

FINDING OF NO SIGNIFICANT IMPACT

I. Purpose of Finding of No Significant Impact (FONSI): The National Environmental Policy Act (NEPA) requires the preparation of an Environmental Impact Statement (EIS) for any proposal for a major federal action significantly affecting the quality of the human environment. 42 U.S.C. § 4332(C). The Council on Environmental Quality (CEQ) Regulations direct agencies to prepare a Finding of No Significant Impact (FONSI) when an action not otherwise excluded will not have a significant impact on the human environment. 40 CFR §§ 1500.4(b) & 1500.5(b). To evaluate whether a significant impact on the human environment is likely, the CEQ regulations direct agencies to analyze the potentially affected environment and the degree of the effects of the proposed action. 40 CFR § 1501.3(b). In doing so, agencies should consider the geographic extent of the affected area (i.e., national, regional or local), the resources located in the affected area (40 CFR § 1501.3(b)(1)), and whether the project is considered minor or small-scale (NAO 216-6A CM, Appendix A-2). In considering the degree of effect on these resources, agencies should examine both short- and long-term effects (40 CFR § 1501.3(b)(2)(i); NAO 216-6A CM Appendix A-2 - A-3), and the magnitude of the effect (e.g., negligible, minor, moderate, major). CEQ identifies specific criteria for consideration. 40 CFR § 1501.3(b)(ii)-(iv). Each criterion is discussed below with respect to the proposed action and considered individually as well as in combination with the others.

In preparing this FONSI, we reviewed the Environmental Assessment for the Issuance of an Endangered Species Act (ESA) Section 10(a)(1)(A) Enhancement Permit to the U.S. Fish and Wildlife Service for Hatchery and Monitoring Activities Associated with the San Joaquin River Restoration Program (SJRRP), which evaluates the affected area, the scale and geographic extent of the proposed action, and the degree of effects on those resources (including the duration of impact, and whether the impacts were adverse and/or beneficial and their magnitude). The EA is hereby incorporated by reference. 40 CFR § 1501.6(b).

II. Approach to Analysis:

- A. The proposed action is the issuance of ESA Section 10(a)(1)(A) Enhancement Permit to the U.S. Fish and Wildlife Service for hatchery and monitoring activities associated with the SJRRP. The potential impacts of the activities that would be permitted under the proposed action would be minor in scale and not considered to meaningfully contribute to a significant impact.
- B. The proposed action would either not cause an effect to specific resources, or the impact is determined to be negligible or minor.
- C. The proposed action is not connected to other actions that have caused or may cause effects to resources in the affected area, and there is then no potential for the effects of the proposed action to add to the effects of other projects such that the effects taken together could be significant.

III. Geographic Extent and Scale of the Proposed Action:

The geographic extent of the proposed project is at a scale local to the California Central Valley. The geographic extent of the affected environment includes the SJRRP Restoration Area, which is the San Joaquin River downstream of Friant Dam to the confluence of the Merced River. In

addition, because the proposed action includes fish broodstock collections from various locations in the Central Valley, and the Feather River Fish Hatchery, those locations are also part of the geographic extent. Transport routes from the broodstock collection sites and quarantine facilities are also included. All of these locales are located within the California Central Valley. The affected environment and resources that could be impacted and are part of the analysis in the EA include water resources (water quality), biological resources (including fish species and fish-eating species), and socioeconomics. The project is not considered larger than minor or small scale.

IV. Degree of Effect:

- A. The potential for the proposed action to threaten a violation of Federal, state, or local law or requirements imposed for environmental protection.*

The proposed project will not cause an impact or implicate the potential for the proposed action to threaten a violation of Federal, state, or local law or requirements imposed for environmental protection. Other applicable statutory processes that have been completed for the proposed action include ESA section 7 consultation, National Historic Preservation Act Section 106 consultation, and applicable California state processes. Furthermore, a General Condition required by the section 10(a)(1)(A) permit to be issued states, “(t)he permit holder must obtain any other Federal, state, and local permits/authorizations necessary for the conduct of the activities provided for in this permit.”

- B. The degree to which the proposed action is expected to affect public health or safety.*

The proposed action is not expected to affect or impact public health or safety. The hatchery facilities and actions described in the associated EA, permit application, and HGMP will follow all state and Federal water quality laws and regulations associated with standard hatchery practices.

- C. The degree to which the proposed actions is expected to affect a sensitive biological resource, including:*

- a. Federal threatened or endangered species and critical habitat;*

The proposed action is expected to have beneficial impacts on the population of ESA-listed threatened Central Valley spring-run Chinook salmon since the purpose of the proposed action is to increase the abundance and distribution of this species. The proposed action is not expected to have a significant impact on other Federal threatened or endangered species and critical habitat.

