

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

North Grasslands Water Conservation/Water Quality Control and Level 2 Refuge Water Exchange Project

FONSI Number 16-23-MP

Recommended by:

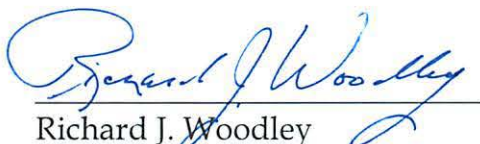


Date:

4/24/2017

Bradley C. Hubbard
Natural Resource Specialist
Mid-Pacific Regional Office

Approved by:



Date:

4/24/17

Richard J. Woodley
Resources Management Division Chief
Mid-Pacific Regional Office



U.S. Department of the Interior
Bureau of Reclamation
Mid-Pacific Region

Introduction

The Bureau of Reclamation (Reclamation) proposes entering into an agreement with the San Luis Water District (SLWD) and the Grassland Water District (GWD) to exchange federal refuge Level 2 (L2) water made available via GWD's North Grasslands Water Conservation and Water Quality Control Project (NGWCWQC Project). The NGWCWQC Project and the exchange of Level 2 (L2) Refuge Water (Proposed Action) would further the goals and objectives of the Refuge Water Supply Program (RWSP) by improving refuge water availability South of the Delta. The term of the Agreement will be fifteen years and is expected to start Water Year 2019 and proceed through Water Year 2034.

Alternatives Including the Proposed Action

No Action:

The No Action Alternative would consist of Reclamation not entering into an agreement with SLWD to fund the construction of the NGWCWQC Project and the exchange of refuge L2 water for Recovered Water to help meet refuge demands. The delivery of Recovered Water to the Grassland Resource Conservation District (GRCD) lands derived from the conservation actions for purposes defined in this EA would not occur. SLWD would not be able to utilize exchanged refuge L2 water, and the IL4 portion of this exchange would not provide water to the RWSP.

Proposed Action:

Reclamation proposes to enter into an agreement with SLWD and GWD to exchange refuge L2 water for water made available via the NGWCWQC Project. The Proposed Action would further the goals and objectives of the RWSP by improving refuge water availability South of the Delta. Another benefit of the Proposed Action is that it would enable delivery of water to SLWD for agricultural use.

The NGWCWQC Project's Recovered Water (up to 16,500 acre-feet annually) would be utilized by the RWSP for south-of-Delta L4 refuge water purposes for the GRCD. The SLWD intends to provide capital funds to construct the NGWCWQC Project in exchange for refuge L2 water. In exchange for the Recaptured Water delivered to the GRCD, Reclamation would deliver to SLWD, within its Contractor's Service Area, Refuge L2 Water based on the Project Yield developed during the current Water Year until Project construction and O&M Costs paid by SLWD have been repaid. Exchanged L2 Water will be provided to SLWD after Reclamation receives verified meter readings from GWD confirming the previous month or month(s) Project Yield. The Parties signatory to the exchange agreement may mutually agree in writing to adjust the volume of Exchanged L2 Water on a monthly or seasonal basis, provided that the Exchanged L2 Water shall not exceed 50% of the Recaptured Water produced and delivered by the Project over a 24-month period. The 15-year exchange period is anticipated to start Water Year 2019 and proceed through Water Year 2034, but capital repayment is expected to be completed within five years after NGWCWQC Project start-up.

The NGWCWQC Project would recover available water from GWD's water conveyance system. The Recovered Water would be returned via open channel and pipeline to the Santa Fe Canal upstream of the Cherokee Weir for delivery by GWD to a portion of the northern GRCD. The

major features of the NGWCWQC Project include improvement to two GWD ditches and the construction of two pipelines (GCR Pipeline and SFC Pipeline), three pump stations (HT, MS and GC), and associated water control structures to recover water and return it to the GWD conveyance system to meet refuge demands. The NGWCWQC Project would typically begin operating in mid-September once impoundments begin to spill after flood-up and continue operating until mid-February as water quality and demand conditions can accommodate.

