

RECLAMATION

Managing Water in the West

Draft Finding of No Significant Impact

Transfer of up to 1,500 Acre-Feet of Replacement Water from Patterson Irrigation District to Westlands Water District

FONSI-13-073

Prepared by:

Ben Lawrence
Natural Resources Specialist
South-Central California Area Office

Date: _____

Concurred by:

See Attachment
Archaeologist/Architectural Historian
Mid-Pacific Regional Office

Date: See Attachment

Concurred by:

See Attachment
Native American Affairs Specialist
Mid-Pacific Regional Office

Date: See Attachment

Concurred by:

Jennifer Lewis
Wildlife Biologist
South-Central California Area Office

Date: _____

Concurred by:

Chuck Siek
Supervisory Natural Resources Specialist
South-Central California Area Office

Date: _____

Approved by:

Michael Jackson
Area Manager
South-Central California Area Office

Date: _____



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 an environmental impact statement is not required for the transfer of 1,500 AF of Replacement Water from Patterson Irrigation District (PID) to Westlands Water District (WWD). This Finding of No Significant Impact (FONSI) is supported by Reclamation's Environmental Assessment (EA) 13-073, *Transfer of up to 1,500 Acre-Feet of Replacement Water from Patterson Irrigation District to Westlands Water District*, which is hereby incorporated by reference.

Background

As a result of a settlement reached between PID and the Reclamation for the construction of Friant Dam and partial obstruction of natural flow from the San Joaquin River, PID receives 6,000 acre-feet per year (AF/y) of what is known as replacement water from Reclamation via the Delta-Mendota Canal (DMC). In October 2008, PID approached Reclamation with a request to transfer 2,200 AF of this replacement water to Del Puerto Water District (DPWD) during the 2009 contract water year, which runs from March 1st through February 28th. Reclamation issued a FONSI for the transfer, entitled *Patterson Irrigation District One-Time Delivery of Replacement Water to Del Puerto Water District* (FONSI-08-094), on August 7, 2009.

In 2009, PID determined that it could transfer 1,500 AF of additional water and still be able to meet the in-district demand of its water users. In September 2009, PID requested that Reclamation approve the district's proposal to transfer this additional replacement water to DPWD. Reclamation analyzed this request in EA-09-141 and a FONSI was issued on November 24, 2009.

In 2012, PID approached Reclamation with a third proposal, to transfer an additional 500 AF of water to DPWD in water year 2012. However, upon review of PID's water account balance, Reclamation determined that only 442 AF of PID's replacement water was available to be transferred. The proposed transfer amount was reduced accordingly.

In 2013, PID approached Reclamation with a fourth proposal, to transfer 1,500 AF of replacement water to WWD in water year 2013. WWD is requesting the replacement water transfer from January 1, 2014 through February 28, 2014. 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.

Proposed Action

Reclamation proposes to approve PID's delivery of up to 1,500 AF of its replacement water (under Contract #14-06-200-3598A-LTR1) to WWD for the remainder of the 2013 contract water year. WWD would take delivery of 1,500 AF no later than February 28, 2014.

Reclamation would facilitate this transfer by conveying the replacement water down the DMC from the San Joaquin-Sacramento River Delta (Delta), which is the typical route for PID's delivery, but instead of being diverted into PID turnouts, 1,500 AF of PID's replacement water would continue to O'Neill Forebay and then delivered to existing WWD turnouts along the San Luis Canal, or stored in San Luis Reservoir for later use. WWD would like the flexibility to deliver the water throughout the district as needed, so the turnouts would be between mileposts 104.18R to 171.51R. WWD would then convey this replacement water to its water users.

Environmental Commitments

The proponents will implement the following environmental protection measures to reduce environmental consequences associated with the Proposed Action (Table 1). Environmental consequences for resource areas assume the measures specified would be fully implemented.

Table 1 Environmental Protection Measures and Commitments

Resource	Protection Measure
Biological	There would be no conversion of lands fallowed and untilled for three or more years without additional environmental review.

Reclamation's South-Central California Area Office has initiated an Environmental Commitment Program in order to implement, track and evaluate the environmental commitments developed for the Proposed Action.

Findings

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.

