

RECLAMATION

Managing Water in the West

DRAFT FINDING OF NO SIGNIFICANT IMPACT

Poso Creek Integrated Regional Water Management Plan

25-Year Groundwater Banking, Transfer, and Exchange Program

FONSI-09-121

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 approval of a 25-year groundwater banking, transfer, and exchange program for three Central Valley Project (CVP) contractors as part of an Integrated Regional Water Management Plan (IRWMP) with other entities is not a major federal action that will 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-09-121, *Poso Creek Integrated Regional Water Management Plan, 25-Year Groundwater Banking, Transfer, and Exchange Program*, which is hereby incorporated by reference.

Reclamation intends to provide the public with an opportunity to comment on the Draft EA and FONSI during a 30-day public review period.

Background / Proposed Action

The Poso Creek Regional Water Management Group (RWMG) was formed in 2005 to focus on improving water supplies throughout the Poso Creek Region (Region) and includes three Central Valley Project (CVP) contractors (Delano-Earlimart Irrigation District, Kern-Tulare Water District, and Shafter-Wasco Irrigation District), three non-CVP contractors (Semitropic Water Storage District, Cawelo Water District, and North Kern Water Storage District), one resource conservation district (North West Kern Resource Conservation District), and a representative for the 16 disadvantaged communities within the Region. In July 2007, the Poso Creek RWMG adopted an IRWMP which was prepared to emphasize resolving the Region's short-term and long-term water supply challenges.

The Region lies at the crossroads of the California Aqueduct (Aqueduct), Friant-Kern Canal (FKC), and the Kern River, which is a strategic location for facilitating surface water exchanges, transfers, and groundwater banking. The three CVP contractors within the RWMG are interested in having a streamlined approval process to deliver CVP water to the three non-CVP contractors for exchange, transfer, and/or banking when they have water supplies surplus to their immediate in-district needs and to return the previously banked water or the exchange water from these entities by exchange or direct conveyance. As a result, Reclamation has been requested to provide a 25-year, programmatic approval program for the three CVP contractors to bank, exchange, and/or transfer CVP water among the Poso Creek RWMG (Proposed Action).

Findings

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

Water Quality

Due to the better quality of CVP water from the FKC, the opportunity to bank excess (at the time) this water within recharge/banking facilities will benefit the underlying groundwater quality within the Region. In addition, transfers and exchanges under the Proposed Action will help alleviate the need for landowners within the Region to pump groundwater, thus preserving the groundwater levels and benefitting groundwater quality.

To the extent that direct delivery of groundwater (previously banked surface water supplies) to the Aqueduct or FKC is needed, the water quality of constituents known to be of concern will be measured and compared against the background water quality in the surface water conveyance system in accordance with the Title 22 water quality requirements for the Aqueduct and Reclamation's existing policy for accepting waters in the Friant-Kern and Madera canals. The quality of extracted groundwater will be required to meet applicable requirements before being introduced into the Aqueduct and FKC, respectively, in order to protect water quality within those facilities.

As a result, there will be no significant impacts to water quality due to the Proposed Action.

Surface Water Resources

Due to variations in weather and hydrological conditions, agricultural water needs are time sensitive, and usually arise on short-notice, and don't necessarily coincide with available wet year surface water supplies. As a result, the banking of available surface water supplies for storage will help to off-set decreases in surface water supplies within the Region during dry hydrological years. Transfers and exchanges under the Proposed Action between the Poso Creek RWMG will help supplement any surface water shortage that a particular water district, or districts, could be experiencing at that current time. The Proposed Action will allow the districts to efficiently shift excess surface water supplies from areas of low demand to areas of greater demand.

The Proposed Action will not increase or decrease the amount of CVP water each district receives under contract with Reclamation, whether through a temporary Section 215 contract for surplus water or long-term CVP water service contract. Similarly, there will be no increase or decrease in allowable diversions from reservoirs or waterways, although the timing of delivery may change. The Proposed Action will involve coordination with Reclamation, the Department of Water Resources, or other entities with oversight responsibility over any of the of the conveyance facilities involved (including rivers) in order to ensure that capacity exists and to not adversely impact the normal operations of these facilities.

Therefore, the Proposed Action will not result in significant impacts to surface water resources.

Groundwater Resources

The Proposed Action will help alleviate the need of some landowners to pump groundwater since surface water supplies will be more available to districts in need of immediate supplies. Banking surplus surface water supplies within groundwater banks will not negatively affect groundwater levels since later extraction of the banked water will not exceed the amount that was recharged under the Proposed Action. The possibility of land subsidence due to overdraft conditions on

groundwater levels will not be exacerbated as a result of the Proposed Action. As a result, there will be no significant impacts to groundwater resources.

Land Use

The Proposed Action will allow better water management of the Region's varied water resources, which in turn will help maintain the existing agricultural practices and land use within the Region. There will be no significant impacts to existing impacts from the Proposed Action.

Biological Resources

The Proposed Action will not change existing farming practices within the Region and will not involve the conversion of native or fallowed lands that may have value to federally protected species. Reclamation determines annual water allocations to CVP contractors based on hydrological conditions and after meeting water quality and fish and wildlife requirements mandated by the Central Valley Project Improvement Act. The amount of water diverted from reservoirs and waters will not change, although the timing may differ. Habitat types will not change from past conditions. Native lands or lands that have been fallowed three or more consecutive years will require biological surveys prior to disking and land conversion.

