundwater that would be utilized by the Proposed Action would not exceed the daily amount that would result in overdraft of the Smith River Groundwater GBasin. The Proposed Action is located in an area with permeable sand and gravel deposits that result in groundwater amounts that could be utilized for well yields large enough for domestic use. The Proposed Action would not adversely affect groundwater resources in the Smith River Groundwater Basin.
3. **Geology and Soils** - Review of the Preliminary Fault Activity Map of California, CDMG Report 92-03, 1992 indicates that no known faults are mapped either in the site boundaries or on nearby land. At the project site, soil structure in the surface layers is fairly strong. This strong structure and the high amount of organic matter in the surface help to stabilize soil particles and decrease susceptibility to detachment and transport by water. In addition, slopes in the Proposed Action area are zero to three percent and do not pose an erosion problem. The Proposed Action would not adversely affect geology or soils in the project area.
4. **Land Use** - The Proposed Action would not result in any land use changes and therefore, would not adversely impact land use.
5. **Biological Resources** - Potentially affected listed and proposed species for the SRR area was obtained from the U.S. Fish and Wildlife Service (USFWS) and biological surveys were completed by Winzler and Kelly, Consulting Engineers for the Itzen Bulb Farm (Gilbert Creek included) in 2007. The only known listed species occurring in the project area is the coastal cutthroat trout (*Oncorhynchus*

clarkia clarkii) in Gilbert Creek, which is listed in the California Natural Diversity Database as a state species of concern. The Proposed Action area is located in an open field and does not include in-stream work and therefore, the Proposed Action would not cause adverse impacts to the coastal cutthroat trout. The locations of the test holes and the community well would not be within habitat that supports any listed species and therefore, the Proposed Action would not result in short-term or long-term adverse impacts to biological resources in the project area or surrounding area. No wilderness designations or unique ecosystem, biological community or its inhabitants are expected to be impacted by the project.

6. **Cultural Resources** - The Proposed Action is the type of activity that has the potential to affect historic properties. A records search and Tribal consultation failed to identify any historic properties within the project area. Since no historic properties will be affected, no cultural resources will be impacted as a result of implementing proposed action.
7. **Indian Trust Assets** - The Proposed Action would provide an alternative water source and thus removing potential health issues associated with their current water source, which would benefit the SRR and their Indian Trust Assets (ITAs). The Proposed Action would not adversely affect any ITAs.
8. **Environmental Justice** - The Proposed Action would not disproportionately affect minorities or low-income populations and communities. There would not be significant adverse impacts to human health or environmental effects associated with the Proposed Action.
9. **Global Climate Change** - The Proposed Action would not include any significant change on the composition of the atmosphere and therefore would not result in adverse impacts to climate change.
10. **Cumulative Impacts** - The Proposed Action is a minor construction activity located in a previously disturbed area. The Proposed Action would not result in adverse impacts to surface water, groundwater, land use, geology and soils, biological resources, cultural resources, ITAs, environmental justice or climate change and due to the fact that there are no additional projects planned on the Reservation at this time, the Proposed Action would not contribute to cumulative impacts to any of these resources.