Water Resources

Under the Proposed Action, WWD would receive up to 1,500 AF of additional water for use, to supplement their CVP contract supply and water obtained through other actions. PID has determined that they can make this water available without infringing on current needs and land uses within their district. Similar to the No Action Alternative, conditions would remain the same as have historically occurred and there would be no impacts to the canals.

Land Use

The Proposed Action would not result in any land use changes in PID because the district has determined that they have adequate water to meet the needs of its customers. Existing uses would be unaffected.

WWD would use the additional replacement water to irrigate and maintain its customers' existing permanent crops. Maintaining a reliable and cost-effective water supply is a benefit for the area's current land uses.

Biological Resources

Effects are similar to the No Action Alternative. Most of the habitat types required by species protected under the Endangered Species Act (ESA) or birds protected by the Migratory Bird Treaty Act (MBTA) do not occur within the Proposed Action area. Any encountered biological

resources are likely to be those associated with actively cultivated land. The Proposed Action would not involve the conversion of any land fallowed and untilled for three or more years as the replacement water would only be used on existing agricultural lands. The conversion of lands fallowed and untilled for three or more years would require additional environmental review. Since no natural stream courses or additional surface water pumping would occur and there are capacity limitations and water quality restrictions in the DMC, there would be no effect to listed fish species from the Proposed Action. No critical habitat occurs within the area affected by the Proposed Action; therefore, no primary constituent elements of any critical habitat would be affected.

Based upon the short duration of the water availability, no later than February 28, 2014, and the requirement that no native lands be converted without consultation with USFWS, any potential impacts to wildlife (whether federally listed or not) would be precluded. Reclamation has determined there would be no effect to listed species or take of birds protected by the MBTA.

Socioeconomic Resources

The Proposed Action would provide supplemental water to WWD to sustain their existing crops and at the same time still provide sufficient irrigation water for landowners in PID. Conditions would remain the same as existing conditions and there would be no impacts to socioeconomic resources.

Environmental Justice

Under the Proposed Action, the availability of additional replacement water would help maintain agricultural production and local employment in WWD. Employment opportunities for low-income wage earners and minority population groups would be consistent with historical conditions. Disadvantaged populations would not be subject to disproportionate impacts.

Cumulative Impacts

Cumulative impacts result from incremental impacts of the Proposed Action or No Action alternative when added to other past, present, and reasonably foreseeable future actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. To determine whether cumulatively significant impacts are anticipated from the Proposed Action or the No Action alternative, the incremental effect of both alternatives were examined together with impacts from past, present, and reasonably foreseeable future actions in the same geographic area.

As in the past, hydrological conditions and other factors are likely to result in fluctuating water supplies which drive requests for water service actions. Water districts provide water to their customers based on available water supplies and timing, 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 past, present and foreseeable projects, in addition to the proposed transfer, which could affect or could be affected by the Proposed Action or No Action alternative, include the following:

Accelerated Water Transfer Program Under the Accelerated Water Transfer Program, South of Delta contractors are permitted to transfer up to 150,000 AF of CVP water in aggregate without further environmental analysis, subject to certain requirements and restrictions. Reclamation issued FONSI 10-051 for this action on February 14, 2011. Reclamation supplemented the SOD AWTP EA with Supplemental EA-13-007 to include water acquisitions for refuges by Reclamation pursuant to Section 3406(d)(2) of the CVPIA and analyzed the delivery of this water to the refuges.

Additional Point of Delivery for Patterson Irrigation District's Non-Project Water to Del Puerto Water District Under a previous action (EA 09-156), Reclamation analyzed the transfer of up to 10,000 AF of PID's non-CVP water to a variety of contractors to and through the DMC. In 2012, the previous analysis was amended to allow up to 10,000 AF to be transferred from PID to DPWD. Reclamation issued FONSI 12-054 for this action on July 17, 2012.

Central Valley Project Interim Renewal Contracts for Westlands Water District, Santa Clara Valley Water District, and Pajaro Valley Water Management Agency 2014-2016 This action consists of issuance of Interim Renewal Contracts to provide continuing water service to the affected contractors (including WWD) while long-term service contracts are being evaluated. Reclamation is evaluating this action under an EA. A similar action was analyzed for the period of 2012-2014 under EA/FONSI 11-049.

