

RECLAMATION

Managing Water in the West

Final Environmental Assessment

Partial Assignment from Mercy Springs Water District and Fresno Slough Water District to Angiola Water District

EA-16-030



— BUREAU OF —
RECLAMATION

**Interior Region 10 California-Great Basin
California*, Nevada*, Oregon***

***Partial**

South-Central California Area Office

February 2020

Mission Statements

The mission of the Department of the Interior is to conserve and manage the Nation's natural resources and cultural heritage for the benefit and enjoyment of the American people, provide scientific and other information about natural resources and natural hazards to address societal challenges and create opportunities for the American people, and honor the Nation's trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated island communities to help them prosper.

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.

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Section 1 Introduction

The Bureau of Reclamation (Reclamation) provided the public with an opportunity to comment on the Draft Environmental Assessment (EA) between October 3, 2019, and November 1, 2019. One comment letter was received. The comment letter and Reclamation's response are included as Appendix A. Changes between this Final EA and the Draft EA which are not minor editorial changes, are indicated by vertical lines in the left margin of this document.

1.1. Background

In 2012, Reclamation completed EA-12-021, which analyzed the annual transfer up to 1,300 acre-feet per year (AFY) of Mercy Springs Water District's (Mercy Springs) Central Valley Project (CVP) water and up to 4,000 AFY of Fresno Slough Water District's (Fresno Slough) CVP water to Angiola Water District (Angiola) over a 9-year period (Reclamation 2012).

EA-12-021 analyzed the direct, indirect, and cumulative impacts of the proposed transfers on the following resources: air quality, biology, cultural resources, environmental justice, global climate change, Indian Sacred Sites, Indian Trust Assets, land use, socioeconomics, and water resources. Reclamation determined that the proposed annual transfers would not significantly affect the quality of the human environment and a Finding of No Significant Impact (FONSI) was signed on August 23, 2012. FONSI/EA-12-021 is hereby incorporated by reference.

Mercy Springs and Fresno Slough have since requested approval from Reclamation to assign a portion of their CVP water contract supplies to Angiola (Figure 1).

1.2. Need for the Proposed Action

Angiola has a need to find alternative sources of water to fulfill demands and to reduce its reliance on groundwater pumping.

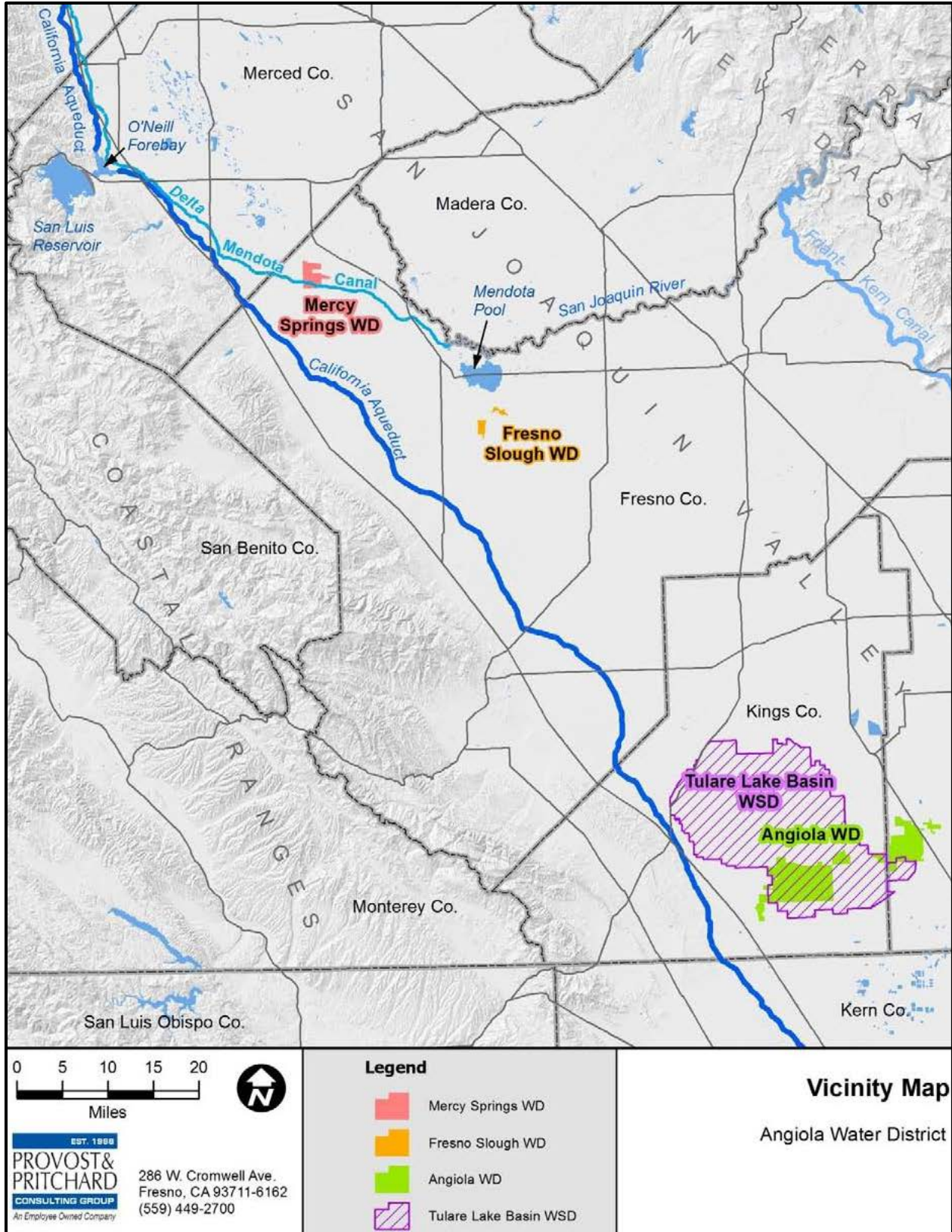


Figure 1. Proposed Action Area

Section 2 Alternatives Including the Proposed Action

This EA considers two possible actions: the No Action Alternative and the 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 human environment.

2.1. No Action Alternative

Under the No Action Alternative, Reclamation would not approve the partial assignment of CVP water from Fresno Slough and Mercy Springs to Angiola. The previously approved 9-year annual transfers of CVP water (up to 1,300 AFY of Mercy Springs and up to 4,000 AFY of Fresno Slough) would continue until it expires in 2021.

2.2. Proposed Action

Reclamation proposes to issue a partial assignment of 1,300 AFY of Mercy Springs' CVP contract allocation and a full assignment of 4,000 AFY of Fresno Slough's CVP contract allocation to Angiola. The term of the assignments would be the same as the existing water service contracts, through February 28, 2030.

