

# RECLAMATION


*Managing Water in the West*

## Finding of No Significant Impact

# Buena Vista Water Storage District Northern Area Pipeline Eastern Extension Project

FONSI 18-19-MP

Prepared by:

  
Daniel Cordova  
Natural Resource Specialist  
Mid-Pacific Regional Office


Date: 5/31/2018

Concurred by:

  
Gene Lee  
Water Conservation Specialist  
Mid-Pacific Regional Office

Date: 5/31/2018

Approved by:

  
Richard Woodley  
Regional Resources Manager  
Mid-Pacific Regional Office

Date: 5/31/2018



## **Background**

In accordance with Section 102(2)(c) of the National Environmental Policy Act of 1969, as amended, the Bureau of Reclamation (Reclamation) prepared an Environmental Assessment (EA) to analyze impacts of granting a WaterSMART Water Use Efficiency Grant to Buena Vista Water Storage District (BVWSD) for the Northern Area Pipeline Eastern Extension Project. The Proposed Action is located approximately 8 miles northwest of Buttonwillow in Kern County, California. BVWSD would install approximately 5 miles of pipeline which will connect the Northern Area Project Southern Extension to eastern areas of BVWSD. The EA was available for public review and no comments were received when due on May 14, 2018.

## **Proposed Action**

Reclamation would provide a WaterSMART grant of \$1,000,000 to BVWSD to use toward construction of a 5-mile-long pipeline to replace 5 miles of unlined water conveyance canals. The pipeline will include connection to 13 existing turnouts and be routed through existing right-of-ways, field roads, or other geographical features. This would result in conveyance efficiency improvements and reduce seepage losses that are currently estimated to be 3,623 AFY. Resulting improvements to measurements and controls would conserve an estimated 2,210 AFY bringing the total conservation to 5,833 AFY.

## **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, and preparation of an Environmental Impact Statement is not warranted. The EA was prepared in accordance with the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR 1500-1508), and Department of the Interior Regulations (43 CFR Part 46). Analysis of the effects of the proposed action 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)(2)).
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. SHPO responded on March 20, 2018, in a letter dated March 16, 2018, concurring with the finding of no historic properties pursuant to 36 CFR § 800.4(d)(1) (40 CFR 1508.27(b)(8)).
8. The proposed action would not adversely affect listed or proposed threatened or endangered species (40 CFR 1508.27(b)(9)). Reclamation determined that the action may affect listed species, but is not likely to adversely affect listed species. On May 1, 2018, the US Fish and Wildlife Service concurred with Reclamation that the proposed action was not likely to adversely affect listed species.
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 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).

# RECLAMATION

*Managing Water in the West*

**Environmental Assessment: 18-19-MP**

## **Buena Vista Water Storage District Northern Area Pipeline Eastern Extension**



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

**April 2018**

## **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.

# **1. Introduction**

In conformance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321, et seq.), Council on Environmental Quality (CEQ) regulations (40 CFR 1500-1508), and Department of Interior regulations (43 CFR Part 46), the United States (U.S.) Bureau of Reclamation (Reclamation) prepared this Environmental Assessment (EA) to disclose potential environmental effects associated with providing \$1,000,000 to the Buena Vista Water Storage District (BVWSD) to install 5 miles of pipeline, connecting the NAP Southern Extension to eastern areas of BVWSD (Figure 1). The Project would replace unlined canals to reduce water lost through evaporation and seepage. The Proposed Action is located in the southern San Joaquin Valley, approximately 16 miles west of the city of Bakersfield, in Kern County, California (Figure 2). Funding would be provided through Reclamation's WaterSMART: Water and Energy Efficiency Grant to construct the Northern Area Pipeline (NAP) Eastern Extension Project (Proposed Action). The WaterSMART program, "provides cost-shared funding for projects that save water; increase energy efficiency and the use of renewable energy in water management; support environmental benefits; mitigate conflict risk in areas at a high risk of future water conflict; and accomplish other benefits that contribute to water supply sustainability in the western United States."

## **1.1 Need for the Proposal**

Due to severe drought, increased water demand, and a continued strain on groundwater resources in the BVWSD, there is a need to conserve water resources and reduce water seepage from unlined canals during dry years. Current seepage losses are estimated to be 3,623-acre feet per year (AFY) through the unlined canals. The BVWSD would also conserve an additional 2,210 AFY by improved measurements and controls, for a total annual savings of 5,833 AF.

