RECLAMATION

Managing Water in the West

Environmental Assessment

Transfer of Central Valley Project Water to Kern County Water Agency in Exchange for State Water Project Water Delivered to San Luis Water District and Westlands Water District

EA-09-128

Mission Statements

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian Tribes and our commitments to 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.

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List of Acronyms, Abbreviations and Definition of Terms

AF	acre-feet (the volume of water one foot deep and an acre in area)
AF/y	acre-feet per year
BO	Biological Opinion
CoF	City of Fresno
CVC	Cross Valley Canal
CVP	Central Valley Project
CVPIA	Central Valley Improvement Act
DSA	Direct Service Area
DWR	California Department of Water Resources
EA	Environmental Assessment
ESA	Endangered Species Act
FID	Fresno Irrigation District
FKC	Friant-Kern Canal
FWCA	Fish & Wildlife Coordination Act
FWS	U.S. Fish and Wildlife Service
ITA	Indian Trust Asset
KCWA	Kern County Water Agency
MBTA	Migratory Bird Treaty Act
M&I	municipal and industrial
MP	milepost
NHPA	National Historic Preservation Act
OCID	Orange Cove Irrigation District
Reclamation	Bureau of Reclamation
SLC	San Luis Canal
SLR	San Luis Reservoir
SLWD	San Luis Water District
SOD	south of the Delta
SWP	California State Water Project
WWD	Westlands Water District

Section 1 Purpose and Need for Action

1.1 Background

The State of California is currently experiencing unprecedented water management challenges during a third consecutive year of drought. Both the State and Federal water projects are forecasting very low storage conditions in all major reservoirs. Specifically for the Central Valley Project (CVP), additional factors have contributed to the reduction in total water supplies this year. These include: 1) low reservoir water supply conditions coming into 2009 from a dry 2007 and 2008, and 2) limits placed on pumping at Jones Pumping Plant. Based on these factors, the Bureau of Reclamation (Reclamation) declared a shortage in the amount of water available to South-of-Delta (SOD) contractors for the 2009 Contract Year (March 1 through February 28). Allocation of water from the CVP for 2009-10 is 10 percent to SOD contractors. Official projections of 2010-11 water year allocations range between 0-10% in a dry hydrology and 25-40% under a wet hydrology. At these low water supply allocations, San Luis Water District (SLWD) and Westlands Water District (WWD) will need additional water supplies just to keep permanent crops alive.

1.2 Purpose and Need

The purpose of the proposed transfers is to allow expeditious water delivery to assist in offsetting the effects of continued drought and regular supply constraints by increasing the volume of water available to SLWD and WWD to supplement anticipated water shortages in 2010.

1.3 Scope

Fresno Irrigation District (FID), Orange Cove Irrigation District (OCID), SLWD, and WWD have agreed on the terms of four separate transfers and FID and OCID have requested Reclamation approve the proposed transfers.

The areas in which impacts may occur are the CVP service area boundaries of FID, OCID, SLWD, and WWD, as the water would leave FID and OCID and be applied in SLWD and WWD. The Kern County Water Agency (KCWA) would be involved as an exchange partner with FID, OCID, SLWD, and WWD. There would be no net gain or loss of water for KCWA and therefore there are no potential impacts within KCWA. As a result, this environmental assessment (EA) will not discuss KCWA in depth.

Likewise, the City of Fresno (CoF) would be involved as an exchange partner with FID. There would be no net gain or loss of water for CoF and therefore there are no potential impacts within CoF. As a result, this EA will not discuss CoF in depth.

The proposed transfer would occur in 2009, with the subsequent delivery from San Luis Reservoir (SLR) occurring no later than October 31, 2010, and therefore this will be the study period for evaluating the direct effects.

1.4 Potential Issues

Potentially affected resources in the project vicinity include:

- Water Resources
- Land use
- Biological Resources
- Cultural Resources
- Indian Trust Assets
- Socioeconomic Resources
- Environmental Justice

1.5 Authorities for the Proposed Action

The transfers analyzed in this EA are subject to the following contracting authorities and guidelines as amended and updated and/or superseded:

- Title XXXIV Central Valley Project Improvement Act (CVPIA), October 30, 1992, Section 3405 (a)
- Reclamation Reform Act, October 12, 1982
- Reclamation's Interim Guidelines for Implementation of Water Transfers under Title XXXIV of Public Law 102-575 (Water Transfer), February 25, 1993
- Reclamation and United States Fish and Wildlife Service (FWS) Regional, Final Administrative Proposal on Water Transfers April 16,1998
- Reclamation's Mid-Pacific Regional Director's Letter entitled "*Delegation of Regional Functional Responsibilities to the Central Valley Project (CVP) Area Offices - Water Transfers*", March 17, 2008

Section 2 Alternatives Including the Proposed Action

2.1 No Action

Under the No Action Alternative, Reclamation would not approve either transfer of CVP water from FID or OCID to KCWA in 2009, or the subsequent exchange for and delivery of KCWA's SWP water to SLWD and WWD in 2010.