In turn, Reclamation would amend Mercy Springs' CVP water service contract to reflect Mercy Springs' CVP contract quantity to be 1,542 AFY. Reclamation would also amend Fresno Slough's CVP contract quantity to be 0 AFY. Fresno Slough would continue to retain their pre-1914 water rights water supply of 866 AFY pursuant to the terms of their CVP contract.

As a result of the proposed assignments, CVP water that is currently transferred to Angiola on an annual basis would be delivered to Angiola as scheduled delivery by Angiola rather than Mercy Springs or Fresno Slough. The assigned quantities would be used by Angiola to meet in-district demands and other uses consistent with the existing water service contracts and Reclamation approvals.

Because Angiola can only receive the water from the proposed assignments from the California Aqueduct through Tulare Lake Basin Water Storage District's (Tulare Lake Basin) existing turnouts, delivery of CVP water to Angiola would need to occur as operational exchanges between Reclamation and the California Department of Water Resources (DWR). Under the operational exchange, Mercy Springs' and Fresno Slough's CVP water would be conveyed from the federal share of San Luis Reservoir and made available to DWR. DWR would then deliver an equal amount of water to Angiola under Article 55 of Tulare Lake Basin's State Water Project (SWP) contract.

No new infrastructure, modifications of facilities, or ground disturbing activities would be needed for movement of this water. No native or untilled land (fallow for three years or more) would be cultivated with water involved with these actions.

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Section 3 Affected Environment and Environmental Consequences

This section identifies the potentially affected environment and the environmental consequences involved with the Proposed Action and the No Action Alternative, in addition to environmental trends and conditions that currently exist.

The affected environment covered in EA-12-021 is the same as the affected environment in this EA. As FONSI/EA-12-021 has been incorporated by reference, the affected environment in this EA will focus on updates to the previous affected environment as well as areas that were not previously covered, if applicable.

3.1. Resources Eliminated from Further Analysis

Reclamation analyzed the affected environment and determined that the Proposed Action did not have the potential to cause direct, indirect, or cumulative adverse effects to the resources listed in Table 1.

Table 1. Resources Eliminated from Further Analysis

Resource	Reason Eliminated
Air Quality	The Proposed Action does not include construction of new facilities or modification to existing facilities. While pumping would be necessary to deliver CVP water, no additional electrical production beyond baseline conditions would occur. No impacts to air quality would occur and a determination of general conformity under the Clean Air Act is not required.
Cultural Resources	The Proposed Action would facilitate the flow of water through existing facilities to existing users. As no construction or modification of facilities would be needed in order to complete the Proposed Action, Reclamation has determined that these activities have no potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1). See Appendix C for Reclamation's determination.
Environmental Justice	The Proposed Action would not cause dislocation, changes in employment, or increase flood, drought, or disease nor would it disproportionately impact economically disadvantaged or minority populations. The Proposed Action may support and maintain jobs that low-income and disadvantaged populations rely upon through increased irrigation water supply reliability. Therefore, there may be a slight beneficial impact to minority or disadvantaged populations as a result of the Proposed Action
Global Climate	<p>Recently, the U.S. Global Research Program (USGRP) concluded in its Climate Science Special Report (2017) that "Many lines of evidence demonstrate that it is extremely likely that human influence has been the dominant cause of the observed warming since the mid-20th century." The USGRP also concludes that "Global climate is projected to continue to change over this century and beyond. The magnitude of climate change beyond the next few decades will depend primarily on the amount of greenhouse (heat trapping) gases emitted globally and on the remaining uncertainty in the sensitivity of the Earth's climate to those emissions (very high confidence)."</p> <p>Reclamation developed a global climate model in 2016 for the Sacramento and San Joaquin Basins. The model predicts increased temperatures, increased precipitation, increased runoff, and reduced snowpack at higher latitudes during the 21st century.</p> <p>The Proposed Action does not include construction of new facilities or modification to existing facilities. While pumping would be necessary to deliver CVP water, no additional electrical production beyond baseline conditions would occur. In addition, the generating power plant that produces electricity for the electric pumps operates under permits that are regulated for greenhouse gas emissions. As such, there would be no additional impacts to global climate</p>

Resource	Reason Eliminated
	change. Global climate change is expected to have some effect on the snow pack of the Sierra Nevada and the runoff regime. It is anticipated that climate change would result in more short-duration high-rainfall events and less snowpack runoff in the winter and early spring months by 2030 compared to recent historical conditions (Reclamation 2016, pg 16-26). This coincides with the timeline of the Proposed Action but would not have impacts outside of normal operations as CVP water allocations are made dependent on hydrologic conditions and environmental requirements. Since Reclamation operations and allocations are flexible, any changes in hydrologic conditions due to global climate change would be addressed within Reclamation's operation flexibility.
Indian Sacred Sites	The Proposed Action would not limit access to ceremonial use of Indian Sacred Sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites. Therefore, there would be no impacts to Indian Sacred Sites as a result of the Proposed Action.
Indian Trust Assets	The Proposed Action would not impact Indian Trust Assets as there are none in the Proposed Action area.

3.2. Biological Resources

3.2.1. Affected Environment

The affected environment is the same as previously described in Section 3.2 of EA-12-021.

Reclamation requested an official species list from the United States Fish and Wildlife Service (Service) for the Proposed Action Area on June 7, 2018 via the Service's website, <http://ecos.fws.gov/ipac>, (Consultation Code: 08ESMF00-2016-SLI-2144). The California Department of Fish and Wildlife's California Natural Diversity Database (CNDDDB) was also queried for records of protected species in or near the Proposed Action Area (CNDDDB 2018). The information collected above, in addition to information within Reclamation's files, was combined to determine the likelihood of protected species occurrence within the Proposed Action Area and this information is summarized below in Table 2.

Table 2. Federally Protected Species in the Proposed Action Area

Species	Status ¹	Effects ²	Summary basis for ESA determination ³
INVERTEBRATES			
Conservancy fairy shrimp (<i>Branchinecta conservatio</i>)	E, X	NE	Absent. This species does not occur within the Action Area, and there is no designated critical habitat for this species within the Action Area.
Vernal pool fairy shrimp (<i>Branchinecta lynchi</i>)	T, X	NE	Possible. There are CNDDDB records of this species near the Angiola Water District. There is no designated critical habitat for this species in the Action Area. No vernal pool habitat would be altered by the Proposed Action, so there would be <i>No Effect</i> to this species.
Vernal pool tadpole shrimp (<i>Lepidurus packardii</i>)	E, X	NE	Absent. This species does not occur within the Action Area, and there is no designated critical habitat for this species within the Action Area.
Valley elderberry longhorn beetle (<i>Desmocerus californicus dimorphus</i>)	T, X	NE	Absent. This species does not occur within the Action Area, and there is no designated critical habitat for this species within the Action Area.