# **2. Alternatives Including the Proposed Action**

This EA considers two possible actions: "No Action Alternative" and "Proposed Action". The No Action Alternative reflects future conditions without the Proposed Action and serves as a basis of comparison for determining potential effects to the environment.

## **2.1 No Action Alternative**

For the No Action Alternative, Reclamation would not award BVWSD \$1,000,000 in WaterSMART grant funds for the Proposed Action. Although it is possible that BVWSD may find alternate sources of funding for the Proposed Action, for the purposes of this EA, the consequences of Reclamation not providing funding for the Proposed Action would result in no pipeline construction and no annual water savings equal to 5,833 AFY.

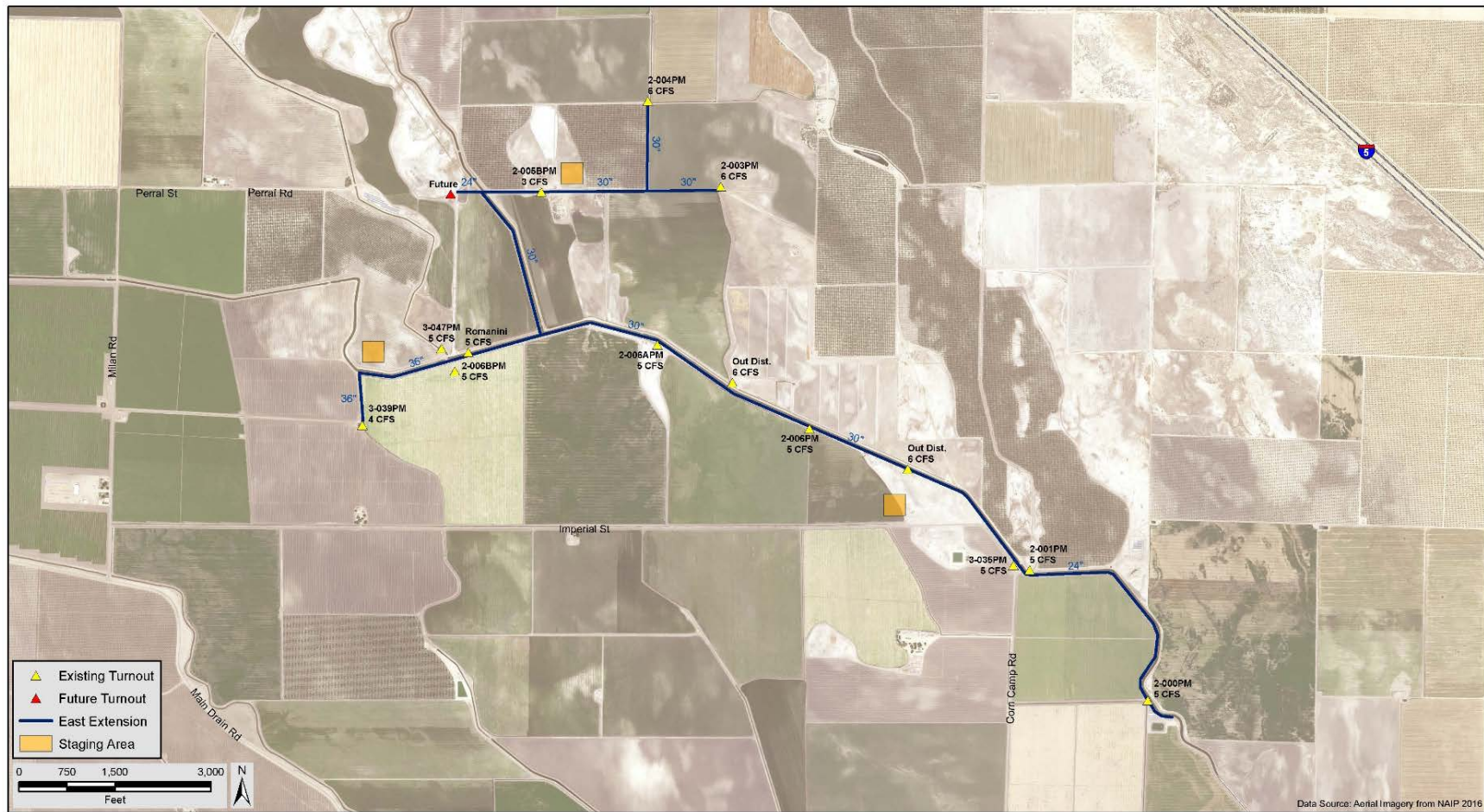


Figure Source: GEI Consultants, Inc. 2017.