2.2 Proposed Action

Reclamation proposes to approve four transfers of CVP water to SLWD and WWD. The first transfer is from FID to SLWD for 6,250 AF. The next is from FID to WWD for 3,750 AF. The third is from FID to WWD for another 3,750 AF. The last is from OCID to SLWD for 5,000 AF. Since there are no direct conveyance mechanisms in place by which to accomplish direct transfers, each of these transfers would be facilitated by exchanges of water through Kern County Water Agency as described in the following paragraphs.

SLWD and WWD have purchased 10,000 AF of previously banked non-Project water from FID (up to 6,250 AF and up to 3,750 AF, respectively). The City of Fresno (CoF) will initially exchange 10,000 AF of its 2009 CVP-Friant Division Class 1 water for the 10,000 AF of non-Project water. The 2009 CVP-Friant Division Class 1 water would be conveyed through the Friant-Kern Canal (FKC) and diverted into the Cross Valley Canal (CVC) for delivery to KCWA in exchange for which KCWA would make available in SLR an equivalent amount of its 2009 SWP Table A contract water for subsequent delivery, no later than October 31, 2010, to SLWD and WWD via SWP facilities.

Next, WWD has purchased an additional 3,750 AF of FID's 2009 CVP-Friant Division Class 2 water which would be diverted from the FKC and conveyed into KCWA via the CVC. FID has 3,750 AF of Class 2 water for 2009 that is surplus to its needs because it obtained 3,750 AF of water during Reclamation's declaration of "Uncontrolled Season" on the Friant Unit of the CVP in 2009. This 3,750 AF of water (obtained during the declaration of "Uncontrolled Season") was used to meet in-district water demands in the 2009 Contract Year, freeing up the 2009 Class 2 water supplies for transfer. As with the Class 1 supply, KCWA would make an equivalent amount of its 2009 SWP Table A contract water for subsequent delivery no later than October 31, 2010 to WWD via SWP facilities.

In the fourth transfer, 5,000 AF of OCID's 2009 CVP-Friant Division Class 1 water would be diverted from the FKC and conveyed into KCWA via the CVC. As they did with the FID supply,

KCWA would make an equivalent amount of its 2009 SWP Table A contract water for subsequent delivery no later than October 31, 2010 to SLWD via SWP facilities. OCID had CVP-Friant Division water surplus to their needs in 2008 and retained this water within Millerton Reservoir into the 2009 Contract Year. This water has been used to meet in-district water demands in the 2009 Contract Year which has freed up the 2009 water supplies for transfer.

If a canal capacity prorate is required during the period this water is moving through the Friant-Kern Canal, the prorate priority shall be pursuant to the tiers defined in Sections VII-A and VII-B of the Operational Guidelines for Water Service, Friant Division, Central Valley Project dated March 18, 2005. Additionally, this transfer must be conducted in a manner that will not harm other Friant Division Long Term Contractors.

Because the SWP water will be delivered out of the SWP's Place of Use, approvals for delivery under the State Water Resources Control Board's Consolidated Place of Use will be required to effectuate this transfer. Pursuant to the Consolidated POU ORDER WR 2009-0033, such exchange and delivery to SLWD and WWD shall be completed no later than October 31, 2010.

Under these transfers, SLWD and WWD would use the transferred water to supplement anticipated water shortages in 2010. In addition, no native or untilled land (fallow for 3 consecutive years or more) may be cultivated with the water involved in these actions. Finally, no new construction or modification of existing facilities is to occur in order to complete the Proposed Action.

Transfers and exchanges involving CVP water cannot alter the flow regime of natural waterways or natural watercourses such as rivers, streams, creeks, ponds, pools, wetlands, etc., so as to have a detrimental effect on fish or wildlife or their habitats.

