

# RECLAMATION

*Managing Water in the West*

## Finding Of No Significant Impact

# MU5 Farms Lateral 32.2 Turnout and Irrigation Pipeline Project on the Madera Canal

FONSI 15-08-MP

Recommended by:



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# 1 Background

In accordance with Section 102(2)(c) of the National Environmental Policy Act of 1969 (NEPA), as amended, the Bureau of Reclamation (Reclamation) prepared an Environmental Assessment (EA) to analyze impacts of providing a MP-620 encroachment permit to MU5 Farms LLC (MU5 Farms) to allow for the construction of a turnout within Reclamation right-of-way along Lateral 32.2 which connects to the Madera Canal.

The Project will be constructed approximately 8.5 miles east of the City of Chowchilla (Figure 1), south of the Madera Canal on Lateral 32.2 between Road 24 and Road 26 (Figure 2) (latitude 37° 06' 44.93"N, longitude 120° 06' 7.04" W).

## 2 Alternatives Including the Proposed Action

### 2.1 No Action

Under the No Action Alternative, Reclamation would not issue an MP-620 encroachment permit to MU5 Farms for implementation of the Project and MU5 Farms would continue to operate using existing groundwater to irrigate and would not have the flexibility to transfer surface water into the irrigation system.

### 2.2 Proposed Action

Reclamation proposes to issue an MP-620 encroachment permit to MU5 Farms for construction of a turnout and irrigation pipeline on and adjacent to Lateral 32.2. The turnout structure and pipeline will provide irrigation water to MU5 Farms' property. The turnout will be located at the intersection of Road 25 and Avenue 25 in Madera County about 10 miles north of the City of Madera, 9 miles east of the City of Chowchilla, and 1.25 miles northwest of Berenda Creek. The turnout will have a concrete headwall, floor, and sidewalls. A steel canal gate will be bolted to the headwall to control the amount of water that will enter the 24-inch PVC pipeline that will be connected to the canal near the turnout. The pipeline will extend from a connection at the turnout to a standpipe located at the southeast corner of MU5 Farms' property approximately a half mile west of the turnout (latitude 37° 06' 44.93" N, longitude 120° 06' 7.04" W). Staging of equipment used for the Project will take place in, and immediately adjacent to, the proposed work areas.

### 3 Findings

Based on the attached EA, Reclamation finds that the Proposed Action is not a major Federal action that will significantly affect the quality of the human environment. The EA describes the existing environmental resources in the area of the Proposed Action, and evaluates the effects of the No Action and Proposed Action alternatives on the resources in the vicinity of the Proposed Action. This EA was prepared in accordance with National Environmental Policy Act, 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 will not significantly affect public health or safety (40 CFR 1508.27(b)(3)).
2. 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)).
3. 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)).
4. 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)).
5. There is no potential for the effects to be considered highly controversial (40 CFR 1508.27(b)(4)).
6. The proposed action will not have significant cumulative impacts (40 CFR 1508.27(b)(7)).
7. The proposed action will not adversely affect any districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places (40 CFR 1508.27(b)(8)). Pursuant to 54 USC § 306108, commonly known as Section 106 of the National Historic Preservation Act, and its implementing regulations at 36 CFR Part 800, Reclamation notified the State Historic Preservation Officer (SHPO) of a finding of no historic properties affected for the undertaking through correspondence on August 14, 2015. Through correspondence dated August 14, 2015, the SHPO responded with no objection to Reclamation's finding.
8. The proposed action may affect but is not likely to adversely affect listed or proposed

threatened or endangered species (40 CFR 1508.27(b)(9)). The Fish and Wildlife Service concurred with Reclamation's finding on November 9, 2016.

9. 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)).

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 significantly adversely affect the physical integrity of such sacred sites (EO 13007 and 512 DM 3).