**Figure 1: NAP Eastern Extension Project**



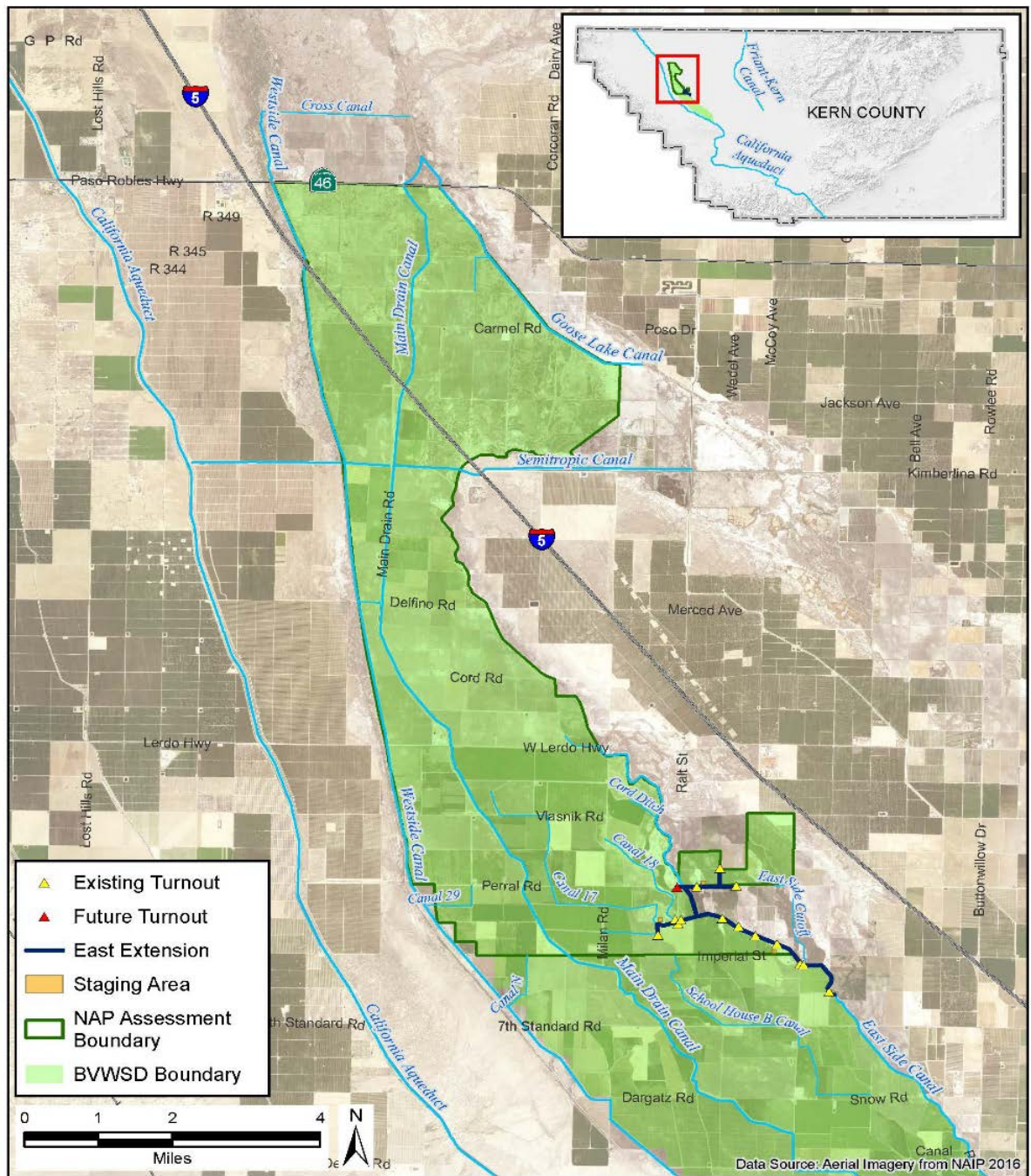


Figure Source: GEI Consultants, Inc. 2017.