Under the IRWMP, it is assumed that additional planned construction projects will occur, at a later time, and may impact federally listed. These additional construction projects may occur regardless of the Proposed Action since they aren't dependent of the Proposed Action for their justification. If a federal agency is not the lead on these particular projects, the project proponents will be expected to obtain incidental take permits from the Service through the Federal Endangered Species Act (ESA) Section 10 process in cases where incidental take will occur. In the case where other special-status species may be impacted, such as the Swainson's hawk and western burrowing owl, the project proponents will also need to comply with the California ESA and other relevant Fish and Game Code. Therefore, the potential impacts from the planned construction projects, if any, will be addressed separately and as appropriate.

The requirement that no native lands or fallowed lands be converted without surveys and/or consultation with the U.S. Fish and Wildlife Service, and the stringent requirements for transfers under applicable laws will preclude any impacts to protected species. The Poso Creek RWMG will sign binding letters of agreement restricting the use of this water to avoid potential environmental impacts. The Proposed Action will result in no impacts to biological resources.

Cultural Resources

The Proposed Action is not the type of activity that has potential to affect historic properties pursuant to the regulations at 36 CFR Part 800.3(a)(1). There will be no modification of CVP conveyance facilities and no activities that will result in ground disturbance under the Proposed Action. Because there will be no potential to affect historic properties, no cultural resources will be impacted as a result of implementing the Proposed Action.

Indian Trust Assets (ITA)

The Proposed Action involves existing facilities to convey water and will not include modifications or new construction of facilities. Therefore, the Proposed Action does not have the potential to affect ITA.

Environmental Justice

Most of the disadvantaged communities within the Region rely on groundwater and agriculture-related work. The Proposed Action will benefit economically disadvantaged communities and minority populations within the Region by helping to reduce the declines in groundwater levels and maintaining farm job opportunities.

Socioeconomic Resources

The Proposed Action will allow water users to optimize the use of surface water through banking, transferring, and exchanging during wet periods, which may reduce the amount of groundwater used during dry periods. Maintenance of groundwater levels will reduce energy use and pumping costs for local communities and individual homeowners as well as farmers. The Proposed Action will allow increased flexibility in timing of deliveries, which will help maintain existing farming practices and small businesses that depend upon agriculture. As a result, the Proposed Action will result in no significant impacts to socioeconomic resources.

Air Quality

The Proposed Action will utilize gravity or electrical pumps to convey surface water for banking, transfers, and exchanges, which have no direct emissions to impact air quality. As compared to the No Action Alternative, there will be no significant impacts to air quality since less groundwater will be pumped using gasoline or diesel engines.

Global Climate

Greenhouse gases (GHG) generated are expected to be extremely small compared to sources contributing to potential climate change since the movement of water under the Proposed Action will be conveyed mostly via gravity and little, if any, additional pumping from electric motors will be required. The Proposed Action will not have significant impacts to the global climate.

Cumulative Impacts

The Proposed Action was found to have no impacts to biological and cultural resources, and ITA. Slight beneficial impacts to minority and/or disadvantaged populations within the Region will be within historical variations. Similarly, the cumulative effect of helping to maintain farm jobs and agriculture-dependent small businesses will be within historical conditions. As a result, the Proposed Action will not result in cumulative significant impacts to these resources when taking into consideration other similar and future actions.

Projects involving members of the Poso Creek RWMG over the past five years consisted of banking, transfers and exchanges, Warren Act contracts, and Article 5 Exchanges. The environmental impacts of these actions were environmentally analyzed by Reclamation and did result in no significant impacts. The Proposed Action when added to other past, present, and future similar actions will not result in cumulative significant impacts to water quality.

The reservoirs, rivers and creeks within the Region associated with the Proposed Action are managed for flood control, municipal and industrial purposes, and agricultural supplies. Diversions of water occur based on the hydrological and environmental conditions. During wet seasons and high water flows, surplus water supplies are released and, if possible, marketed to quickly disperse this water to avoid flooding and damage downstream in the rivers. The

Proposed Action will not contribute to or interfere with flood control management and operations. The Proposed Action will not interfere with deliveries, operations or cause significant adverse changes to the rivers, creeks or conveyance facilities associated with the SWP or CVP. The conveyance facilities and river systems in and around the Region are interconnected and allow for a myriad of transfers, exchanges, contract assignments, banking projects, and conveyances of water via Warren Act contracts, Operational Contracts or Article 55 of the SWP. The conveyance of water under these water service options are subject to available capacity, meeting primary requirements, and environmental reviews. Therefore, the Proposed Action will not result in significant cumulative impacts to surface water resources.

Over the long-term, groundwater levels would benefit from the groundwater banking actions and the decrease in groundwater pumping within the Region. Land subsidence is less likely to get worse as a result of these actions. Therefore, no cumulative significant impacts to groundwater resources will occur.

Over the long-term, increased reliability in surface water supplies will allow farmers to maintain their existing crops. Therefore, the Proposed Action, when added to other past, present, and future actions, will not contribute to cumulative significant impacts to land use changes.

There will be no significant impacts to air quality since less groundwater will be pumped, which mostly utilizes gasoline or diesel engines. As a result, there will be no cumulative significant impacts to air quality as a result of the Proposed Action when added to other past, present, and reasonably foreseeable future actions.

Implementation of the Proposed Action will decrease GHG emissions as compared with the No Action Alternative. There will be no cumulative significant impacts as a result of the Proposed Action when added to other past, present, and reasonably foreseeable future actions.