Species	Status ¹	Effects ²	Summary basis for ESA determination ³
FISH			
Delta Smelt (<i>Hypomesus transpacificus</i>)	T, X	NE	Absent. No natural waterways within the species' range would be affected by the Proposed Action.
Northern California DPS steelhead (<i>Oncorhynchus mykiss</i>)	T	NE	Absent. No natural waterways within the species' range would be affected by the Proposed Action.
Central Valley steelhead (<i>Oncorhynchus mykiss</i>)	T, NMFS	NE	Absent. No natural waterways within the species' range would be affected by the Proposed Action.
AMPHIBIANS			
California tiger salamander Central California DPS (<i>Ambystoma californiense</i>)	T, X	NE	Absent. This species does not occur within the Action Area, and there is no designated critical habitat for this species within the Action Area.
California red-legged frog (<i>Rana aurora draytonii</i>)	T, X	NE	Absent. This species does not occur within the Action Area, and there is no designated critical habitat for this species within the Action Area.
REPTILES			
Blunt-nosed leopard lizard (<i>Gambelia sila</i>)	E	NE	Possible. There are multiple CNDDDB records of this species near the Angiola Water District. The Proposed Action would not alter or convert any areas of suitable habitat which may be occupied by this species, and would not involve any ground disturbance or construction. There would be <i>No Effect</i> to this species.
giant garter snake (<i>Thamnophis gigas</i>)	T	NE	Possible. There are CNDDDB records of this species near Mercy Springs and Fresno Slough. The Proposed Action would not alter or convert any areas of suitable habitat which may be occupied by this species, and would not involve any ground disturbance or construction. There would be <i>No Effect</i> to this species.
BIRDS			
California condor (<i>Gymnogyps californianus</i>)	E, X	NE	Absent. This species does not occur within the Action Area, and there is no designated critical habitat for this species within the Action Area.
Western snowy plover (<i>Charadrius nivosus</i> ssp. <i>nivosus</i>)	T, X	NE	Possible. There are CNDDDB records of this species near the Angiola Water District. There is no designated critical habitat for this species in the Action Area. The Proposed Action would not alter or convert any areas of suitable habitat which may be occupied by this species, and would not involve any ground disturbance or construction. There would be <i>No Effect</i> to this species.
Burrowing owl (<i>Athene cunicularia</i>)	MBTA	NT	Possible. There are CNDDDB records of this species in the Action Area. The Proposed Action would not alter or convert any areas of suitable habitat which may be occupied by this species, and would not involve any ground disturbance or construction. There would be <i>No Take</i> of this species.

Species	Status ¹	Effects ²	Summary basis for ESA determination ³
Swainson's hawk (<i>Buteo swainsoni</i>)	MBTA	NT	Possible. There are CNDDDB records of this species in the Action Area. The Proposed Action would not alter or convert any areas of suitable habitat which may be occupied by this species, and would not involve any construction. There would be <i>No Take</i> of this species.
MAMMALS			
Giant kangaroo rat (<i>Dipodomys ingens</i>)	E	NE	Absent. This species does not occur within the Action Area.
Fresno kangaroo rat (<i>Dipodomys nitratooides exilis</i>)	E, X	NE	Absent. This species does not occur within the Action Area, and there is no designated critical habitat for this species within the Action Area.
Tipton kangaroo rat (<i>Dipodomys nitratooides nitratooides</i>)	E	NE	Possible. There are CNDDDB records of this species in the Action Area. The Proposed Action would not alter or convert any areas of suitable habitat which may be occupied by this species, and would not involve any ground disturbance or construction. There would be <i>No Effect</i> to this species.
San Joaquin kit fox (<i>Vulpes macrotis mutica</i>)	E	NE	Possible. There are several CNDDDB records of this species near the Action Area. The Proposed Action would not alter or convert any areas of suitable habitat which may be occupied by this species, and would not involve any ground disturbance or construction. There would be <i>No Effect</i> to this species.
PLANTS			
California jewelflower (<i>Caulanthus californicus</i>)	E	NE	Absent. This species does not occur within the Action Area.
Kern mallow (<i>Eremalche kernensis</i>)	E	NE	Absent. This species does not occur within the Action Area.
Palmate-bracted bird's-beak (<i>Cordylanthus palmatus</i>)	E	NE	Absent. This species does not occur within the Action Area.
San Joaquin woolly-threads (<i>Monolopia congdonii</i>)	E	NE	Absent. This species does not occur within the Action Area.

¹ Status = Status of federally protected species

E: Listed as Endangered

NMFS: Species under the Jurisdiction of the National Oceanic & Atmospheric Administration Fisheries Service

MBTA: Migratory birds protected under the Migratory Bird Treaty Act

T: Listed as Threatened

X: Critical Habitat designated for this species

² Effects = ESA Effect determination

NE: No Effect anticipated from the Proposed Action to federally listed species or designated critical habitat

NT: No Take anticipated from the Proposed Action to migratory birds

³ Definition of Occurrence Indicators

Possible: Species recorded in area and habitat suboptimal.

Absent: Species not recorded in study area and suitable habitat absent.

3.2.2. Environmental Consequences

No Action

Under the No Action Alternative, CVP water would continue to be transferred to Angiola when available for use on existing agricultural crops as previously approved for the nine-year annual transfers (through 2021).

Proposed Action

Under the Proposed Action, 1,300 AF of Mercy Springs CVP water and 4,000 AF of Fresno Slough's CVP water would be assigned to Angiola through February 28, 2030. The water involved with the Proposed Action would be conveyed through existing facilities and would be used on lands that are currently in agricultural production. The Proposed Action would not involve any ground disturbing activities or construction or modification of existing facilities. The water associated with the Proposed Action would not be used to convert natural lands, or lands that have been fallowed or untilled for three or more years. The land use patterns of cultivated or fallowed fields which have some value to listed species or birds protected under the Migratory Bird Treaty Act would also remain unchanged. Based on the nature of the Proposed Action, Reclamation has determined that the Proposed Action would have *No Effect* to proposed or listed species or critical habitat under the Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et seq.), and there would be *No Take* of birds protected under the Migratory Bird Treaty Act (16 U.S.C. §703 et seq.).

Cumulative Impacts

Because the Proposed Action would not result in any direct or indirect impacts to federally listed species or critical habitat, it would not contribute cumulatively to any impacts on these resources.

3.3. Water Resources

3.3.1. Affected Environment

The following provides updates to the affected environment, much of which remains the same as previously described in Section 3.1.1 of EA-12-021.

Mercy Springs Water District

As described in EA-12-021, Mercy Springs' CVP allocations are not currently applied on lands within Mercy Springs. Except for years of severe drought, all 2,825 AF of South-of-Delta CVP supplies available to be transferred out of the district have been directed to other districts and lands outside of Mercy Springs (Table 3). In years in which transfers out of Mercy Springs do not equal 2,825 AF, the CVP water has either not been pumped at the Delta or has remained in San Luis Reservoir for rescheduling. Under the transfer program detailed in EA-12-021, Angiola acquires up to 1,300 AF of this allocation pursuant to an agreement with Mercy Springs.