Delta-Mendota Canal Pump-In Project (2013-2024) 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. This action covers the period from March 1, 2013 to February 29, 2024, and was analyzed under EA 12-061. Similar actions were analyzed for the time period of March 1, 2011 to February 28, 2012 and March 1, 2012 to February 28, 2013 under EA 10-072 and 12-005, respectively.

Firebaugh Water District 5 Year Transfer/Exchange Central Valley Project Water to Panoche Water District, San Luis Water District, and Westlands Water District Under this action, Firebaugh Water District would pump groundwater for in-district use, making surface water supplies available for transfer. Up to 7,500 AF of water would then be transferred to the receiving districts on an annual basis. Reclamation is preparing an EA for this action.

Five Year Annual Transfers of up to 20,500 acre-feet of Central Valley Project Water from Central California Irrigation District to San Luis, Panoche, Del Puerto and Westlands Water Districts Under this action, Central California Irrigation District would pump groundwater for in-district use, making surface water supplies available for transfer. Up to 20,500 AF of water would then be transferred to San Luis, Panoche, Del Puerto and Westlands Water Districts on an annual basis. Reclamation is preparing an EA for this action.

License to Del Puerto Water District for New Discharge Point at Milepost 52.40L on the Delta-Mendota Canal Under this action, Reclamation is considering allowing DPWD to construct a new discharge facility to pump water into the DMC. Reclamation considered this action under CEC 12-080.

Merced Irrigation District Warren Act Transfer 15,000 AF Reclamation executed a Warren Act Contract which allowed Merced Irrigation District to convey up to 15,000 AF of non-project water to WWD and/or San Luis Water District by way of federal facilities in the water year ending February 28, 2014. FONSI 13-035 was issued for this action on September 17, 2013.

Patterson Irrigation District Transfer and/or Warren Act Contract for up to 36,000 acre-feet of Water to Santa Clara Valley Water District Under this project, Reclamation would approve PID's delivery of up to 36,000 AF of PID's Transfer Water to Santa Clara Valley Water District over a 10-year period (March 1, 2014 through February 29, 2024). If needed, Reclamation would issue a Warren Act contract for conveyance of any non-CVP water to SCVWD within the 10-year period. Reclamation is preparing an EA for this action.

San Luis Water District Warren Act Contract - Bettencourt Well Pump-In along the SLC Under this action, Reclamation issued a five-year Warren Act contract to San Luis Water District for conveyance of up to 1,500 acre-feet per year of groundwater in the SLC. The term for pumping and conveyance would be July 2012 through February 28, 2017. FONSI 11-003 was issued for this action on August 1, 2012.

Vista Verde Temporary Nine Year Annual Transfer of 1,140 acre-feet of Settlement Contract Water to Vista Verde-Owned Lands within Westlands Water District Under this action, the landowner requested permission to deliver their settlement contract water to different property within the boundaries of Westlands Water District in order to make use of more productive farmland. Reclamation issued FONSI 12-038 for this action on August 1, 2012.

Westlands Water District Warren Act Groundwater Pumping into Coalinga Canal Westlands Water District has asked to convey up to 10,000 acre-feet of non-project groundwater in the Coalinga Canal over a period of five years. Reclamation is evaluating this proposal as EA 13-042.

Westlands Water District Warren Act Contract - Kings River Flood Flows Conveyance in the San Luis Canal Under this action, Westlands is permitted to convey up to 50,000 AF per year of excess Kings River flood flows in the San Luis Canal, as capacity allows. The agreement covers five years, from 2012 to 2016. FONSI 11-002 was issued for this action on January 25, 2012.

Water service actions, like those described above, do not result in increases or decreases of water diverted from rivers or reservoirs. Each water service transaction involving CVP and non-CVP water undergoes environmental review prior to approval. The Proposed Action and No Action alternative and other similar projects would not interfere with the projects listed above, nor would they hinder the normal operations of the CVP and Reclamation's obligation to deliver water to its contractors or to local fish and wildlife habitat. Neither alternative, when added to other water service actions, would result in cumulative effects to surface water resources beyond historical fluctuations and conditions.