The Proposed Action was previously analyzed in the GWD's September 2015 Initial Study/Mitigated Negative Declaration (GWD 2015 IS/MND) for the North Grasslands Water Conservation and Water Quality Control Project (NGWCWQC Project). The Draft IS was released to the public for a 30-day public review period in August 2015. The Final IS/MND was released in September 2015. The document analyzed improving and constructing conveyance facilities to recover available water from GWD's water conveyance system as well as maintenance flows from the privately managed wetlands along Gun Club Road (Recovered Water). The Recovered Water would be returned via open channel and pipeline to the Santa Fe Canal upstream of the Cherokee Weir for delivery by GWD to a portion of the northern GRCD. The major features of the NGWCWQC Project include improvement to two GWD ditches and the construction of two pipelines (Gun Club Road (GCR) Pipeline and Santa Fe Canal (SFC) Pipeline), three pump stations (Hollow Tree (HT), Mud Slough (MS) and Gun Club (GC), and associated water control structures to recover water and return it to the GWD conveyance system to meet demands. Specific details of the NGWCWQC Project's conveyance system improvements and construction activities are included on pages 4-6 of Reclamation's attached Environmental Assessment (EA) prepared for the Proposed Action.

Public Comment

The public review period for the draft NGWCWQC Project IS was held from August 10, 2015, through September 8, 2015. GWD received eight comment letters on the draft IS. The Final IS/MND dated September 29, 2015 provided detailed responses to all comments received. Detailed information on the comments received and the responses to these comments can be found in Appendix I of the GWD 2015 IS/MND.

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 specific resources. This EA was prepared in accordance with NEPA, CEQ 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 Proposed Action's impacts 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 is the type of action that has the potential to cause effects to historic properties pursuant to 36 CFR §800.3 of the Section 106 implementing regulations. As a result of this determination, Reclamation implemented the steps in the Section 106 process as outlined at 36 CFR §800.3 to 36 CFR §800.6. A records search, a cultural resources survey, and Tribal consultation identified historic properties within the APE. The only identified historic properties within the APE are the Santa Fe Canal and Eagle Ditch segments. Reclamation applied the criteria of adverse effects pursuant to 36 CFR § 800.5(b) and determined that the proposed project will result in no adverse effects to historic properties pursuant to 36 CFR § 800.5(b). The proposed improvements on the GWD water conveyance facilities will not alter the purpose and function for which the Santa Fe Canal or Eagle Ditch segments were built, or the characteristics that would make them eligible for listing on the National Register. Since there will be no alterations to the Santa Fe Canal or Eagle Ditch segments, the GWD water conveyance system will also be unaffected. Therefore, Reclamation determined that there will be no adverse effect to historic properties pursuant to 36 CFR § 800.5(b); therefore, no cultural resources would be affected as a result of implementing the Proposed Action. Reclamation completed the Section 106 compliance process on March 20, 2017 after receiving a letter from SHPO dated March 14, 2017.
8. The Proposed Action will not result in adverse impacts to water resources or land resources. The 2011 Project Feasibility Report prepared by GWD and AECOM in 2011, and the GWD 2015 IS/MND analyzed the impacts of constructing and operating the project on hydrology and water quality. These hydrology and water quality impact analyses are included on pages 5-16 of the 2011 Feasibility Report and on pages 3-51 through 3-60 of the GWD 2015 IS/MND for the

NGWCWQC Project. The specific analyses on pages 5-16 of the 2011 Feasibility Report and the specific analyses on pages 3-53 through 3-60 of the GWD 2015 IS/MND are incorporated by reference. An evaluation shows that there are no new circumstances or changes in the action or its impacts that would result in significantly different environmental effects.

GWD adopted mitigation measures to address impacts associated with water quality, water quality standards and waste discharge requirements. GWD will prepare and implement a Storm Water Pollution Prevention Plan with associated Best Management Practices designed to protect water quality, by minimizing sediment transport and controlling pollutant discharge from the site and staging area, and pursuant to the requirements of the National Pollutant Discharge Elimination System stormwater permit for construction activity.

9. The Proposed Action will not affect listed or proposed threatened or endangered species (40 CFR 1508.27(b)(9)).

10. 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)).

11. The Proposed Action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum dated December 15, 1993).

12. Implementing the Proposed Action will not disproportionately affect minorities or low-income populations and communities (EO 12898).

13. 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).