RECLAMATION
Managing Water in the West

Draft FINDING OF NO SIGNIFICANT IMPACT

Warren Act Contract for Merced Irrigation District Transfer of up to 10,000 acre-feet to Westlands Water District

FONSI-11-073

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U.S. Department of the Interior
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Introduction

Background

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 an Environmental Impact Statement is not required for the approval of a Warren Act Contract for transfer of up to 10,000 acre-feet of water from Merced Irrigation District (MID) to Westlands Water District (WWD). The proposed action was evaluated in Environmental Assessment (EA) 11-073, *Merced Irrigation District Transfer of up to 10,000 acre-feet to Westlands Water District, w*hich is hereby incorporated by reference.

WWD and MID have agreed to transfer up to 10,000 acre-feet (AF) of MID water to WWD in water year 2012-2013, and WWD is requesting that Reclamation approve a Warren Act conveyance Contract (WAC) under contract # 14-06-200-495A-IR3 for the period from October 1, 2012 through September 30, 2013. The transferred water would supplement a deficient Central Valley Project (CVP) water supply and would be used for irrigation on existing lands in WWD that currently receive CVP water. Concurrently with this request, MID has petitioned the State Water Resources Control Board for a change in place of use and point of diversion and has identified a reservoir refill criteria for the water transfer as part of that request.

Proposed Action

Reclamation proposes to approve a conveyance Warren Act Contract with an exchange component for the delivery, over a period of one year, of up to 10,000 AF of MID's non-CVP water to WWD. The path by which the water would be delivered is shown with solid red arrows in Figure 2-1 and described below.

The transferred water would be released from storage in Lake McClure/New Exchequer dam by MID beginning in October 2012, and conveyed in the Merced and San Joaquin River. The water released would be over and above the flows required to maintain compliance with the water quality and quantity requirements established by the State Water Resources Control Board's Decision 1641 (D-1641) and would not interfere with scheduled fall pulse flows. This action would not impair the California Department of Water Resources (DWR) or Reclamation's ability to meet their other obligations and responsibilities.

Patterson Irrigation District

Water would be pumped at the Patterson Irrigation District's (PID) licensed fish screened intakes, which are designed to limit entrainment and impingement of fish during pumping. PID would pump and convey up to 40 cfs, measured by the San Luis and Delta-Mendota Water Authority (SLDMWA) at the discharge, to the Delta-Mendota Canal (DMC). The water would then be transported in the DMC into the O'Neill Forebay for conveyance to WWD through the San Luis Canal. It is WWD's preference to pump at maximum capacity continually for the first 30 days. After the initial period, water would be delivered at varying amounts until the total volume of 10,000 acre-feet is reached.

If the DMC is being used to convey CVP water and there is no capacity to move this water, the DMC-California Aqueduct Intertie (Intertie) could be used to convey the transfer water in the California Aqueduct. WWD has an existing Wheeling Agreement with DWR for this type of movement. However a Letter of Agreement for Project Use Power would be needed from Reclamation to cover power costs, and an exchange agreement may be necessary between Reclamation and WWD, depending on where in the system capacity is limited.

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:

Findings

Water Resources

While the electrical conductivity of the San Joaquin River water is slightly higher than the water in the DMC, the introduction of San Joaquin River water at the anticipated rates (from 1% to 3% of the 4,200 cfs capacity) is not anticipated to have an adverse effect on downstream users.