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**Figure 2: Project Location.**



## **2.2 Proposed Action**

Construction of the Project involves the installation of approximately 5 miles of buried pipeline, varying in size, between 12 and 36 inches in diameter (Figure 1). The pipeline would be buried adjacent to existing right of ways, field roads, or other geographical features that minimize impacts to conservation and farming. Up to 13 existing turnouts would need connection to the new pipe alignment using 12- or 24-inch pipe installed up to 15 feet from center of pipe. Construction would include activities consistent with digging, trenching, and excavation of soil. The construction corridor for the Project would not exceed 50 feet. Trenches would be 5 feet deep and 2 feet wide for pipes less than 24 inches in diameter and 6 feet deep and 6 feet wide for pipes greater than 24 inches in diameter. After completion of the Project, the section of the East Side Canal, beginning at Imperial Street and ending ½ mile south of 7<sup>th</sup> Standard Road, would be utilized for recharge in approximately 40 percent of years (those with 100 percent or more Kern River (A-J) runoff). No canals would be decommissioned as part of the Project.

The Project would include three staging areas, approximately 2.5 acres in size, for materials and equipment. The BVWSD is expected to begin construction in the spring of 2018 and complete installation of the NAP Eastern Extension Project in approximately 10 months. Construction vehicles would consist of a front wheel loader, excavator, two water trucks, backhoe, three pickup trucks, and a pipe fusion machine. Access to construction sites would be confined to existing agricultural paved and unpaved roads.

### **2.2.1 Environmental Commitments**

As part of the Proposed Action, BVWSD or its contractors, will implement mitigation measures included in the IS/MND for air quality, biological, and cultural resources. In consultation with the USFWS, Reclamation included conservation measures as part of the project description in the Biological Assessment (Booher, 2018). The measures will reduce potential project effects on the San Joaquin kit fox and reflect the measures in the IS/MND.

## **3. Affected Environment and Environmental Consequences**

### **3.1 Required Resource Discussions**

Department of Interior Regulations, Executive Orders, and Reclamation guidelines require a discussion of Native American Indian sacred sites, Indian Trust Assets, and Environmental Justice when preparing environmental documentation. Impacts to these resources were considered and found to be minor or absent. Brief explanations for their elimination from further consideration are provided below.

### **3.1.1 Indian Trust Assets**

Indian Trust Assets (ITAs) are legal interests in property or rights held in trust by the U.S. for Indian Tribes or individual Indians. Indian reservations, Rancherias, and Public Domain Allotments are common ITAs in California. The nearest ITA is the Santa Rosa Indian Community of Santa Rosa Rancheria located 53 miles north of the Proposed Action. The Proposed Action does not have a potential to affect ITAs (Appendix B).

### **3.1.2 Indian Sacred sites**

Executive Order 13007 (May 24, 1996) requires that federal agencies accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners on federal land, and avoids adversely affecting the physical integrity of such sacred sites. The Proposed Action would not be located on federal lands and therefore would not affect access to or use of Indian sacred sites on federal lands.

### **3.1.3 Environmental Justice**

Executive Order 12898 requires each federal agency to identify and address disproportionately high and adverse human health or environmental effects, including social and economic effects of its program, policies, and activities on minority populations and low-income populations. No significant changes in agricultural communities or practices would result from the Proposed Action. Implementing the Proposed Action is not likely to have adverse effects to any populations, and implementing the Proposed Action would therefore not have disproportionately high or adverse human health or environmental effects on low-income or minority populations.

## **3.2 Environmental Consequences of the No Action Alternative**

Under the No Action Alternative, Reclamation would not award BVWSD with a WaterSMART grant of \$1,000,000. Although it is possible that BVWSD may find alternate sources of funding for the Proposed Action, for the purposes of this EA, the consequences of Reclamation not providing funding for the Proposed Action would result in no pipeline construction and no water savings of 5,833 AFY. The property would likely remain in agricultural production, and there would be no change to the affected environment.

## **3.3 Environmental Consequences of Funding the Proposed Action**

An Initial Study and Proposed Mitigated Negative Declaration (IS/MND) was prepared for the Proposed Action in February 2018. The IS/MND evaluated the following environmental resources: aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, tribal cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, utilities and service systems, and mandatory findings of significance. As

described in the IS/MND, the impacts associated with the Project would occur primarily during the construction phase. Most construction impacts would be short term and temporary. All the resources analyzed in the IS/MND were found to either have no impact, less than significant impact, or less than significant impact with mitigation measures incorporated. The IS/MND identified that air quality, biological, and cultural resources as having less than significant impacts with mitigation (Table 1).

