

RECLAMATION

Managing Water in the West

Draft FINDING OF NO SIGNIFICANT IMPACT

Delta-Mendota Canal Groundwater Pump-in Program Revised Design Constraints

FONSI-18-007



U.S. Department of the Interior
Bureau of Reclamation
South-Central California Area Office

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Mission Statements

The Department of the Interior protects and manages the Nation's natural resources and cultural heritage; provides scientific and other information about those resources; and honors its trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated 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.

BUREAU OF RECLAMATION
South-Central California Area Office, Fresno, California

FONSI-18-007

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Prepared by: Rain L. Emerson
Environmental Compliance Branch Chief

Date

Approved by: Michael P. Jackson, P.E.
Area Manager

Date

Introduction

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Bureau of Reclamation (Reclamation) has released this draft Finding of No Significant Impact (FONSI) which is supported by Reclamation's Environmental Assessment (EA)-18-007, *Delta-Mendota Canal Groundwater Pump-in Program Revised Design Constraints*, hereby incorporated by reference, for public review. No final decision shall be made on the FONSI until public review has been completed and comments, if any, considered.

Background

Since 1995, the San Luis & Delta-Mendota Water Authority (Authority), on behalf of eight of its member agencies¹ (Participating Districts), have requested Warren Act contracts from the Reclamation for the annual cumulative introduction of up to 50,000 acre-feet (AF) of groundwater into the Delta-Mendota Canal (DMC) referred to as the DMC Groundwater Pump-in Program. Historically, environmental review for the DMC Groundwater Pump-in Program was prepared every two years. In 2013, in order to streamline environmental review, Reclamation completed an EA (12-061) that covered the proposed execution of two 5-year Warren Act Contracts for the continued annual cumulative introduction of up to 50,000 AF of groundwater into the DMC over a 10 year period. EA-12-061 analyzed the direct, indirect, and cumulative impacts for the following resources: air quality, biology, cultural resources, environmental justice, geology, global climate change, Indian Sacred Sites, Indian Trust Assets, land use, socioeconomics, and water resources. Based on specific environmental commitments required for the Program, Reclamation determined that the DMC Groundwater Pump-in Program would not significantly affect the quality of the human environment and a FONSI was signed on January 10, 2013. As a condition of FONSI/EA-12-061, environmental review is required to ensure that the findings in EA-12-061 remain valid prior to issuance of the second 5-year Warren Act Contracts.

As described in Section 3.1 of EA-18-007, the majority of determinations made in FONSI-EA-12-061 still remain valid; however, based on the recent drought and increased trends in subsidence near the DMC, Reclamation determined that additional environmental review and design constraints are needed to address the potential contribution of the DMC Groundwater Pump-in Program to groundwater level impacts and subsidence prior to executing new Warren Act Contracts.

¹ The member agencies that participate in the DMC Pump-in Program include the following: Banta Carbona Irrigation District, Byron-Bethany Irrigation District, Del Puerto Water District, Mercy Springs Water District, Panoche Water District, Pacheco Water District, San Luis Water District, and West Stanislaus Irrigation District.

Alternatives Considered

No Action

Reclamation would not issue five year Warren Act contracts to the DMC Groundwater Pump-in Program Participating Districts. These contractors would continue to receive their CVP water supply allocations pursuant to their respective CVP contracts.

Proposed Action

Reclamation proposes to issue five year Warren Act Contracts to the DMC Pump-in Program Participating Districts that include additional design constraints to address their potential contribution to subsidence along the DMC. Each Warren Act Contract would allow the annual introduction, conveyance, and storage of up to 10,000 AF of groundwater within federal facilities under the conditions outlined in Section 2.2 and in Appendix A of EA-18-007. The cumulative volume of groundwater introduced into the DMC under the DMC Pump-in Program is limited to 50,000 AF per year. The 50,000 AF would be annually allocated by the Authority among the Participating Districts based on need. Introduction, conveyance, and storage of non-Project Water in CVP facilities would be subject to available capacity as determined by Reclamation.

San Luis Water District, Panoche Water District, and Pacheco Water District require an exchange with Reclamation in order to deliver a portion of the non-Project Water from the San Luis Canal. Exchanged water would be used by Reclamation to meet CVP demands downstream of the points of introduction and a like amount of CVP water would be delivered to the respective districts participating in the exchange.

Proposed Designed Constraints and Operating Criteria

The DMC Pump-in Program is subject to water quality monitoring, groundwater monitoring, and reporting requirements as described in Section 2.2.2 and Appendix A of EA-18-007.

Environmental Commitments

In addition to the design constraints and operating criteria described in Section 2.2.2 and Appendix A, the Participating Districts shall implement the following environmental protection measures to avoid and/or reduce environmental consequences associated with the Proposed Action:

- No native or untilled land (fallow for three years or more) may be cultivated with the water involved with these actions.
- Groundwater selenium concentrations may not exceed 2 parts per billion when discharged into the DMC.
- Drainage water may not be introduced into the DMC under the Proposed Action.
- The water shall be used for beneficial purposes and in accordance with Federal Reclamation law and guidelines, as applicable.
- Use of the water shall comply with all federal, state, local, and tribal laws.
- The water shall be used within the permitted place of use.
- No land conversions may occur as a result of the Proposed Action.
- No construction or other ground disturbing activity may occur as part of the Proposed Action.

Environmental consequences for resource areas assume the measures specified would be fully implemented.

Findings

In accordance with NEPA, Reclamation has determined that the 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 reasons are why the impacts from the proposed action are not significant:

- The proposed action will not significantly affect public health or safety (40 CFR 1508.27(b)(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)).
- There is no potential for the effects to be considered highly controversial (40 CFR 1508.27(b)(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)).
- 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)).
- The proposed action will not have cumulatively significant impacts (40 CFR 1508.27(b)(7)).
- The proposed action will not significantly affect historic properties (40 CFR 1508.27(b)(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)).
- 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)).
- The proposed action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum dated December 15, 1993).

- Implementing the proposed action will not disproportionately affect minorities or low-income populations and communities (EO 12898).
- 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).