- b. stocks of marine mammals as defined in the Marine Mammal Protection Act;*

The proposed action is expected to have a beneficial impact on marine mammals, as defined by the Marine Mammal Protection Act, that eat salmon by increasing the number of salmon available as prey.

- c. essential fish habitat identified under the Magnuson–Stevens Fishery Conservation and Management Act;*

The proposed action is expected to have no effects on essential fish habitat identified under the Magnuson-Stevens Fishery Conservation and Management Act.

- d. bird species protected under the Migratory Bird Treaty Act;*

The proposed action is expected to have no effects on bird species protected under the Migratory Bird Treaty Act.

e. national marine sanctuaries or monuments;

The proposed action is expected to have no effects on national marine sanctuaries or monuments.

f. vulnerable marine or coastal ecosystems, including, but not limited to, shallow or deep coral ecosystems;

The proposed action's geographic range does not include sensitive marine ecosystems, therefore the proposed action will not affect vulnerable marine or coastal ecosystems.

g. biodiversity or ecosystem functioning (e.g., benthic productivity, predator-prey relationships, etc.)

The proposed action is expected to have beneficial impacts by increasing biodiversity of native species and improving ecosystem functioning through the reintroduction of a keystone fish species.

D. The degree to which the proposed action is reasonably expected to affect a cultural resource: properties listed or eligible for listing on the National Register of Historic Places; archeological resources (including underwater resources); and resources important to traditional cultural and religious tribal practice.

The proposed action is not reasonably expected to affect a cultural resource. There is no construction or alteration of the streambed included in the proposed action. The permit applicant, U.S. Fish and Wildlife Service have completed NHPA Section 106 consultation for the proposed actions described in the permit application materials.

E. The degree to which the proposed action has the potential to have a disproportionately high and adverse effect on the health or the environment of minority or low-income communities, compared to the impacts on other communities (EO 12898).

The proposed action does not have the potential to have a disproportionately high and adverse effect on health or the environment of minority or low-income communities, compared to the impacts on other communities.

F. The degree to which the proposed action is likely to result in effects that contribute to the introduction, continued existence, or spread of noxious weeds or nonnative invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of the species.

The proposed action is not likely to result in effects that contribute to the introduction, continued existence, or spread of noxious weeds or nonnative invasive species known to occur in the area, or that may promote the introduction, growth, or expansion of the range of the species. The actions described in the permit application will follow all state and Federal laws and regulations related to avoiding the spread of noxious weeds or nonnative invasive species.

G. The potential for the proposed action to cause an effect to any other physical or biological resources where the impact is considered substantial in magnitude (e.g., irreversible loss of coastal resource such as marshland or seagrass) or over which there is substantial uncertainty or scientific disagreement.

The proposed action does not have the potential to cause an effect to any other physical or biological resources where the impact is considered substantial in magnitude. The associated EA describes the anticipated level of effects for biological resources that may be impacted from the proposed action.

V. Other Actions Including Connected Actions:

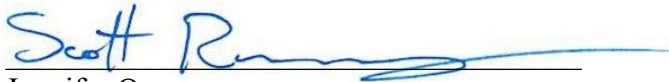
The proposed action is not expected to add to the effects of other actions which have occurred, are occurring, or are reasonably certain to occur in a similar geographic area.

VI. Mitigation and monitoring:

No mitigation measures have been adopted for the proposed action.

DETERMINATION

The CEQ NEPA regulations, 40 CFR § 1501.6, direct an agency to prepare a FONSI when the agency, based on the EA for the proposed action, determines not to prepare an EIS because the action will not have significant effects. In view of the information presented in this document and the analysis contained in the supporting EA prepared for the Issuance of an Endangered Species Act Section 10(a)(1)(A) Enhancement Permit to the U.S. Fish and Wildlife Service for Hatchery and Monitoring Activities Associated with the San Joaquin River Restoration Program, it is hereby determined that the issuance of permit 20571-2R will not significantly impact the quality of the human environment. The Issuance of an Endangered Species Act Section 10(a)(1)(A) Enhancement Permit to the U.S. Fish and Wildlife Service for Hatchery and Monitoring Activities Associated with the San Joaquin River Restoration Program is hereby incorporated by reference. In addition, all beneficial and adverse impacts of the proposed action as well as mitigation measures have been evaluated to reach the conclusion of no significant impacts. Accordingly, preparation of an EIS for this action is not necessary.



for
Jennifer Quan
Regional Administrator
NMFS, West Coast Region

March 22, 2024
Date