

# RECLAMATION

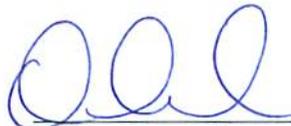
*Managing Water in the West*

## FINDING OF NO SIGNIFICANT IMPACT

### Long-Term Warren Act Contract between the El Dorado Irrigation District and the United States

FONSI-16-01-CCAO

Recommended by:



Date: Jul 29 2016

Drew Lessard  
Area Manager  
Central California Area Office

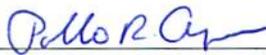
Concurred by:



Date: 8/1/2016

Anastasia Leigh  
Regional Environmental Officer  
Mid-Pacific Region

Approved by:



Date: 8/2/16

ACTING FOR

David Murillo  
Regional Director  
Mid-Pacific Region



## **INTRODUCTION**

The Bureau of Reclamation (Reclamation) proposes to enter into a Warren Act Contract (LTWAC) with the El Dorado Irrigation District (EID) to allow EID to convey up to 17,000 acre-feet per year (AFY) of non-Project water (water not developed as part of the Central Valley Project) through Folsom Reservoir for withdrawal, treatment, and use within the western portion of EID's service area. Reclamation prepared an Environmental Assessment (Final EA dated July, 2016) in accordance with the National Environmental Policy Act (NEPA) of 1969, Council on Environmental Quality regulations (40 CFR 1500-1508), and Department of Interior regulations (43 CFR Part 46) to consider potential impacts of entering into a LTWAC with EID. This Finding of No Significant Impact (FONSI) is supported by the Final EA dated July, 2016, which is hereby attached and incorporated by reference. The EA was available for public review from April 6, 2016 to May 3, 2016. No comments were received.

## **ALTERNATIVES INCLUDING THE PROPOSED ACTION**

### *No Action Alternative*

Under the No Action Alternative, Reclamation would not enter into a LTWAC with EID. Therefore, EID would not be able to divert up to 17,000 AFY of non-Project water from Folsom Reservoir. The non-Project water would continue to enter into Folsom Reservoir. EID would not be able to divert the water from Folsom Reservoir, and as a result, this water would not be available for municipal and industrial (M&I) uses in the western portion of EID's service area.

This document and the EA recognizes that EID currently has a Five-year Temporary Warren Act (WA) contract in-place with Reclamation for the diversion of up to 8,500 AFY from their Folsom Lake Raw Water Pump Station (FLRWPS) on Folsom Reservoir. However, for purposes of this document and the EA, the No Action Alternative considers the long-term conditions after the Five-year WA contract expires. Thus, the No Action Alternative condition is no diversions of previously authorized WA contract water by EID.

### *Proposed Action*

Reclamation proposes to enter into a LTWAC with EID to convey up to 17,000 AFY of non-Project water through Folsom Reservoir for M&I uses in the western portion of El Dorado County.

The proposed quantity of water for the LTWAC will be provided by the outflow of non-Project water from bypassed flows at the Kyburz diversion dam and releases from the El Dorado Powerhouse. The water rights for the non-Project water include EID's direct diversion rights for waters of the South Fork American River at the Kyburz diversion dam, and rights for diversion to storage at Caples Lake in Alpine County, Silver Lake in Amador County, and Lake Aloha in El Dorado County, California. The sources of non-Project water will be made available by the operation of existing facilities of the Federal Energy Regulatory

Commission Project No. 184 State Water Resources Control Board [SWRCB] Permit 21112). Direct diversion water rights from the South Fork American River are available from November 1 through July 31. Direct diversions are not available August 1 through October 31 pursuant to the conditions of SWRCB Permit 21112; therefore, water diverted to storage will be released from Caples Lake, Silver Lake, and Lake Aloha for downstream uses during August through October annually. EID utilizes gages to measure the volume of water introduced to and diverted from Folsom Reservoir to ensure compliance with minimum streamflows as required by the SWRCB Permit 21112.

The LTWAC between Reclamation and EID is subject to some contract and environmental provisions, which are identified in the attached contract and EA.

## **FINDINGS**

In accordance with NEPA, the Mid-Pacific Regional Office of Reclamation has determined that awarding a LTWAC to EID for the conveyance of up to 17,000 AFY of non-Project will not significantly impact the quality of the human environment; consequently, and Environmental Impact Statement is not required.

The following reasons are why the impacts from the Proposed Action are not significant:

1. The proposed action will not significantly affect public health or safety (40 CFR 1508.27(b)(2)).
2. The proposed action will not significantly affect natural resources and unique geographical characteristics such as proximity to historic or cultural resources; parks, recreation, and refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order (EO) 11990); flood plains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas (40 CFR 1508.27(b)(3) and 43 CFR 46.215(b)).
3. There is no potential for the effects to be considered highly controversial (40 CFR 1508.27(b)(4)).
4. The proposed action will not have possible effects on the human environment that are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5)).
5. The proposed action will neither establish a precedent for future actions with significant effects nor represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6)).

6. The proposed action will not have cumulatively significant impacts (40 CFR 1508.27(b)(7)).
7. The proposed action will not significantly affect historic properties (40 CFR 1508.27(b)(8)).
8. The proposed action will not significantly affect listed or proposed threatened or endangered species, or its habitat that has been determined to be critical under the Endangered Species Act of 1973 (40 CFR 1508.27(b)(9)).
9. The proposed action will not threaten a violation of Federal, State, tribal or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)).
10. The proposed action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum dated December 15, 1993).
11. Implementing the proposed action will not disproportionately affect minorities or low-income populations and communities (EO 12898).
12. The proposed action will not limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 13007 and 512 DM 3).