Table 3. Mercy Springs Water District Historical Water Supply

	2012	2013	2014	2015	2016	2017	2018
CVP Allocation (%)	40	20	0	0	5	100	50
CVP Allocation (AF)	1,137	568	0	0	142	2,842	1,421
CVP Transfers In	519	175	2,479	1,558	1,275	0	0
CVP Transfers Out	580	1,085	0	0	0	2,650	1,398
Groundwater Pumped-in/ CVP Carry-over	2,031	2,682	390	423	1,465	216	192
Deliveries	2,002	2,252	2,869	1,865	1,391	0	0
Total Unused	586	87	0	116	216	412	215

Panoche Water District pumps groundwater into the Delta-Mendota Canal under a Warren Act Contract. Some of this water is delivered to Mercy Springs (see “Groundwater Pumped-in” in Table 3).

Fresno Slough Water District

Fresno Slough has been actively transferring water out of the district since farming operations ceased in 2006 (Table 4). Although Tranquillity Irrigation District owns farmed lands in Fresno Slough, the 866 AF of Schedule 2 water that is received from a water rights settlement is diverted to these lands.

Table 4. Fresno Slough Water District Historical Water Supply

	2012	2013	2014	2015	2016	2017	2018
CVP Allocation (%)	40	20	0	0	5	100	50
CVP Allocation (AF)	1,600	800	0	0	200	3,800	2,000
Settlement Water	866	866	644	666	866	866	866
Prior Year CVP Carry-over	0	0	0	0	0	200	0
Transfers Out	0	800	0	0	0	4,000	2,000
Irrigation Use	2376	866	644	666	863	727	760
Total Unused	90	0	0	0	203	139	106

Angiola also owns lands within Fresno Slough that have been previously farmed. With the proposed partial assignment of Fresno Slough’s supplies, only remaining water rights settlement water that is left over by Tranquillity Irrigation District is made available – not Fresno Slough’s CVP water supplies – to these Angiola lands within Fresno Slough. This land has historically been irrigated using water supplies from groundwater wells outside of Fresno Slough, conveyed to and lifted out of the Mendota Pool. Long-term subsidence issues have resulted in termination of this practice. Pursuant to a statement issued by Angiola on January 22, 2020 (Appendix B), Angiola’s lands within Fresno Slough are no longer intended to be leased and will no longer be farmed.

Angiola Water District

Water supplies available to Angiola include water rights to the Kings River and other local streams (Tule River and Deer Creek), surplus Kings River floodwater releases which are periodically available in Tulare Lake, SWP water available to Tulare Lake Basin through its contracts with DWR, other supplemental local and SWP water that can be purchased when available, and groundwater wells in the eastern portion of the district. A summary of the water supplies available to Angiola is included in Table 5.

Table 5. Angiola Water District Historical Water Supply

	2012	2013	2014	2015	2016	2017	2018
Groundwater	33,097	30,603	27,783	30,220	29,036	2,750	19,351
SWP water	1,413	1,080	0	0	0	3849	2,650
SWP Article 21 water	0	0	0	0	0	0	0
Kings River water	4,326	0	0	0	0	13,182	6,596
Tule River water	271	0	0	0	252	6,908	714
Floodwater	0	0	0	0	0	23,457	0
Deer Creek water	0	0	0	0	0	0	0
Other water sources	1,760	4,912	3,174	2,439	1,710	0	13,456
Total	40,867	36,595	30,957	32,659	30,998	50,146	42,767

In wet years, surface water supplies are often sufficient to meet all water user needs and very little groundwater may be required. In drought years when groundwater becomes the major source of water, the cropping patterns may be restricted because of the pumping capacity of the well field and the total amount of available water. Angiola is within the Tulare Lake subbasin, which is critically overdrafted. Under the California Sustainable Groundwater Management Act (SGMA), an approved plan for achieving groundwater sustainability must be completed by January 31, 2020.

Points of Diversion

Because Angiola cannot physically take deliveries from the Delta-Mendota Canal, the CVP water would need to be delivered to Angiola through SWP facilities. As a State Water Contractor, Tulare Lake Basin takes its SWP deliveries from turnouts off of the California Aqueduct for delivery to its member units, including Angiola. Article 55 of Tulare Lake Basin's SWP contract specifies that SWP facilities can be used by the SWP contractors to transport non-SWP water to the extent that such deliveries do not conflict with other, higher priority SWP uses. To facilitate this reassignment, Tulare Lake Basin has requested that DWR approve the delivery of this reassigned water under Article 55 of their contract.

3.3.2. Environmental Consequences

No Action

Under the No Action alternative, Angiola would continue to be able to receive transferred water from Mercy Springs and Fresno Slough when CVP water is available for transfer through the previously approved nine-year transfer period.

Proposed Action

The Proposed Action would not affect CVP operations and would not change existing diversion points from the Delta under Reclamation's water rights permits. The Proposed Action would not interfere with Reclamation's obligations to deliver water to other contractors, wetland habitat areas, or for other environmental purposes. Water users in Mercy Springs would not be affected by reassignment of 1,300 AF of CVP supplies to Angiola, as all of Mercy Springs' CVP supplies are transferred out of the district in most years (see Table 3). Similarly, Fresno Slough water users would not be affected by reassignment of 4,000 AF of CVP supplies to Angiola, as all of Fresno Slough's CVP supplies are transferred out of the district in most years, as well as the availability of water rights settlement supplies available to farms within district (see Table 4). Additionally, pursuant to a statement issued by Angiola on January 22, 2020 (Appendix B), lands owned by Angiola that have been previously farmed within Fresno Slough's district

boundaries are no longer planned to be farmed and would not require surface water, and therefore would not be affected by the Proposed Action.

There would be no change in the point of diversion for the assigned water as the point of diversion in the Delta (Jones Pumping Plant) would be the same. In addition, as the water is already part of the baseline conditions for diversion from the Delta, there would be no increase in diversions from the Delta as a result of this assignment. Conveyance of the assigned water would be done through the California Aqueduct rather than the Delta-Mendota Canal which has been done previously when the water was annually transferred to Angiola.

