



IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF RECLAMATION

Ephrata Field Office

P.O. Box 815

Ephrata, Washington 98823



EPH-2300

2.1.4.17

OCT 25 2018

Lisa Wood
SEPA/NEPA Coordinator
Washington State Department of Fish and Wildlife
P.O. Box 43200
Olympia, WA 98504

Subject: Artesian and Black Lakes Rehydration Pilot Project, Washington Department of Fish and Wildlife (WDFW), Grant County, Washington, January 19, 2018

Dear Ms. Wood:

The Artesian and Black Lakes Rehydration Pilot Project was determined to be a NEPA compliance Categorical Exclusion. The actions of this project will not individually or cumulatively have a significant impact on the environment. Please see the attached Categorical Exclusion Checklist for more information.

If you have any questions, please contact Edna Rey-Vizgirdas, Resource Management Supervisor, at 509-754-0231 or ereyvizgirdas@usbr.gov.

Sincerely,

Clyde Lay
Deputy Field Office Manager

CATEGORICAL EXCLUSION CHECKLIST

PROJECT: Artesian and Black Lakes Rehydration Pilot Project, Washington Department of Fish and Wildlife (WDFW), Grant County Washington, 1/19/2018

EXCLUSION CATEGORY: 516 DM Chapter 14.5 B. (1) Routine planning investigation activities where the impacts are expected to be localized, such as land reclassification surveys, topographic surveys, wildlife studies, economic studies, social studies, and other study activity during any planning, preconstruction, construction, or operation and maintenance phases. C. (3) Minor construction activities associated with authorized projects which correct unsatisfactory environmental conditions or which merely augment or supplement, or are enclosed within existing facilities.

NATURE OF ACTION: Reclamation proposes to allow Washington Fish and Wildlife (WDFW) to conduct a pilot study to determine the potential for rehydration of Artesian and Black Lakes within the Columbia Basin Project (CBP).

EVALUATION OF EXTRAORDINARY CIRCUMSTANCES FOR CATEGORICAL EXCLUSION (516 DM 2 Appendix 2: 43 CFR 46.215)

Extraordinary Circumstances Exist For This Action Which May:		No	Uncertain	Yes
1.	Have significant impacts on public health or safety.	x		
2.	Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	x		
3.	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2) (E)].	x		
4.	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	x		
5.	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	x		
6.	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	x		
7.	Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	x		
8.	Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	x		
9.	Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	x		
10.	Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	x		
11.	Limit access to and ceremonial use of Indian sacred sites on Federal land by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).	x		

CATEGORICAL EXCLUSION CHECKLIST

PROJECT: Artesian and Black Lakes Rehydration Pilot Project, Washington Department of Fish and Wildlife (WDFW), Grant County Washington, 1/19/2018

Extraordinary Circumstances Exist For This Action Which May:		No	Uncertain	Yes
12.	Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	x		

Additional compliance reviews		No	Uncertain	Yes
This action will affect Indian trust assets (ITAs) To be completed by ITA designee		x		
This action will adversely affect Essential Fish Habitat. Magnuson-Stevens Fishery Conservation And Management Act		x		

NEPA ACTION RECOMMENDED:

- Categorical Exclusion
- Environmental Assessment
- Environmental Impact Statement

ENVIRONMENTAL AND TRUST ASSET COMMITMENTS, EXPLANATION AND/OR COMMENTS: Reclamation is proposing to allow WDFW to conduct a pilot study to determine the feasibility of annually rehydrating Artesian and Black Lakes. Their proposal would commingle withdrawn water from the East Low Canal and CCWP allotment, convey the withdrawn water through a natural occurring swale to Artesian and Black Lakes to recharge the shallow aquifer to develop ponding. Water delivery would occur April-May 2018 at a rate of 10-15 cubic feet per second. Test wells will be used to monitor water levels.