Additionally, all transfers and exchanges involving CVP water must comply with all applicable federal, state and local laws, regulations, permits, guidelines and policies. FID, OCID and SLWD and WWD are in Fresno County and per CVPIA 3405(a)(1)(m): "Transfers between Central Valley Project contractors within counties, watersheds, or other areas of origin, as those terms are utilized under California law, shall be deemed to meet the conditions set forth in subparagraphs (A) and (I) of this paragraph." NOTE: subparagraph I addresses consumptive use.
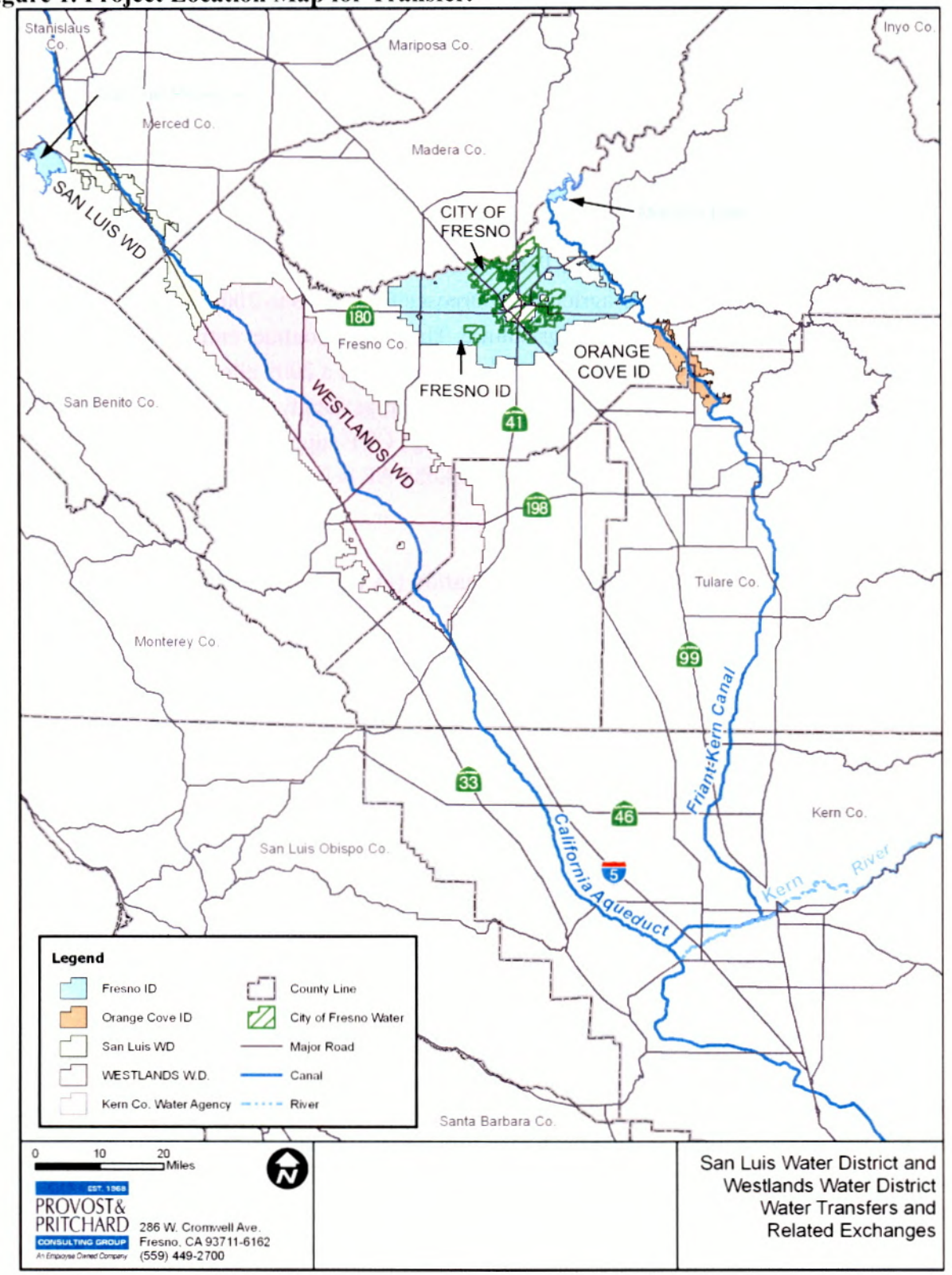
Figure 1. Project Location Map for Transfer.