Reassignment of these CVP water supplies to Angiola may limit the need to pump groundwater in wet years when allocations have not been limited. Reducing reliance on groundwater is of likely benefit to Angiola for future years in which groundwater management under SGMA may reduce or prohibit pumping as described in the 2020 Groundwater Sustainability Plan (GSP) for the Tri-County Water Authority Groundwater Sustainability Agency (GSA), of which Angiola is a member, and the Tulare Lake Subbasin GSP (2020). Reduction requirements under the GSP includes both Tule and Tulare Lake groundwater subbasins with areas managed under the GSA. The Proposed Action would directly reduce the amount of groundwater pumped in Angiola's district boundaries by the amount being assigned and allocated, resulting in a beneficial impact to groundwater subsidence in Angiola. If groundwater pumping is reduced or prohibited, crops may be fallowed. Access to reassigned CVP surface water supplies would potentially reduce the need to fallow crops.

CVP and SWP facilities would not be impacted as the conveyance of the assigned water will be scheduled and approved by Reclamation and DWR in advance.

Cumulative Impacts

Reclamation has reviewed existing or foreseeable projects in the same geographic area that could affect or could be affected by the Proposed Action. As in the past, hydrological conditions and other factors are likely to result in fluctuating water supplies which drive requests for water service actions. Water districts provide water to their customers based on available water supplies and timing, while attempting to minimize costs. Farmers irrigate and grow crops based on these conditions and factors, and a myriad of water service actions are approved and executed each year to facilitate water needs. It is likely that over the course of the Proposed Action, districts will request various water service actions, such as transfers, exchanges, and Warren Act contracts (conveyance of non-CVP water in CVP facilities). As each water service transaction involving Reclamation undergoes environmental review prior to approval.

The Proposed Action and other similar projects would not hinder the normal operations of the CVP or SWP as exchanges would be coordinated by Reclamation and DWR in advance. In addition, there would be no effect on Reclamation's obligation to deliver water to its contractors or to local fish and wildlife habitat as the supplies exchanged would be one-for-one exchanges from existing supplies between DWR and Reclamation. Since the Proposed Action would not involve construction or modification of facilities, nor interfere with CVP or SWP operations, there would be no cumulative impacts to water supplies, existing facilities, or other contractors.

Section 4 Consultation and Coordination

4.1. Public Review Period

Reclamation provided the public with an opportunity to comment on the Draft EA between October 3, 2019, and November 1, 2019. One comment letter was received. The comment letter and Reclamation's response are included as Appendix A. Additionally, Angiola provided a response to the comment letter and is included as Appendix B. Reclamation has considered every comment in the comment letter.

4.2. List of Agencies and Persons Consulted

Reclamation has consulted with the following regarding the Proposed Action:

- Angiola Water District
- California Department of Water Resources
- Fresno Slough Water District
- Mercy Springs Water District

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Section 5 References

Bureau of Reclamation (Reclamation). 2012. *Mercy Springs Water District and Fresno Slough Water District Multi-Year Transfers to Angiola Water District* (EA-12-021) Mid-Pacific Region South-Central California Area Office. Fresno, California.

Bureau of Reclamation (Reclamation). 2016. Chapter 15: Air Quality and Greenhouse Gas Emissions. Final Environmental Impact Statement and Record of Decision for the Coordinated Long-Term Operation of the Central Valley Project and State Water Project, pg 16-26. Mid-Pacific Region, Bay-Delta Office.

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Appendix A: Comment Letter Received on the Draft Environmental Assessment and Response

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS
Riley Chaney, President
Robert Barcellos
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Micah H. Combs
Robert Motte

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VIA OVERNIGHT MAIL AND E-MAIL

October 28, 2019

Brian Lopez
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1243 N Street
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Re: Comments on Partial Assignment from Mercy Springs Water District and Fresno Slough Water District to Angiola Water District (EA-16-030/FONSI-16-030)

Dear Mr. Lopez:

The United States Bureau of Reclamation (USBR) as NEPA lead agency has made available for public review and comment the Partial Assignment from Mercy Springs Water District (Mercy Springs WD) and Fresno Slough Water District (Fresno Slough WD) to Angiola Water District (Angiola WD) Draft Environmental Assessment (Draft EA). These comments on the Draft EA are submitted by James Irrigation District (James ID).

Proposed Action

Reclamation proposes to issue a partial assignment of 1,300 AFY of the Mercy Springs WD CVP contract allocation and a full assignment of 4,000 AFY of the Fresno Slough WD CVP contract allocation to Angiola WD. The term of the assignments would be the same as the existing water service contracts, through February 28, 2030.

In turn, Reclamation would amend the Mercy Springs WD CVP water service contract to reflect the Mercy Springs WD CVP contract quantity to be 1,542 AFY. Reclamation would also amend the Fresno Slough WD CVP contract quantity to be 0 AFY. Fresno Slough WD would continue to retain their pre-1914 water rights water supply of 866 AFY pursuant to the terms of their CVP contract.

As a result of the proposed assignments, CVP water that is currently transferred to Angiola WD on an annual basis would be delivered to Angiola WD as scheduled delivery by Angiola WD rather than Mercy Springs WD or Fresno Slough WD. The assigned quantities

JID-1

would be used by Angiola WD to meet in-district demands and other uses consistent with the existing water service contracts and Reclamation approvals.

Because Angiola WD can only receive the water from the proposed assignments from the California Aqueduct through existing Tulare Lake Basin Water Storage District (Tulare Lake Basin WSD) turnouts, delivery of CVP water to Angiola WD would need to occur as operational exchanges between Reclamation and the California Department of Water Resources (DWR). Under the operational exchange, Mercy Springs WD and Fresno Slough WD CVP water would be conveyed from the federal share of San Luis Reservoir and made available to DWR. DWR would then deliver an equal amount of water to Angiola WD under Article 55 of the Tulare Lake Basin WDS State Water Project (SWP) contract.

No new infrastructure, modifications of facilities, or ground disturbing activities would be needed for movement of this water. No native or untilled land (fallow for three years or more) would be cultivated with water involved with these actions.

The Proposed Action Will Cause Unrecoverable Land Subsidence

The Proposed Action will cause unrecoverable land subsidence within the Fresno Slough WD and in adjacent areas including those within the James ID, Tranquillity ID, Reclamation District No. 1606, and lands outside of any irrigation district or water district. Land within the Fresno Slough WD is owned by the Angiola WD and the Tranquillity ID. The Fresno Slough WD land is leased to private individuals and is actively farmed. The Fresno Slough WD CVP water supply that will be assigned to Angiola WD is intended for the irrigation of the Fresno Slough WD land. Absent the surface water supply, landholders within the Fresno Slough WD pump groundwater from aquifers containing water of suitable quality for irrigation. These aquifers underlying the Fresno Slough WD and adjacent lands are located below the Corcoran Clay. Furthermore, landowners abutting the Mendota Pool also pump groundwater from below the Corcoran Clay into the Mendota Pool and use the Mendota Pool to convey the pumped groundwater to irrigate the Fresno Slough WD lands.

