UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

MID-PACIFIC REGION

SOUTH-CENTRAL CALIFORNIA AREA OFFICE
FRESNO, CLAIFORNIA

FINDING OF NO SIGNIFICANT IMPACT

Long -Term Contract Renewal
Contra Costa Water District
Contra Costa Canal Unit

Central Valley Project
Sacramento, California

FONSI NO. 04-24

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3/14/05
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FINDING OF NO SIGNIFICANT IMPACT
FOR THE
RENEWAL OF THE LONG-TERM WATER SERVICE CONTRACT
FOR THE CONTRA COSTA WATER DISTRICT

U. S. Bureau of Reclamation
Mid-Pacific Region
Central Valley Project
Delta Division
Contra Costa Canal Unit

INTRODUCTION

The Mid-Pacific Region of the Bureau of Reclamation (Reclamation) has found that an environmental impact statement is not required for the proposed execution of the renewal of the water service contract for the Contra Costa Water District (CCWD).

The renewal will be for 40 years (March 2005 through February 2045).

BACKGROUND

The Central Valley Project Improvement Act (CVPIA) required completion of a Programmatic Environmental Impact Statement (PEIS) and further stipulated that Reclamation must perform appropriate environmental review for renewal of long-term water service contracts. The PEIS programmatically evaluated the implementation of the CVPIA, including long term contract renewal. The PEIS was completed in 2000 and a Record of Decision was signed in January 2001. Reclamation initially prepared a Draft Environmental Assessment (EA) in October 2000 to evaluate the potential beneficial and adverse environmental impacts associated with renewal of the long-term CCWD contract. Three alternatives (including the No Action Alternative) were evaluated. Comments received during a public review of the October 2000 EA were included in a May 2004 revised Draft EA which was made available for an additional 30-day review. Following this last public review, a Final EA was prepared and is attached for reference.

Reclamation completed the EA process to determine if renewing the contracts would result in site-specific significant impacts to the natural or human environment. The EA process was completed pursuant to and in accordance with the National Environmental Policy Act (NEPA) of 1969 (42 USC§4321-4370), the Council of Environmental Quality regulations on implementing NEPA (40 CFR Parts 1500-1508), and Reclamation Handbook (Bureau of Reclamation 1990).

The proposed action is the execution of a separate long-term contract between the United States and Contra Costa Water District consistent with the CVPIA.

Renewal of the long-term contract is needed to:

- Continue the beneficial use of water developed and managed as part of the CVP, with a reasonable balance among competing demands, including the needs of agricultural and municipal and industrial (M&I) users and the needs of fish, wildlife, recreation,

and other water uses consistent with the requirements imposed by the California State Water Resources Control Board (SWRCB) and CVPIA.

- Incorporate certain administrative conditions into the renewed contract to ensure continued compliance with current Federal Reclamation law and other applicable statutes.

- Allow the continued reimbursement to the Federal government for costs related to the construction and operation of the CVP.

FINDINGS

In accordance with the NEPA, and its' implementing regulations, and consistent with the environmental analysis in the *EA for the Long-Term Contract Renewal for CCWD*, Reclamation finds that implementation of the proposed action will result in no significant impact to the quality of the human environment. The finding is supported by the following factors:

1. Water Resources. Renewal will not alter the supply or quantity of CVP water assigned to CCWD under its existing water service contract and will not change CVP water operations. Therefore, the proposed action would have no effect on total water supply or operations of the CVP and thus no related changes to the environment.

2. Economic Resources. Renewal will have limited socio-economic impact, even though water costs could increase. In 2044, in an average hydrologic year following five dry years, CCWD's cost of CVP water would be $1.5 million or about 30 % higher than the No Action Alternative. This translates into a cost increase to the average residential water bill of less than one percent. M&I water users are relatively *price inelastic*; that is, they change their use of water relatively little in response to even fairly substantial changes in the price of water.

3. Land Use. There are no land use changes arising from Reclamation's discretionary action. Essentially the same amount of water will be provided to the same areas for established uses. The proposed long-term water service contract does not include development of any physical facilities and structures, and therefore would not have a direct effect on land use. Any land use changes that would occur in the service areas would occur under the no action alternative. While indirect effects to land use could occur due to growth accommodated by the continued availability of water, these effects are largely governed by the Growth Management Element and Urban Limit Element in the County's General Plan. CCWD has no land use management authority.

4. Biological Resources. Reclamation prepared a *Biological Assessment on the Contra Costa Canal Long-Term Water Service Contract Renewal* (Reclamation 2004). Reclamation's determination in the BA is that the proposed long-term water service renewal contract with CCWD *may affect, but is not likely to adversely affect*: listed fish species or their critical habitat; listed or proposed wildlife species or their critical habitat; or listed or proposed plant species or their critical habitat. This determination is based on the following:

a. The contract renewal would not affect the habitat or populations of fish species listed or proposed for listing as threatened or endangered that have a moderate potential of occurring in the CCWD service area.
b. The operations of the CVP, including the export of water from the Delta, are governed by separate criteria in biological opinions on CVP operations, by the CVPIA, and by hydrologic conditions.
c. CCWD will apply the Reasonable and Prudent Measures, Terms and Conditions, and Conservation Recommendations provided in the *Final Biological Opinion on the Construction of the Multipurpose Pipeline and Future Water Supply Implementation Program, Contra Costa County*, and provided in the *Biological Opinion on the Implementation of the Central Valley Project Improvement Act and Continued Operation and Maintenance of the Central Valley Project (CVPIA BO)*. These measures, terms, conditions, and recommendations will mitigate for potential site-specific effects to wildlife species listed or proposed for listing as threatened or endangered that have a moderate potential of occurring in the CCWD service area.

5. Threatened, Endangered Species - The proposed long-term contract renewal would continue the deliveries of CVP water to CCWD. It would not change or alter habitat use by, or populations of, species listed or proposed for listing as threatened or endangered that are known to occur or have the potential to occur in the contractors' service area. Thus, this action results in no significant impact to listed species. Reclamation has consulted with the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration-Fisheries. Results of these consultations were considered in finalizing the Environmental Assessment and executing this Finding of No Significant Impact.

6. Environmental Justice - Because the proposed action is essentially maintaining the status quo it not adversely affect human health or the environment, as defined by environmental justice policies and directives. The proposed action will not disproportionately affect any socio-economic or low-income groups. Renewal of the contracts maintains the socio-economic conditions in the area by providing water needed for agricultural and other enterprises, thus maintaining employment opportunities.

7. Cultural Resources - The proposed action would not introduce new structures such as dams, canals, or reservoirs, construction activities, or result in physical changes to the environment, and would therefore not directly affect prehistoric, historic, or traditional cultural properties. Indirect effects to cultural resources would result from the planned growth and development projected permitted by County and community planning jurisdictions. No impacts to cultural resources due to the proposed action are expected as a result of contract renewal.

8. Indian Trust Assets - No Indian Trust Assets occur within the Contractor's service areas. Therefore, no direct or indirect impacts to Indian Trust Assets are anticipated.

Information about the Final EA prepared for the proposed action or this FONSI may be obtained from Joe Thompson, Bureau of Reclamation, at 559/487-5179.