

# RECLAMATION

*Managing Water in the West*

FINDING OF NO SIGNIFICANT IMPACT, 17-19-MP

## Acquisition of Up to 3,331 Acre-Feet of Water from Merced Irrigation District for the East Bear Creek Unit of the San Luis National Wildlife Refuge (2017)

Mid-Pacific Regional Office, Sacramento, California

Prepared by:



Date: August 22, 2017

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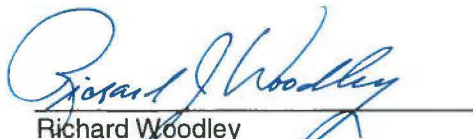
Reviewed by:



Date: August 22, 2017

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Approved by:



Date: Aug. 22, 2017

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## **Mission Statements**

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian Tribes and our commitments to island communities.

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

This Environmental Assessment (EA) examines the environmental effects of the Department of the Interior Refuge Water Supply Program's (RWSP) acquisition of up to 3,331 acre-feet (AF) of water from the Merced Irrigation District (MID) for the East Bear Creek Unit of the San Luis National Wildlife Refuge Complex (Refuge). The proposed acquisition is being undertaken pursuant to, and would be in full compliance with, Sections 3406(b)(3) and 3406(d)(2) of Title XXXIV of the Act of October 1992 (106 Stat. 4706) Central Valley Project Improvement Act (CVPIA), which authorizes new water supply contracts for fish and wildlife purposes. The proposed acquisition would provide water to the Refuge through October 31, 2017.

This Finding of No Significant Impact is supported by Reclamation's EA Number 17-19-MP, and is hereby attached and incorporated by reference.

## Alternatives Including Proposed Action

### No Action Alternative

Under the No Action Alternative, Reclamation would not purchase water from MID for delivery to the Refuge, requirements under CVPIA would not be met. Absent this water purchase, water available for acquisition from MID in 2017 would be held in storage in Lake McClure.

### Proposed Action

The Proposed Action is for Reclamation to enter into an agreement with MID for a temporary water acquisition of up to 3,331 AF to help meet water supply needs for the Refuge through October 31, 2017. Following is the estimated water delivery schedule:

Month	Storage Water Transfer (Acre-Feet)
AUGUST	277
SEPTEMBER	677
OCTOBER	2,377
TOTAL	3,331

The acquired water would be delivered to the Refuge via Bear Creek and diverted by the Refuge's existing pumping plant on Bear Creek. Deliveries to the Refuge will cross the Eastside Canal which is owned and operated by the Stevinson

Water District (SWD), therefore the supply of water between August 2017 and October 31, 2017 is dependent on an agreement between the MID and SWD.

The exact amount of water to be acquired each month will vary based upon the actual water needs of the East Bear Creek Unit as determined by the Refuge Representative and the actual amount of water made available to Reclamation by MID, and as determined by actual operations and measurements.

## Findings

In accordance with NEPA, the Mid-Pacific Regional Office of Reclamation has found that approval of the Proposed Action is not a major federal action that will significantly affect the quality of the human environment. Consequently, an environmental impact statement is not required.

The following are the reasons why the impacts from the proposed action are not significant:

1. The proposed action will not significantly affect public health or safety (40 CFR 1508.27(b)(2)).
2. The proposed action will not significantly affect natural resources and unique geographical characteristics such as proximity to 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. There is no potential for the effects to be considered highly controversial (40 CFR 1508.27(b)(4)).
4. 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)).
5. 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)).
6. The proposed action will not have cumulatively significant impacts (40 CFR 1508.27(b)(7)).
7. The proposed action will not significantly affect historic properties (40 CFR 1508.27(b)(8)).

8. The proposed action will not significantly affect listed or proposed threatened or endangered species, or its habitat that has been determined to be critical under the Endangered Species Act of 1973 (40 CFR 1508.27(b)(9)).
9. The proposed action will not threaten a violation of 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 adversely affect the physical integrity of such sacred sites (EO 13007 and 512 DM 3).