Subsidence within and near the Fresno Slough WD is documented by a number of sources. Data showing the depth and extent of subsidence is documented in "Progress Report: Subsidence in California, March 2015 – September 2016" dated December 2016 (Exhibit 1). Concerns about subsidence and actual and potential impacts to infrastructure caused by subsidence, which are caused in part by groundwater extractions to serve the Fresno Slough WD, are documented in various publically available draft groundwater sustainability plans including the Draft James Groundwater Sustainability Plan (Exhibit 2), Draft McMullin Area Groundwater Sustainability Plan (Exhibit 3), Draft North Fork Groundwater Sustainability Plan

(Exhibit 4), and the Draft Groundwater Sustainability Plan for the Northern and Central Delta-Mendota Regions (Exhibit 5).

JID-2
(cont.)

The Draft EA does not quantify the amount of water needed to irrigate the Fresno Slough WD lands, the amount of surface water used to irrigate the Fresno Slough WD lands, the amount of groundwater that is extracted from lands within Fresno Slough WD to irrigate the Fresno Slough WD lands, or the amount of groundwater that is extracted from lands outside Fresno Slough WD and imported into Fresno Slough WD to irrigate Fresno Slough WD lands. The Draft EA also does not quantify the amount of groundwater pumping and groundwater importation that can occur without creating conditions that will cause subsidence of lands within Fresno Slough WD or adjacent lands. Reclamation must quantify the volumes of water provided above and analyze the hydrogeological conditions before it can make a determination that the Proposed Action will not result in subsidence and significant impacts under NEPA.

The Proposed Action Will Create Additional Flood Risk

The Proposed Action will create additional flood risk for the landowners and growers within Fresno Slough WD and in adjacent areas including those within the James ID, Tranquillity ID, Reclamation District No. 1606, and lands outside of any irrigation district or water district. In 2017, flood releases into the Kings River from Pine Flat Dam had to be curtailed from 4,500 cubic-feet-per-second (cfs) to 2,000 cfs due to seepage and failures in levees protecting Fresno Slough WD lands. The levee performance issues were caused by a lack of levee freeboard due to land subsidence. Several agencies were involved in the flood emergency response including the Tranquillity ID, the James ID, the County of Fresno, the Department of Water Resources, and the U.S. Army Corps of Engineers.

JID-3

The land subsidence in the Fresno Slough WD area has also impacted lands and flood protection. Reclamation District No. 1606 located to the east of Fresno Slough WD has noted that their levees presently have considerably less freeboard in flood release events than in prior years with flood releases. As a result, Reclamation District No. 1606 is in the process of securing an easement to build an additional flood protection levee along a section adjoining the Union Pacific Railroad tracks and expects to increase freeboard along levee segments near the Fresno Slough WD lands.

The Draft EA does not mention any reductions in levee freeboard and associated increases in flood risk caused by subsidence and groundwater pumping within or in the vicinity of Fresno Slough WD. The Draft EA should quantify existing levee freeboard at flood channel design conditions and the existing risk of levee failure for the No Action alternative and the Proposed Action alternative. Also, USBR should consult with the agencies involved in the flood emergency response mentioned previously as a part of preparing the Draft EA.

The Proposed Action Will Alter Historical Groundwater Flows Between the Delta-Mendota and the Kings Groundwater Subbasins

The Proposed Action will induce groundwater pumping to irrigate lands within Fresno Slough which will ultimately alter historic groundwater flow patterns and increase groundwater flows out of the Kings groundwater subbasin. As stated in prior comments, the Proposed Action will create additional demands for groundwater from the confined aquifer. The Fresno Slough WD lands and the lands that extract and export groundwater into the Mendota Pool for use on Fresno Slough lands are located within the Delta-Mendota groundwater subbasin. These locations are in close proximity to the Kings groundwater subbasin. Groundwater extractions from the confined aquifer within the Delta-Mendota groundwater subbasin draw water from the confined and unconfined aquifers of the Kings groundwater subbasin.

JID-4

These groundwater extractions cause subsidence in lands within the Kings groundwater subbasin, as stated in the prior comments, and a reduction in groundwater elevations and groundwater storage in areas where the confined aquifer ends and merges into the unconfined aquifer in the Kings groundwater subbasin. The Kings groundwater subbasin is estimated to have 122,000 acre-feet of average annual overdraft. The groundwater pumping caused by the Proposed Action will decrease groundwater elevations in the unconfined aquifer in the Kings groundwater subbasin and increase flows of groundwater within the confined aquifer out of the Kings groundwater subbasin. These flows are discussed in the Draft James Groundwater Sustainability Plan and the Draft McMullin Area Groundwater Sustainability Plan.

The Draft EA does not address the increase in groundwater demands within the confined aquifer nor does it address the impacts to the unconfined and confined aquifer within the Kings Subbasin. The Draft EA should quantify the quantity of additional groundwater pumping caused by the Proposed Action as well as the associated increase in groundwater flows from the Kings Groundwater subbasin to the Delta-Mendota groundwater subbasin.

The Proposed Action Will Prevent the Kings Groundwater Subbasin from Achieving Sustainability

The Proposed Action will prevent the Kings groundwater subbasin from achieving sustainability. The Draft James Groundwater Sustainability Plan has set two minimum thresholds for land subsidence within their plan area. First, subsidence cannot result in a change in elevation of 6 inches per year over a four square mile area or a maximum cumulative change in elevation of 3 feet over a 20-year period. The Draft James Groundwater Sustainability Plan (GSP) has set two objective values for land subsidence within their plan area. First, subsidence cannot result in a change in elevation of 3 inches per year over a four square mile

JID-5

JID-5
(cont.)

area or a maximum cumulative change in elevation of 2 feet over a 20-year period. The maximum rate of land subsidence in the James GSP plan area was 7.5 inches-per-year and corresponds to the study referenced earlier. The location of the maximum rate of subsidence was adjacent or in close proximity to the Fresno Slough WD and lands used to export groundwater to the Fresno Slough WD. Groundwater extractors within the James GSA extract solely from the unconfined aquifer and do not utilize wells completed within the confined aquifer. All of the subsidence that has occurred in this region is attributed to groundwater extraction in the Fresno Slough WD area.

The Draft EA should address the deficiencies identified in prior comments and address groundwater sustainability. More specifically, the Draft EA should identify the measurable objectives provided in the groundwater sustainability plans covering the Fresno Slough WD and adjacent areas including the Draft James Groundwater Sustainability Plan.