Table 1. Resources with mitigation

<b>Resource Impacted</b>	<b>Potential Significant Impact</b>	<b>Mitigation</b>
Air Quality	PM emissions from fugitive dust	Develop and implement dust control plan as detailed in Mitigation Measure AQ-1 of the IS/MND
Biological	Adverse effect to special status species or their habitats	Pre-construction surveys and avoidance as detailed in Mitigation Measures BIO-1 thru BIO-17 of the IS/MND
Cultural	Impact to an archaeological resource	Stop work on discovery of potential archaeological resource. Assessment of potential resource. If required, development of a treatment plan. This mitigation is detailed in Mitigation Measure CUL-1 of the IS/MND

There were no significant and unavoidable impacts associated with the Proposed Action (GEI Consultants, 2018). Reclamation reviewed the IS/MND and found the analysis sufficiently considered potential effects to the environment from implementing the Proposed Action, and hereby incorporates that analysis by reference.

### 3.4 Cumulative Effects

According to CEQ regulations for implementing the procedural provisions of NEPA, a cumulative impact is defined as:

...the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7).

The IS/MND analyzed cumulative effects from the Proposed Action. The IS/MND found there to be a temporary incremental increase in greenhouse gas and particulate matter from

construction. However, operation of the Proposed Action would not result in a cumulatively significant increase in greenhouse gas and particulate matter. As a result, there would be no cumulatively considerable effects, to air quality, resulting from construction and operation of the project (GEI Consultants, 2018). No other cumulative effects were identified.

## **4. Consultation and Coordination**

### **4.1 Agencies and Persons Consulted**

Reclamation consulted and coordinated with BVWSD, the State Historic Preservation Officer (SHPO), and the USFWS.

### **4.2 Endangered Species Act**

Section 7 of the federal Endangered Species Act (ESA) (16 USC § 1531 et seq.) requires federal agencies, in consultation with the Secretary of the Interior, to ensure that their actions do not jeopardize the continued existence of endangered or threatened species, or result in the destruction or adverse modification of critical habitat for these species.

A Biological Assessment was prepared for the Project by Booher Consulting in February of 2018. One Federally-listed species that may occur in the Action Area and may be affected by the Project is the San Joaquin kit fox (Booher Consulting, 2018). No federally-listed species were observed in the Action Area during focused surveys. The Action Area is mostly under agricultural production with other areas consisting of roads and water conveyance facilities. However, the San Joaquin kit fox may potentially use the Project Area for dispersal or foraging. In consideration of the low-quality dispersal habitat present in the Action Area, the low likelihood of San Joaquin kit fox presence in the surrounding agricultural lands, and implementation of species specific Conservation Measures, it is expected that the effects of the Project would be insignificant (Booher Consulting, 2018). As a result of the Biological Assessment prepared for the Project, Reclamation determined that the Project may affect, but is not likely to adversely affect the San Joaquin kit fox. On March 27, 2018, Reclamation requested informal consultation with the USFWS based on this determination.

### **4.3 National Historic Preservation Act**

The National Historic Preservation Act of 1966, as amended (Title 54 USC § 306108.), requires that federal agencies give the Advisory Council on Historic Preservation an opportunity to comment on the effects of an undertaking on historic properties or properties that are eligible for inclusion in the National Register. The 36 CFR Part 800 regulations implement Section 106 of the National Historic Preservation Act. Compliance with Section 106 follows a series of steps that are designed to identify interested parties,

determine the area of potential effects, conduct cultural resource inventories, determine if historic properties are present within the area of potential effects, and assess effects on any identified historic properties.

Reclamation initiated consultation with the California State Preservation Office (SHPO) by letter dated February 15, 2018 requesting concurrence with a finding of no historic properties affected by the proposed project. SHPO responded on March 20, 2018 in a letter dated March 16, 2018 with a concurrence on the finding of no historic properties pursuant to 36 CFR § 800.4(d)(1). Documentation of cultural resources compliance can be found in Appendix A.

## **5. Reference**

Booher Consulting. 2018. Biological Assessment. Buena Vista Water Storage District Northern Area Pipeline Eastern Extension Project Kern County, California.