The Proposed Action would not affect CVP or SWP operations and would not change existing diversion points from the Delta under Reclamation's or DWR's water rights permits. The Proposed Action would not interfere with Reclamation's obligations to deliver water to other contractors, wetland habitat areas, or for other environmental purposes. This transfer would utilize existing facilities and no new infrastructure, modifications of facilities, or ground disturbing activities would be needed for movement of this water. No native or untilled land (fallow for three years or more) would be cultivated with water involved with these actions

Biological Resources

Under the Proposed Action, the water would be conveyed in existing facilities to established agricultural lands. No native lands or lands fallowed and untilled for three or more years would be disturbed as this water would be used on existing farmed lands. The Proposed Action would not affect migratory birds, imperiled species, unique habitats, or species and habitats protected by Federal or State law. The only impacts to Central Valley steelhead would be those already addressed by NMFS (2007). Essential Fish Habitat for the fall-run and late fall run Chinook salmon is not expected to be affected. Increased flows on the Merced River would be minor in terms of changing the water levels and lowering the water temperature, and would likely only overlap a small portion of the timeframe when the flows could be helpful to the salmon (i.e. only the last half of October).

Environmental Justice

The Proposed Action would not cause dislocation, changes in employment, or increase flood, drought, or disease nor would it disproportionately impact economically disadvantaged or minority populations. The Proposed Action may support and maintain jobs that low-income and disadvantaged populations rely upon through increased irrigation water supply reliability.

Socioeconomic Resources

Under the Proposed Action, the status quo of agriculture would be maintained. WWD would use the MID water to balance out local deficiencies in water supply and promote efficient irrigation

of crops. The most productive farmland would remain in production. Seasonal labor requirements would have very little change, and businesses that support agriculture would not be financially harmed.

Global Climate

The Proposed Action involves movement of water by electrical pumps. Production of electricity to operate those pumps requires the burning of fossil fuels, which produces greenhouse gas emissions. Depending on the proportion of water directed to PID and/or BCID, pumping arrangements could range from 1200 horsepower for 126 days to 2350 horsepower for 76 days. This corresponds to approximately 2,707,000 kilowatt-hours (kwh) to 3,198,000 kwh of energy used. Per EPA's Greenhouse Gas (GHG) Equivalencies Calculator, production of this much power would produce estimated emissions for CO_2 equivalences from 1,867 to 2,205 metric tons per year of CO_2e (EPA 2010). This is negligible compared to the EPA's 25,000 metric tons per year threshold for annually reporting GHG emissions (EPA 2009). Accordingly, operations under the Proposed Action would result in below de minimis impacts to global climate change.

Cumulative Impacts

As in the past, hydrological conditions and other factors are likely to result in fluctuating water supplies which drives requests for water service actions. Water districts aim to provide water to their customers based on available water supplies and timing, all while attempting to minimize costs. Farmers irrigate and grow crops based on these conditions and factors, and a myriad of water service actions are approved and executed each year to facilitate water needs. Each water service transaction involving Reclamation undergoes environmental review prior to approval. Existing or foreseeable projects, in addition to the proposed transfer from MID to WWD, which could affect or could be affected by the Proposed Action or No Action alternative, include the following:

San Joaquin River Restoration

The San Joaquin River Restoration Program (SJRRP) was established in late 2006 to implement the requirements of a settlement of NRDC, et al., v. Kirk Rodgers, et al. The goal of the SJRRP is to establish a self-sustaining population of fish, primarily salmon, in the portion of the San Joaquin River between Friant Dam and the Merced River while minimizing adverse impacts to water users (DWR 2012). A Final Program Environmental Impact Statement/Report was issued in July 2012.

Additional Point of Delivery for Byron-Bethany Irrigation District's Non-Project Water to Westlands Water District

Under a previous action (EA 09-156), Reclamation approved a Warren Act transfer of up to 10,000 AF of water by a variety of contractors to and through the Delta-Mendota Canal. In 2012 the previous approval was amended to allow up to 5,000 AF of the covered water to further be transferred by the San Luis Canal to Westlands Water District. Reclamation issued Finding of No Significance (FONSI) 12-052 for this action on June 15, 2012.

Additional Point of Delivery for Patterson Irrigation District's Non-Project Water to Del Puerto Water District
This action is similar to what is described above for Byron-Bethany Irrigation District, except that up to 10,000 AF would be transferred from Patterson Irrigation District to Del Puerto Water District. Reclamation issued FONSI 12-054 for this action on July 17, 2012.