The Proposed Action Will Impact Surface Water Quality Deliveries to Central Valley Project and Settlement Contract Water Contractors

JID-6

The Proposed Action will cause degradation of surface water quality in the Mendota Pool and impact water users that take surface water deliveries from the Mendota Pool. As stated previously, the Proposed Action will result in additional groundwater extractions from lands that are adjacent to the Mendota Pool. Landholders within the Fresno Slough WD rely upon groundwater to irrigate Fresno Slough WD lands as these lands are in full agricultural production. Some or all of the groundwater used to irrigate lands within the Fresno Slough WD is extracted from lands adjoining the Mendota Pool. Groundwater is pumped into the Mendota Pool, conveyed within the Mendota Pool, and delivered to lands within the Fresno Slough WD. The quality of the groundwater pumped into the Mendota Pool is not discussed in the Draft EA nor is the fact that groundwater is pumped to serve the Fresno Slough WD lands in the absence of CVP contract water. Groundwater that is pumped into the Mendota Pool is generally of poor quality can easily exceed 3,000 parts-per-million (ppm) total dissolved solids (TDS). Groundwater that is pumped into the Mendota Pool within or in the vicinity of the Fresno Slough is believed to be of quality ranging from 1,500 ppm TDS to 2,000 ppm TDS.

This poor quality water is mixed with water delivered by the Delta-Mendota Canal into the Mendota Pool and delivered to contractors such as James ID and Reclamation District No. 1606 at the southern end of the Mendota Pool. The water quality impacts are discussed by USBR in their Final Environmental Impact Report/Environmental Impact Statement for the Mendota Pool Group 20-Year Exchange Program and the responses provided by various commenters including James ID which are a part of the document. In that document, there are several references to water quality impacts that are caused by individuals and entities other than the Mendota Pool Group. Further, the document does not analyze the impacts caused by

↑ these “non-MPG” sources because of a lack of information and understanding about their operations. Water used to serve Fresno Slough WD lands is one of the “non-MPG” sources.

JID-6
(cont.)

The Draft EA should quantify the volume and quality of water introduced into the Mendota Pool as a result of the Proposed Action alternative and include an agricultural suitability water quality analysis for each of the sources of water introduced into the Mendota Pool. The Draft EA should also analyze the impacts on water quality within Mendota Pool caused by the pumped water introduced into the Mendota Pool and the cumulative water quality impact this pumped water has on downstream Mendota Pool diverters such as James ID when including other water quality impacts caused by Mendota Pool Group sources and sources other than The Mendota Pool Group.

The Draft Environmental Statement Fails to Satisfy the Requirements of the National Environmental Protection Act.

JID-7

The Draft EA Fails to satisfy the requirements of the National Environmental Protection Act (NEPA) for a number of reasons. These reasons include: (a) the impacts of the Proposed Action alternative to the quality of the James ID surface water supply have not been and must be adequately described and studied; (b) the environmental setting, environmental baseline, and No Action alternative are flawed; (c) the Draft EA prejudicially fails to evaluate short- and medium-term and other important impacts; (d) the applicability of the Anti-Degradation Policy and NPDES permitting process requirements have been ignored; (e) the Draft EA does not adequately analyze the cumulative impacts of the Project; and (f) feasible mitigation measures and a reasonable range of alternatives are lacking. Comments made on these deficiencies were also provided to USBR and have been included in the Final Environmental Impact Report/Environmental Impact Statement for the Mendota Pool Group 20-Year Exchange Program.

Conclusion

JID-8

↓ James Irrigation District appreciates the opportunity to comment on the Draft EA for the Partial Assignment from Mercy Springs Water District and Fresno Slough Water District to Angiola Water District, which if approved would result in the loss of 4,000 acre-feet of surface water supplies to the local area and a corresponding increase in groundwater extractions that would impact critically overdrafted groundwater subbasins, cause declines in groundwater elevations, and create subsidence issues resulting in infrastructure damage and additional flood risk, without mitigation. It is apparent that James ID, Tranquillity ID, Reclamation District No. 1606 and other local agencies and private landowners will suffer significant direct, indirect, and cumulative impacts as a result of the Proposed Action and that an alternative or mitigation will be required to satisfy the requirements of CEQA and NEPA. Since the Draft EA fails to satisfy

↑ the requirements of NEPA, James ID objects to approval of the Project based on the current (deficient) Draft EA and contends that the lead agencies must prepare and circulate an Environmental Impact Statement with appropriate consideration of alternatives and mitigation measures before considering approval of the Proposed Action.

JID-8
(cont.)

Sincerely,



Steven P. Stadler, P.E.
GENERAL MANAGER

cc: Alicia Forsythe, Deputy Regional Director, U.S.B.R., Sacramento (w/o enclosures)

James Irrigation District Comment Letter

Index of Exhibits

- Exhibit 1: Progress Report: Subsidence in California, March 2015 – September 2016” dated December 2016
- Exhibit 2: Draft James Groundwater Sustainability Plan
- Exhibit 3: Draft McMullin Area Groundwater Sustainability Plan
- Exhibit 4: Draft North Fork Groundwater Sustainability Plan
- Exhibit 5: Draft Groundwater Sustainability Plan for the Northern and Central Delta-Mendota Regions
- Exhibit 6: Final Environmental Impact Report/Environmental Impact Statement for the Mendota Pool Group 20-Year Exchange Program and All Appendices

Reclamation's Response to James Irrigation District (JID) Comment Letter, October 29, 2019

- JID-1 This is a general introductory comment from James Irrigation District (JID) with a summary of the Proposed Action described in EA-16-030. Responses to specific comments are provided below.
- JID-2 This comment provides JID's concerns regarding land subsidence to JID, Tranquillity Irrigation District (Tranquillity), Reclamation District No. 1606 (RD #1606), and lands outside of any irrigation district or water district due to the Proposed Action. Although subsidence has been known to occur within the Fresno Slough district boundaries in the vicinity of JID, Tranquillity, and RD #1606, as well those of Angiola, the Proposed Action is considered to not cause impacts to groundwater pumping operations within Fresno Slough (neither increasing nor decreasing) and would have beneficial impacts within Angiola due to reduced groundwater pumping requirements.

Reclamation has provided additional information about ownership and irrigation of farmed lands within Fresno Slough to EA-19-005. Pursuant to a statement issued by Angiola on January 22, 2020 (Appendix B), those lands that belong to Angiola that are within Fresno Slough are not planned to be farmed after completion of the project, resulting in less groundwater pumping within the boundaries of Fresno Slough.

Reclamation has provided additional information on groundwater pumping within Angiola in regard to the Proposed Action. The Proposed Action would result in a direct reduction of groundwater pumping within Angiola. Therefore, Reclamation has determined that there would be no direct or cumulative impacts that lead to unrecoverable land subsidence as a result of the Proposed Action.

- JID-3 The comment details JID's concerns about increased flood risk to areas within the JID, Tranquillity, RD #1606, and lands outside of any irrigation district or water district due to the Proposed Action. The comment describes flooding impacts caused by inadequate levee performance. JID proposes that the seepage and failures of levees during flooding in 2017 was due to lack of freeboard caused by subsidence within the vicinity.