GEI Consultants. 2018. Buena Vista Water Storage District (BVWSD). Initial Study and Proposed Mitigated Negative Declaration for Buena Vista Water Storage District, Northern Area Pipeline Eastern Extension. 2018



## **Appendix A      Cultural Resources Compliance**

**CULTURAL RESOURCE COMPLIANCE**  
**Mid-Pacific Region**  
**Division of Environmental Affairs**  
**Cultural Resources Branch**

**MP-153 Tracking Number:** 16-SCAO-172

**Project Name:** National Historic Preservation Act (NHPA) Section 106 Consultation for the Buena Vista Water Storage District (BVWSD) Northern Area Pipeline Eastern Extension Project (NAP East), Kern County, California (Project #16-SCAO-172)

**NEPA Document:** 18-19-MP

**MP 153 Cultural Resources Reviewer:** Lex Palmer

**NEPA Contact:** Dan Cordova

**Determination:** No Historic Properties Affected

**Date:** March 20, 2018

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Reclamation is proposing to award WaterSMART grant funds to BVWSD for their proposed NAP East water conservation project. Reclamation determined that the use of Federal appropriations for this project is an undertaking as defined in 36 CFR § 800.16(y) and a type of activity that has the potential to cause effects on historic properties under 36 CFR § 800.3(a).

BVWSD proposes to install approximately 5 miles of buried pipeline, varying between 12 and 36 inches in diameter. The pipeline would be installed in existing rights-of-way and agricultural access roads. The construction corridor for the project would not exceed 50 feet wide. Trench depths would vary between 5 to 6 feet deep and the width would vary from 2 to 6 feet wide. Three laydown areas (2.5 acres each) are required to stockpile materials and equipment.

Efforts to identify historic properties in the APE were conducted by GEI Consultants (GEI) on behalf of BVWSD. The GEI cultural resources inventory identified two historic period archaeological sites that underwent limited shovel testing, and documented eleven prehistoric isolates and one historic period isolate. GEI also recorded two historic period built environment sites, and updated two previously recorded historic period built environment sites in the APE. GEI recommended that none of these cultural resources are eligible for listing in the National Register of Historic Places (National Register). Reclamation agrees with the GEI recommendation that none of the cultural resources are eligible for listing in the National Register on a district or individual basis.

**CULTURAL RESOURCE COMPLIANCE**  
**Mid-Pacific Region**  
**Division of Environmental Affairs**  
**Cultural Resources Branch**

Reclamation sent a letter to the Tejon Indian Tribe to invite their participation in the Section 106 process pursuant to 36 CFR § 800.4(a)(4). Reclamation also sent a letter dated December 20, 2017, to the Kern Valley Indian Council requesting their assistance in identifying historic properties which may be affected by the proposed undertaking pursuant to 36 CFR § 800.4(a)(3). Reclamation received no responses to these letters.

Reclamation initiated consultation with the California State Preservation Office (SHPO) by letter dated February 15, 2018 requesting concurrence with a finding of no historic properties affected by the proposed project. SHPO responded on March 20, 2018 in a letter dated March 16, 2018 with a concurrence on the finding of no historic properties pursuant to 36 CFR § 800.4(d)(1).

I concur with Item 8 on CEC- 17-032. The proposed action would have no impact on properties listed, or eligible for listing, on the National Register of Historic Places.

This memorandum is intended to convey the completion of the NHPA Section 106 process for this undertaking. Please retain a copy in the administrative record for this action. Should changes be made to this project, additional NHPA Section 106 review, possibly including consultation with the State Historic Preservation Officer, may be necessary. Thank you for providing the opportunity to comment.

## **Appendix B**

## **Indian Trust Asset Compliance**

## Indian Trust Assets Request Form (MP Region)

Submit your request to your office's ITA designee or to MP-400, attention Kevin Clancy.

**Date:**

<b>Requested by</b> (office/program)	Dan Cordova, MP-152
<b>Fund</b>	16RO680A1
<b>WBS</b>	RY30180006BVWCA2E
<b>Fund Cost Center</b>	RR02015200
<b>Region #</b> (if other than MP)	
<b>Project Name</b>	BUENA VISTA WSD NORTHERN AREA PROJECT, EASTERN EXTENSION
<b>CEC or EA Number</b>	18-19-MP
<b>Project Description</b> (attach additional sheets if needed and include photos if appropriate)	Under the Proposed Action Alternative, Reclamation would provide partial funding through a WaterSMART grant of \$1,000,000 to BVWSD for construction of the Proposed Action. Construction of the Project involves the installation of approximately 5 miles of buried pipeline, varying in size, between 12 and 36 inches in diameter. The pipeline would be buried adjacent to existing right of ways, field roads, or other geographical features that minimize impacts to conservation and farming. Additionally, up to 13 existing turnouts would need connection to the new pipe alignment. Connection to the pipe alignment would require 12- or 24-inch pipe installed up to 15 feet from center of pipe alignment. The Project construction would include activities consistent with digging, trenching, and excavation of soil to install the new pipeline. The construction corridor for the Project would not exceed 50 feet. Trench depths would be 5 feet for pipes less than 24 inches in diameter and 6 feet for pipes greater than 24 inches in diameter. Trench widths would be 2 feet for pipe sizes less than or equal to 24 inches and 6 feet for pipes greater than 24 inches. After completion of the Project, the section of the East Side Canal, beginning at Imperial Street and Corn Camp Road and ending ½ mile south of 7th standard road, would not be used in dry years. No canals would be decommissioned as part of the Project.



