

DRAFT FINDING OF NO SIGNIFICANT IMPACT

**San Joaquin River Restoration Program Juvenile Fall-Run Chinook Salmon Trap
and Haul Study**

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

Recommended: _____
Natural Resource Specialist Date

Approved: _____
Program Manager Date

FONSI Number:

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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 (CVP) Friant Division (Friant Division). After more than 18 years of litigation, *NRDC, et al., v. Kirk Rodgers, et al.* (Settlement), a settlement was reached. On September 31, 2006, the Settling Parties, including NRDC, Friant Water Users Authority (now represented by the Friant Water Authority [FWA]), 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 (Court) 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.

Under the proposed action, in support of the Settlement Restoration Goal, Reclamation would implement a trap and haul study to assess the feasibility of moving juvenile fall-run Chinook salmon downstream of the Restoration Area to areas where the San Joaquin River is connected in low flow years and no migration barriers exist, and monitor fish movements in Reach 1 of the San Joaquin River during a Critical Low hydrologic water-year type where no flow pulses are available to cue juvenile salmon to downstream migration in already low water conditions. To capture juvenile fish, temporary fence weirs would be installed in three locations in Reach 1 of the San Joaquin River: within 1 mile downstream of the Highway 41 Bridge, at Scout Island, and within 1 mile downstream of the Highway 99 Bridge. Entrainment-type netting may be used as an alternative to fish weirs at a single location upstream of proposed weir locations. Entrainment-type netting could be installed at Donnie Bridge or Ledger Island Bridge.

Collection structures would be checked for fish and weirs cleaned of debris daily. Any fish species other than Chinook salmon that may be incidentally trapped will be released immediately downstream of the collection structures. Fish would be collected

daily in the morning and transported to the release site using a standard size pickup truck. Proposed release sites would be determined by water temperature, flow, and river connectivity, but could include: the confluence of the San Joaquin and Merced Rivers near Newman, or the confluence of the San Joaquin and Tuolumne Rivers near Patterson.

Juvenile fall-run Chinook salmon trap and haul activities would occur from mid-February through May, as allowed by hydrologic conditions. If water temperatures reach a level that would compromise Chinook salmon survival, trapping would cease at that location. Following completion of trap and haul activities, fish collection structures would be removed from the channel and stored at an off-site disposal facility. The proposed action is further described in the attached draft environmental assessment (EA).

To minimize potential impacts of the proposed action, Reclamation will implement the following measures:

- In accordance with the Service Conservation Guidelines for Valley Elderberry Longhorn Beetle (VELB), to avoid any impacts to VELB, no mechanized equipment will operate within 100 feet of elderberry shrubs, and no work will be done within 20 feet of the outer edge of any elderberry shrubs.
- The project area will be visually inspected prior to fish collection and release activities to ensure no kit foxes or dens are present.
- In order to avoid potentially working within areas that may be suitable for giant garter snake (GGS), a 100-foot buffer will be maintained around all backwater sloughs when installing t-posts for the temporary fish collection structures. Cut banks will be avoided when moving or anchoring equipment in order to avoid potential GGS dens.
- Reclamation is coordinating with local stakeholders to better determine the potential level of impact, given the anticipated low water levels during the period of the proposed action, and feasible impact minimization measures.
- Reclamation will place signage to alert boaters of the temporary fish collection structures upstream and downstream of the temporary fish collection structures, and at Fresno Sportsmen's Club, Fort Washington Campground, Sycamore Island, and Friant Dam Landing.
- Temporary fish collection structures will include flashing lights, and flagging to alert boaters.
- Temporary fence weirs will include a removable panel marked with bright paint and signage to direct boaters and allow for boat passage.

FINDINGS

The attached draft 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, the San Joaquin River Restoration Program has found that the proposed juvenile fall-run Chinook salmon trap and haul study would not be 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:

- The proposed action would have no effect on the following resources: groundwater, land use, geology and soils, agricultural resources, noise, power, public health, transportation, utilities, visual resources, cultural resources, Indian trust assets, or greenhouse gases and climate change. The proposed action would not have any adverse cumulative effects.
- Under the proposed action, installation of the temporary fish collection structures and fish collection and release activities are not anticipated to significantly alter hydrodynamics in the river channel given the anticipated low flows. While increases in turbidity may occur during installation of the temporary fish collection structures and collection and release of fish, these impacts are anticipated to be minor, as all work would be done by hand, and these impacts would be temporary in nature.
- The proposed action would have a potential beneficial effect on fall-run Chinook salmon by moving captured juveniles from unsuitable conditions to downstream locations where their ocean migration can continue. Under the proposed action, there would be no significant effects to vegetation and wildlife, including Endangered Species Act listed species, critical habitats, essential fish habitat, or species protected by the Migratory Bird Treaty Act.
- Because they would extend bank to bank, installation of the temporary fish collection structures could adversely impact boaters in this reach of the river, as they would have to navigate around the structures. However, initial coordination with stakeholders indicated that most canoers and kayakers utilize areas upstream of the proposed action, and thus would not be affected. Initial coordination with power boat operators has indicated that they can be present in this reach of the river at flows as low as 170-180 cfs. However, given current hydrologic conditions, flows in this reach of the river are anticipated to be around 130 cfs for the majority of the proposed action period, and flows are anticipated to be too low for power boats to navigate. As previously described, Reclamation will implement several measures to avoid and minimize potential impacts to boaters in the proposed collection areas.
- The proposed action would not result in a substantial increase in long-term regional or local emissions. Therefore, emissions would not be anticipated to violate an air

quality standard, contribute substantially to an existing or projected air quality violation or conflict with or obstruct implementation of Air Resources Board and San Joaquin Valley Air Pollution Control District air planning efforts.