

# RECLAMATION

*Managing Water in the West*

## DRAFT FINDING OF NO SIGNIFICANT IMPACT

# Long Term Warren Act Contract with Cawelo Water District

**FONSI-06-66**

Recommended by:

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# Introduction

In accordance with section 102(2)(c) of the National Environmental Policy Act of 1969, as amended, the South-Central California Area Office of the Bureau of Reclamation (Reclamation), has determined that the execution of a long-term Warren Act (WA) contract to convey up to 20,000 AF of non-Central Valley Project (CVP) water from Cawelo Water District (CWD) to Alameda County Flood Control and Water Conservation District Zone 7 (Zone 7), and the approval of a right-of-use application for CWD for access across/through Reclamation facilities is not a major Federal action that would significantly affect the quality of the human environment and an Environmental Impact Statement is not required. This Draft Finding of No Significant Impact (FONSI) is supported by Reclamation's Draft Environmental Assessment (EA) number EA-06-66, *Long-Term Warren Act Contract with Cawelo Water District*, and is hereby incorporated by reference.

## Background

CWD operates a long-term in-lieu Water Banking Program with Zone 7. CWD is considered a non-CVP contractor since they have never had a CVP long-term water service contract. CWD obtains its water (38,200 acre-feet (AF)) from the State Water Project (SWP) through its contract with Kern County Water Agency (KCWA). CWD's other sources of water comprise of stored Kern River water, oilfield produced water, Poso Creek water, and groundwater. Normally, CWD would deliver SWP water to Zone 7 by exchange. CWD needs the WA contract for extreme drought conditions when surface water allocations are unavailable from CWD's exchangers.

Reclamation's finding that implementation of the Proposed Action will result in no significant impact to the quality of the human environment is supported by the following:

## Findings

### Surface Water Resources

The Proposed Action will not result in changes in water rights or amounts of water diverted from other rivers or reservoirs. The Proposed Action will not interfere with normal CVP operations, nor alter the schedule and amount of CVP water diverted by the CVP from the San Joaquin River or Sacramento Delta. The introduction of this non-CVP Water into the CVP facilities will not degrade the quality of CVP water.

No facilities will be constructed or modified. The Proposed Action will not increase or decrease water supplies that would result in additional homes to be constructed and served.

There will be no adverse impacts as a result of the Proposed Action.

### Groundwater Resources

The quantity of non-CVP water that will be conveyed is limited to 20,000 AF. The potential volume is very small compared to the volumes of water in the basin. Therefore, the Proposed Action will have no effect on groundwater resources. The Proposed Action does not generate a need for water, and does not include as a component the pumping of additional water or

acquisition of water. Therefore, there will be no adverse impacts to groundwater resources as a result of the Proposed Action.

### **Air Quality**

The discharge from NKWSD Lateral 8-25 will be accomplished by a temporary diesel-powered pumping plant with a capacity of up to 30 cfs on the canal embankment. The pumping plant will be installed each year during a drought year at Zone 7's request for their banked non-CVP water. Pump operations under the Proposed Action will not result in adverse impacts to air quality beyond Federal thresholds.

### **Land Use**

The Proposed Action will not result in a change to the surrounding land uses. The water conveyed through the facility will continue to be used for Zone 7 M&I and non-potable deliveries to Livermore's agriculture. The Proposed Action does not propose to construct facilities connecting existing facilities to lands currently not receiving water.

No land conversion is anticipated since water quantities will not change. The Proposed Action will have no effect on land use.

### **Biological Resources**

The Proposed Action of entering into WA contract with CWD is consistent with the current operations, and as such, will have no direct effects on listed species or designated critical habitat. Water demands and conditions will not change and no new facilities will be constructed, as existing facilities will be used at Lateral 8-17 and a temporary diesel-powered pumping plant will be used at Lateral 8-25. Yet, orchards do provide some habitat for the San Joaquin kit fox, but the habitat value is relatively poor, and will not be affected by the Proposed Action. Additionally, no change in diversions of water from the San Joaquin River will occur as a result of the Proposed Action, therefore, there will be no effect on the delta smelt.

Indirect effects of water delivery on listed species and/or designated critical habitats within the boundaries of the service areas could occur only if the species or habitats are present and exceed current conditions. Therefore, there will be no adverse effects to biological resources as a result of the Proposed Action.

### **Cultural Resources**

The Proposed Action will result in the issuance of a WA Contract and the issuance of a license for the erection, maintenance, and operation of structures. The permitting and erection of structures is the kind of action that has the potential to affect historic properties as defined in the regulations at 36 CFR Part 800.3(a)(1). Reclamation will not finalize its decision until after consultation has concluded with the state historic preservation office.

### **Indian Trust Assets**

As there are no ITA, the Proposed Action will have no effect on ITA.

### **Socioeconomic Resources**

Under the Proposed Action, this stored surplus water could be delivered by exchange to Zone 7 during drought conditions. The non-CVP will be stored and conveyed in existing facilities and

no new construction with associated costs will be required. Therefore, the Proposed Action will not adversely affect socioeconomic resources.

### **Environmental Justice**

A WA contract will allow CWD to convey Zone 7's banked non-CVP water back to the district. The Proposed Action will not cause dislocation, changes in employment, or increase flood, drought, or disease. The Proposed Action will not disproportionately impact economically disadvantaged or minority populations. Therefore, there will be no adverse impacts as a result of the Proposed Action.

### **Global Climate**

The Proposed Action is the execution of a long-term WA contract for conveyance of non-CVP water through federal facilities and issue a right-of-use application to cross/access Reclamation lands for a temporary diesel pump. The use of the pump will be temporary and will result in below *de minimis* impacts to global climate change. Therefore, the Proposed Action will not adversely affect the global climate.

### **Cumulative Impacts**

The execution of a WA contract and delivery of water pursuant thereto is not reliant upon a larger action for its implementation. Therefore, there will be no effects of interrelated actions with implementation of the Proposed Action.

The Proposed Action does not trigger other water service actions and does not contribute to cumulative effects to surface water or groundwater resources. The Proposed Action will not interfere with deliveries, operations, or cause substantial adverse changes to the rivers, creeks or conveyance facilities. The Proposed Action will have no cumulative effects on land use. The conveyance of non-project water to Zone 7 will have no effect on species of concern due to the small amount of water involved in the action versus the large amount of water routinely conveyed through the FKC. There will be no adverse impact to cultural resources as a result of implementing the Proposed Action. The proposed action does not contribute to cumulative impacts to ITAs. It does not contribute to cumulative impacts to socioeconomic resources or to environmental justice.

Approval would not have highly controversial or uncertain environmental effects or involve unique or unknown environmental risks. Impacts associated with the proposed action are minor, short-term, localized and temporary in nature; therefore, there are no significant cumulative impacts associated with this project.