Reclamation disagrees that the Proposed Action causes any impacts to flood risk for these areas because, as explained in the above response for comment JID-2, the Proposed Action is not likely to directly or cumulatively contribute to unrecoverable land subsidence and associated impacts to levee performance. Additionally, as the Proposed Action only allows for scheduled deliveries of water with approval from Reclamation and the San Luis & Delta-Mendota Water Authority, there would be no impacts to flood risk as the scheduled deliveries would not take place during periods of increased flood risk.

- JID-4 The comment states that the Proposed Action will result in an alteration of historic groundwater flows between the Delta-Mendota and the Kings groundwater subbasins. The comment asserts that the Proposed Action will lead to increased groundwater pumping in Fresno Slough lands. As described above in the response to comment JID-2,

the Proposed Action does not lead to increased groundwater pumping in Fresno Slough lands. Therefore, historic groundwater flows will not be affected by the Proposed Action.

- JID-5 The comment regards sustainability goals for the Kings groundwater basin that are likely to be introduced under SGMA. The comment references the Draft James Groundwater Sustainability Plan (GSP) and thresholds for subsidence.

As described above in the response to comment JID-2, the Proposed Action does not lead to increased groundwater pumping in Fresno Slough lands.

- JID-6 The comment provides JID's concern that the Proposed Action would lead to degradation of water quality for deliveries to CVP and Settlement contractors.

As described above in the response to comment JID-2, the Proposed Action does not lead to increased groundwater pumping and, therefore, water quality would not be affected as a result of the proposed action.

- JID-7 Reclamation disagrees that the Draft EA fails to satisfy the requirements of NEPA. The comment letter asserts that (a) the impacts have not been adequately described and studied, (b) the environmental setting, environmental baseline, and the No Action Alternative are flawed, (c) the Draft EA prejudicially fails to evaluate short- and medium-term and other important impacts, (d) the applicability of the Anti-Degradation Policy and NPDES permitting process requirements have been ignored, (e) the Draft EA does not adequately analyze the cumulative impacts to the Project, and (f) feasible mitigation measures and a reasonable range of alternatives are lacking.

Reclamation disagrees with the various assertions under this comment. The Draft EA and its scope of analysis were developed consistent with NEPA regulations, guidance from the Council on Environmental Quality (CEQ), and the Department of the Interior's NEPA regulations. In accordance with NEPA, an EA is initially prepared to determine if there are significant impacts on the human environment from carrying out the Proposed Action. Reclamation has followed applicable procedures in the preparation of this EA which includes the required components of an EA as described in the CEQ's NEPA regulations (40 CFR 1508.9): discussion of the need for the proposal, alternatives as required, environmental impacts of the proposed action and alternatives, and listing of agencies and persons consulted. An EA is defined by CEQ as a "concise public document" that "briefly provide[s] sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact" (40 CFR 1508.9).

- JID-8 In this general closing statement. JID reaffirms that Reclamation must recognize the above-identified adverse impacts and either not approve the project or perform an Environmental Impact Study to quantify and analyze the above-identified impacts in lieu of adopting a Finding of No Significant Impact. As described in the response to comment JID 7 above, Reclamation disagrees with these various assertions.

Appendix B: Angiola Water District's Response to the James Irrigation District Comment Letter



ANGIOLA WATER DISTRICT
WHITLEY AVENUE, SUITE A,
CORAN, CALIFORNIA 93212
phone 559-992-8980 Facsimile 559-992-1236

January 22, 2020

Brian Lopez
Bureau of Reclamation
1243 N Street
Fresno, CA 93720

Re: Bureau of Reclamation/Fresno Slough-Mercy Springs Water
Transfer to Angiola Water District

Dear Mr. Lopez,

The comments you received from James Irrigation District regarding our permanent water transfer to Angiola Water District ("AWD") from Fresno Slough and Mercy Springs have no merit and are not accurate for the following reasons:

1. There is no groundwater pumped as we have a covenant not to extract ground water. If any of the lands owned by AWD are farmed, the farmer must import the water.

2. AWD's rights to this supplemental imported water are contractual and not appurtenant to the lands.

3. AWD purchased the rights to contract for supplemental water and this water has not been used in Fresno Slough Water District since 2007.

4. The USBR found no significant impacts with this transfer to AWD.

5. This transfer to AWD has been annually approved since September 2012 with no adverse impacts and has reduced ground water pumping in the Fresno Slough Water District.

6. The permanent transfer to AWD from Fresno Slough and Mercy Springs of a maximum of 4000 acre feet and 1300 acre feet respectively has been very beneficial to all involved.

We agree with and support the response letters that were also sent to you from Tranquility Irrigation District and Fresno Slough Water District. Please feel free to call me with any further questions as we would like to get the permanent transfer completed.

Sincerely,

A handwritten signature in cursive script that reads "Mark Grewal". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Mark Grewal, General Manager
Angiola Water District

Appendix C: Reclamation's Cultural Resources Determination

CULTURAL RESOURCES COMPLIANCE
Division of Environmental Affairs
Cultural Resources Branch (MP-153)

MP-153 Tracking Number: 17-SCAO-056

Project Name: Contract Assignment from Mercy Springs Water District and Fresno Slough Water District to Angiola Water District

NEPA Document: EA-16-030

NEPA Contact: Stacy Holt, Natural Resources Specialist

MP-153 Cultural Resources Reviewer: Scott Williams, Archaeologist



Date: December 29, 2016

Reclamation proposes to approve a partial assignment of 1,300 AFY of Mercy Springs' CVP water and a full assignment of 4,000 AFY of Fresno Slough's CVP water to Angiola through February 28, 2030. Reclamation would then amend Mercy Spring's existing CVP water service contract to reflect the revised quantity to be 1,542 AFY. Reclamation would amend Fresno Sough's existing CVP water service contract to 0 AFY. Because Angiola can only receive the proposed assignments from the California Aqueduct (through Tulare Lake Basin's existing turnouts), delivery of the partial assignment would need to occur as operational exchanges between Reclamation and DWR. Under this operational exchange, Mercy Springs' and Fresno Sloughs' CVP water would be moved from the federal share of San Luis Reservoir and made available to DWR. DWR would then deliver an equal amount of water to Angiola under Article 55 of Tulare Lake Basin's State Water Project contract. No construction or modification of facilities is needed for delivery of this water.

Reclamation has determined that the proposed action is the type of activity that does not have the potential to cause effects on historic properties pursuant to 36 CFR § 800.3(a)(1). As such, Reclamation has no further obligations under Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108). Based on analysis of the project activities, I concur that the proposed action would have no significant impacts on properties listed, or eligible for listing on the National Register of Historic Places.

This document conveys the completion of the cultural resources review and Section 106 process for this undertaking. Please retain a copy with the administrative record for this action. Should the proposed action change, additional review under Section 106, possibly including consultation with the State Historic Preservation Officer, may be required.