Location, Sections 33,34, Township21N, Range 29E, Sections 3, 4, 8, 9, 16, 17 Township 20N, Range 29E, Columbia Basin Project, Grant County, Washington

National Historic Preservation Act (NHPA)

If, during ground disturbing activities, there is an inadvertent discovery of human remains or possible cultural resources, all work should stop immediately in the vicinity of the discovery. A 30-meter buffer should be placed around the discovery with work being able to proceed outside of this buffered area unless additional cultural materials are encountered. The project area should be secured and protected and no work may resume until the Reclamation CCAO Archaeologist is notified and provides instructions. The Reclamation CCAO Archaeologist will then notify the appropriate County Coroner/Medical Examiner (if human remains are discovered), the appropriate State Historic Preservation Office (SHPO), and the affected Native American Tribes. The current Reclamation CCAO Archaeologist is Warren Hurley and his phone is 509-575-5848 ext.320, and email is whurley@usbr.gov

T&E Species Review Reclamation concludes that a Biological evaluation, under Section 7 of the Endangered Species Act (ESA), is not required for this action. Reclamation has determined that this Federal action will have no effect on Threatened or Endangered Species. WDFW has obtained an incidental take permit for this action.

CATEGORICAL EXCLUSION CHECKLIST

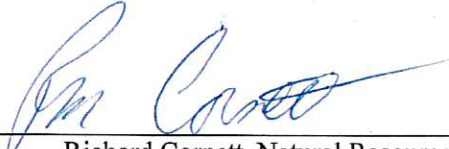
PROJECT: Artesian and Black Lakes Rehydration Pilot Project, Washington Department of Fish and Wildlife (WDFW), Grant County Washington, 1/19/2018

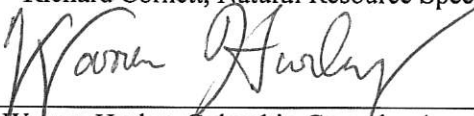
Environmental Justice


In evaluating environmental justice, there would be no adverse or significant impacts to minority or low-income populations or communities.

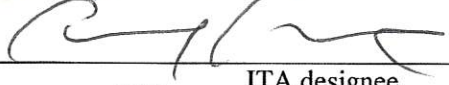
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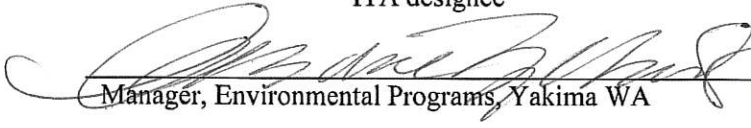
This Federal action will not adversely impact access to or ceremonial use of any identified Indian sacred sites, and will not adversely affect the physical integrity of any such sacred sites.



Preparer's Signature:  Date: 1/19/18
Richard Cornett, Natural Resource Specialist

Concurrence with Item No. 7:  Date: 9/20/18
Warren Hurley, Columbia-Cascades Area Office Archeologist

Concurrence:  Date: 1/19/18
Deputy Manager, Ephrata Field Office, Ephrata WA

Concurrence:  Date: 2/6/18
ITA designee

Recommend:  Date: 2/16/18
Manager, Environmental Programs, Yakima WA

Approved:  Date: 
Manager, Columbia-Cascades Area Office, Yakima WA

Categorical Exclusion No. PN-EFO-CE-2018-083 Date: 9/24/18



Artesian and Black Lakes Rehydration Pilot

Background

Artesian and Black Lakes are two historically semi-permanently flooded basins within the confines of the Black Rock Coulee, approximately two miles east of the Black Rock Siphon. These lakes were formerly established and maintained by precipitation, but have been depleted following the abstraction of groundwater within the Odessa Subarea, presumably from shallow wells. As these water bodies have dried, waterfowl, shorebird, and aquatic habitat has been lost. Additional loss of wetland habitat continues within the confines of the Columbia Basin Project (CBP), as the implementation of water conservation projects tend to cumulatively reduce the incidental inputs that sustain certain wetlands. Wetland depletion is a significant concern given the multitude of species reliant upon the habitat they provide.