Vista Verde Temporary Annual Transfer of Settlement Contract Water to Vista Verde-Owned Lands within Westlands Water District
This action involved transfer of contract water from a property owned by Vista Verde farms to another property within Westlands Water District owned by the same company. Up to 1,140 AF are to be transferred each year from one property to the other. Reclamation issued FONSI 12-038 for this action on July 31, 2012.

Addition of Westlands Water District to the Arvin-Edison Water District and Westside Mutual Water Company Exchange Program
In 2011, Reclamation approved an exchange of up to 50,000 AF of water between Arvin-Edison Water Storage District and Westside Mutual Water Company Exchange. Reclamation is now considering allowing Westlands Water District to participate in the same exchange. The Supplemental Environmental Assessment (SEA 12-030) for that action is not yet complete.

Transfer from Central California Irrigation District and Firebaugh Canal Water District to San Luis, Panoche, Del Puerto and Westlands Water Districts
Under this project, up to 20,500 AF of CVP water could be transferred from Central California Irrigation District and Firebaugh Canal to to San Luis, Panoche, Del Puerto and Westlands Water District. In addition, up to 5,000 AF could be transferred from Firebaugh Water District to San Luis and Westlands Water District. The transfers would take place between July 2012 to December 31, 2012 and April 1, 2013 to December 31, 2013. Reclamation issued FONSI 12-006 for this project on July 27, 2012.

Oro Loma Water District Partial Assignment to Westlands Water District
This action involved partial reassignment of Oro Loma Water District's CVP water allocation to Westlands Water District. 4,000 of Oro Loma's 4,600 AF of CVP contract water were assigned to Westlands to meet their in-district needs. Reclamation issued FONSI 11-092 for the project on February 27, 2012.

Westlands Water District Conveyance of Kings River Flood Flows in the San Luis Canal
Westlands Water District had an agreement with the Kings River Water Association to convey seasonal flood flows from the Kings River to lands within WWD's service area by way of their Laterals 6-1 and 7-1. However the land served by those laterals was retired and no longer needed the flood water. With this action, Reclamation allowed WWD to redirect up to 50,000 AF of the excess Kings River flood water to the San Luis Canal for use at other locations. Reclamation issued FONSI 11-002 for the project on January 26, 2012.

Delta-Mendota Canal Pump-In Project (2011-2012)
The DMC pump-in program allows the member agencies of the San Luis & Delta-Mendota Water Authority to pump groundwater into the DMC for delivery to contractors during the period of March 1, 2011 through February 28, 2013. The member agencies are limited to no more than 10,000 AF

individually, and 50,000 AF as a group. Reclamation issued FONSI 10-072 for this project on February 28, 2011.

Delta-Mendota Canal Pump-In Project (2012-2013)
This project is similar to the DMC Pump-In Project above, but covers the time period from March 1, 2012 to February 28, 2013. Allowed water volumes are the same. Reclamation issued FONSI 12-005 for this project on May 8, 2012.

Delta-Mendota Canal Pump-In Project (2013-2024)
This project is similar to the DMC Pump-In Project above, but covers the time period from March 1, 2013 to February 29, 2024. Allowed water volumes are the same. Reclamation is considering this action under EA 12-061.

Byron Bethany Irrigation District Long-term Exchange Agreement. Reclamation has received a request from Byron Bethany Irrigation District to enter into a 40-year contract for the introduction of up to 4,725 AF per year of their non-CVP surface water in to the DMC for exchange with Reclamation. Reclamation is currently preparing EA 09-149 for the proposed project.

Banta-Carbona Option
WWD and MID have also expressed an interest in routing some of the proposed transfer water through BCID. Using BCID's facilities would allow additional capacity of up to 60 cfs to the DMC. This action would be evaluated as an amendment to the proposed action, or possibly as a separate but related action.

It is expected that sufficient capacity would be available to accommodate all of these actions at most times of the year. If capacity should be limited, some water would be routed through the California Aqueduct to allow all delivery obligations to be met.