10/22/2015

<b>*Project Location</b> <b>(Township, Range,</b> <b>Section, e.g., T12</b> <b>R5E S10, or</b> <b>Lat/Long cords,</b> <b>DD-MM-SS or</b> <b>decimal degrees).</b> <b>Include map(s)</b>	35 27' 39.00" N 119 31' 37.50" W (approximate center of project area)  See map on page 3
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<u>X</u>	<u>Dan Cordova</u>	<u>3/21/2018</u>
Signature	Printed name of preparer	Date

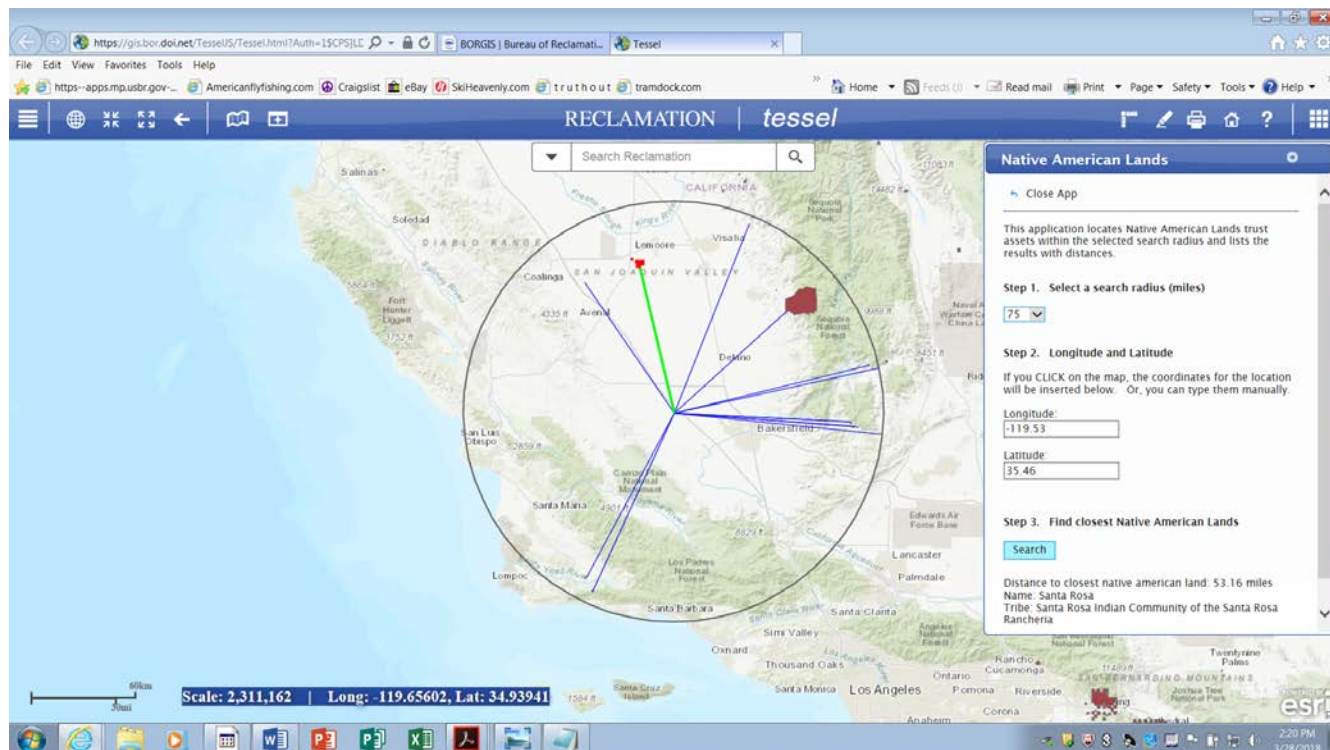
**ITA Determination:**

The closest ITA to the Proposed Action is Santa Rosa Indian Community of Santa Rosa Rancheria which is about 53 miles to the North. (See attached image).