In acknowledgement of this issue, the US Bureau of Reclamation (USBR), Washington Department of Ecology (Ecology), and Washington Department of Fish and Wildlife (WDFW) entered into a Memorandum of Understanding (MOU) in 2014 entitled, "Sustained Delivery of Project Water to Protect and Perpetuate Fish and Wildlife Amenities within the Columbia Basin Reclamation Project Area- Odessa Subarea Boundaries." As set forth in this document, "[a] minimum of 20% of the conserved water from annual Ecology funding cycles will be allocated per WDFW request to continue and/or enhance productive wetlands for fish, wildlife, habitat, and recreational values within the Odessa subarea of the Project." Through Ecology's Coordinated Conserved Water Program (CCWP), state funding is employed to implement irrigation efficiency projects and subsequently convey conserved surface water as a permanent, alternative source to irrigators abstracting water within the Odessa Subarea.

Rehydration Pilot

Rehydration of Artesian and Black Lakes was identified as a prospective habitat enhancement project to offset impacts of implementing the Odessa Subarea Special Project within the 2013 Final Odessa Subarea Environmental Impact Statement and 2012 Odessa Subarea Special Study Adaptive Management MOU. At present, 2,100 acre-feet of water has been made available through the CCWP. WDFW seeks to use this allotment to re-establish habitat within the historic high watermark of Artesian and Black Lakes. The Department's decision to continue pursuit of this project is supported by two feasibility studies conducted by Ducks Unlimited and GSI Water Solutions, Inc. When combined, these documents indicate the potential to deliver water to the lakes through a natural swale and establish ponding within the historic lakebeds.

WDFW has developed a pilot project to inform the feasibility of rehydrating Artesian and Black Lakes on an annual basis. Through an agreement with the East Columbia Basin Irrigation District (ECBID) and USBR, this pilot seeks to: 1) commingle the CCWP allotment with irrigation water transported through the East Low Canal (ELC), 2) withdraw it upstream of the Black Rock Siphon, 3) convey the water through a naturally occurring swale to Artesian and Black Lakes, and 4) recharge the shallow aquifer to the point of ponding. Water delivery is planned to commence April-May at a rate between 10-15 cubic feet per

second (CFS). This rate will be adjusted as staff monitor the movement of water through the swale and water levels within two test wells. A previous test to convey water to the lakes from ELC took place in 2007. While the infrastructure employed in this test lacked the capacity to deliver water to the inlet at Artesian Lake, it highlighted the requirement to convey more than 6 CFS to overwhelm the seepage rate within the swale. At 10-15 CFS WDFW anticipates approximately 70-100 days of delivery.

Location

The present area of potential effect (APE) contains the complete lake boundaries, natural swale, and anticipated recreational impacts as outlined in a 2014 Recreational Impacts Assessment by WDFW. The APE area covers approximately 712 acres, residing in Sections 33 and 34 of Township 21 North, Range 29 East, and Sections 03, 04, 08, 09, 16, and 17 of Township 20 North, Range 29 East, Willamette Meridian.

Status

Lincoln County Conservation District has contracted Plateau Archaeological Investigations, LLC (Plateau) to compose the project's Cultural Resources (CR) report. This report was submitted to the USBR in January of 2017 and revised throughout the spring. While USBR staff tentatively approved the material within the report they sought clarification on how the withdrawal works interface with the ELC, as it is a registered historic structure. WDFW subsequently contracted a siphon and conveyance design through Ducks Unlimited in fall of 2017, which has been submitted to the ECBID and USBR. Ducks Unlimited and Plateau will be updating the design and report, respectively, with comments received from ECBID and the USBR. It is WDFW's intent to close this report by the end of January 2018.

Constraints imposed by State funding impediments for the current biennium have prompted WDFW to pursue works construction in fall of 2018 and the test-feed pilot in spring of 2019. Following closure of the CR report, WDFW is confident that it will have all necessary permitting in line to follow the modified schedule. Further, in adhering to the spring test-feed, staff biologists have determined that the project will not impact Washington ground squirrels residing within the project area. The Washington ground squirrel was established as a State candidate species in 1999.

Given the unknowns surrounding the project's results, WDFW would like to request a Categorical Exclusion from the USBR for the pilot phase. If WDFW, Ecology, USBR, and ECBID find the results of the pilot favorable, WDFW will take lead on the environmental compliance measures necessary to operate this project beyond the pilot phase. If the results are not favorable, the works will be dismantled and repurposed.