


# RECLAMATION

*Managing Water in the West*

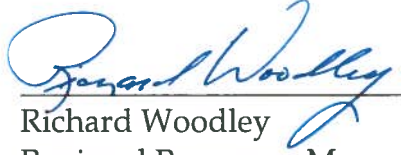
Finding Of No New Significant Impact

## High Speed Train Project, Construction Package 1 crossing Reclamation's Lands

FONSI 17-25-MP

Prepared by:  Date: 9/18/17  
Jamie LeFevre  
Natural Resource Specialist  
Mid-Pacific Regional Office

Concurred by:  Date: 9/18/17  
Jacqueline Keeler  
Realty Specialist  
Mid-Pacific Regional Office

Approved by:  Date: 9/18/17  
Richard Woodley  
Regional Resources Manager  
Mid-Pacific Regional Office

September 2017

## **Background**

The U.S. Bureau of Reclamation (Reclamation) will be with issuing the California High Speed Rail Authority (Authority) a temporary construction permit and a permanent right of way easement on Federally-owned lands administered by Reclamation, and exchange lands with the Authority that will be impacted by the planned High Speed Rail (HSR) guideway in Madera, California. The HSR guideway would cross Reclamations lands at six locations. In areas where the HSR guideway crosses Reclamations lands, the Authority has proposed to modify existing, or relocate and replace existing irrigation laterals.

## **Alternatives Including the Proposed Action**

### **No Action**

Reclamation would not would approve the Authority's application for Construction Package 1. If the irrigation laterals are not either modified to address potential impact of the Guideway and/or relocated, the Authority and Reclamation would not need to transfer ownership of lands, and ongoing construction would be halted.

### **Proposed Action**

Reclamation would approve the Authority's application for Construction Package 1 and issue a temporary construction permit to modify existing and/or replace and relocate existing irrigation laterals to accommodate the HSR guideway and a permanent right of way easement for their Guideway as well as future operation and maintenance activities. In addition, the Authority and Reclamation would exchange ownership of lands where the relocated pipelines are outside Reclamation's existing right of way or if the right of way is no longer needed for project purposes or no longer sufficient for operation and maintenance activities.

## **Findings**

Based on the attached supplemental environmental assessment (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 was prepared in accordance with NEPA, Council on Environmental Quality regulations (40 CFR 1500-1508), and Department of the Interior Regulations (43 CFR Part 46). This EA is tiered to the Authority and the Federal Railroad Administration (FRA) prepared Final Environmental Impact Statement/Environmental Impact Report for the Merced (2012 EIS/EIR) to Fresno section of the High-Speed Train Project. Following are the reasons why the impacts of the proposed action are not significant:

1. There would be no new significant effects as a result of approving the proposed action beyond those already disclosed in the 2012 EIS/EIR.
2. 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 determined the undertaking has no potential to cause effects on historic properties and therefore, will result in no significant impacts to cultural resources, beyond those disclosed in the 2012 EIS/EIR.

3. The proposed action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum dated December 15, 1993).
4. 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).
5. The proposed action will not significantly affect public health or safety (40 CFR 1508.27(b)(2)).
6. 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)).
7. 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)).
8. 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)).
9. There is no potential for the effects to be considered highly controversial (40 CFR 1508.27(b)(4)).
10. The proposed action will not have significant cumulative impacts (40 CFR 1508.27(b)(7)).
11. The proposed action will not significantly affect listed or proposed threatened or endangered species (40 CFR 1508.27(b)(9)).
12. Implementing the proposed action will not disproportionately affect minorities or low-income populations and communities (EO 12898).