Based on the nature of the planned work it does not appear to be in an area that will impact Indian hunting or fishing resources or water rights nor is the proposed activity on actual Indian lands. It is reasonable to assume that the proposed action will not have any impacts on ITAs.

<u>K. Clancy</u>	<u>Kevin Clancy</u>	<u>3/28/2018</u>
Signature	Printed name of approver	Date

10/22/2015



10/22/2015

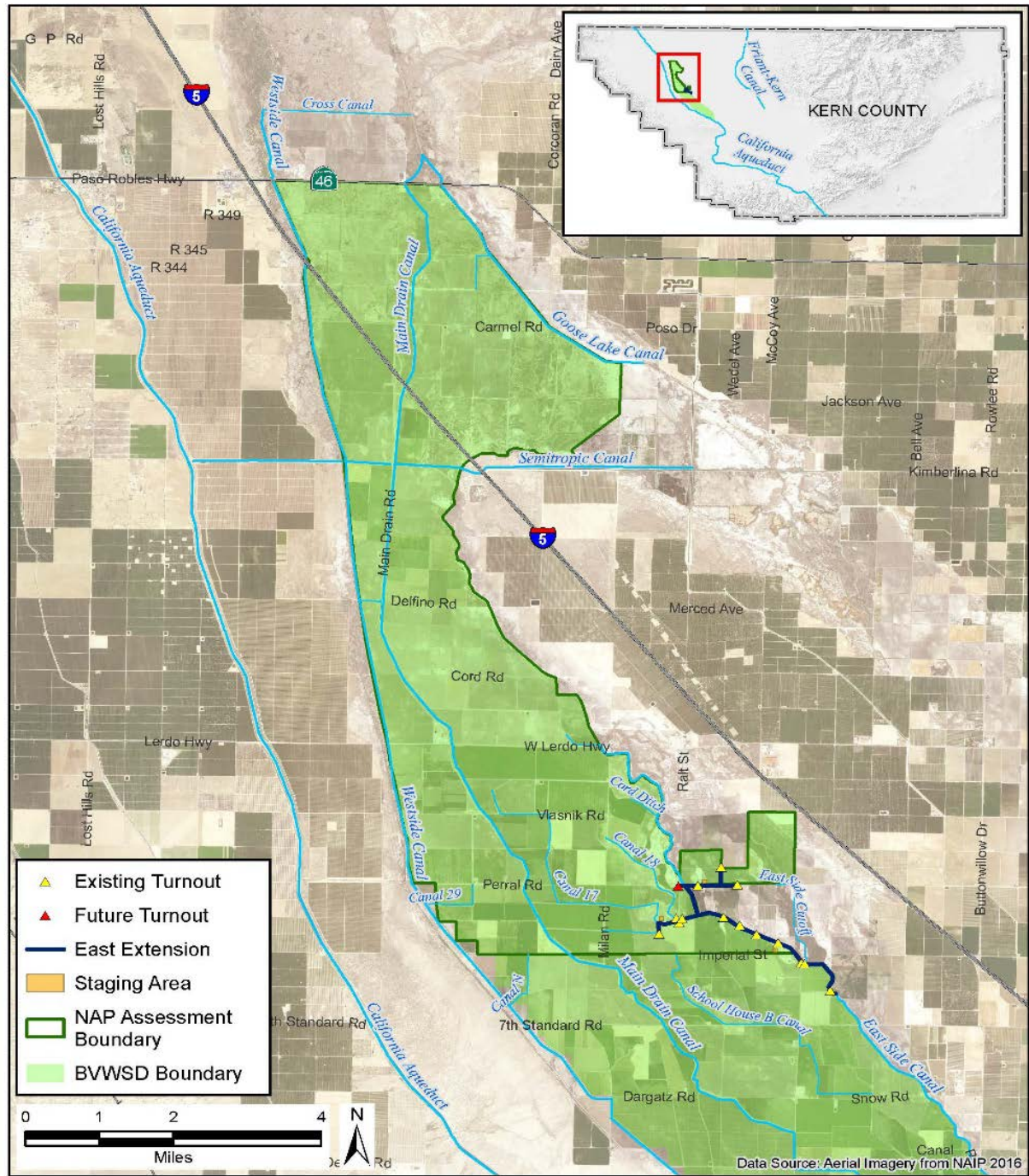


Figure Source: GEI Consultants, Inc. 2017.

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