

RECLAMATION

Managing Water in the West

Draft FINDING OF NO SIGNIFICANT IMPACT

Amendment to Banta-Carbona Irrigation District 5-Year Warren Act Contract

FONSI 14-006

Prepared by:

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Introduction

In accordance with Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of the Bureau of Reclamation (Reclamation) has determined that amending Banta-Carbona Irrigation District's (BCID) existing Warren Act Contract 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 Finding of No Significant Impact (FONSI, 14-006) is supported by Reclamation's Environmental Assessment (EA), *Amendment to Banta-Carbona Irrigation District 5-Year Warren Act Contract*, which is attached and hereby incorporated by reference.

Reclamation prepared an EA in 2010 for BCID's initial five-year Warren Act Contract (EA-09-156) for Contract Years 2010 through 2014, ending on February 28, 2015. Due to on-going dry hydrologic conditions, BCID has requested an amendment to increase the amount of non-Project water the district would be allowed to annually convey and/or store within federal facilities.

Proposed Action

Reclamation proposes to approve the increase in total amount of non-Project water BCID could convey within the Delta-Mendota Canal (DMC) and/or store within federal facilities from 10,000 acre-feet/year (AF/y) to 15,500 AF/y. The temporal scope for this approval would coincide with BCID's existing five-year Warren Act Contract timeframe and conclude with Contract Year 2014 through and including February 28, 2015.

As part of this Proposed Action, the same environmental protection measures and commitments from Section 2.2 of EA-09-156, specifically the water quality monitoring section, will be implemented to avoid, minimize, and/or reduce potential environmental impacts associated with DMC water quality and capacity.

Findings

Reclamation's determination that implementation of the Proposed Action will not result in significant impacts to the quality of the human environment is supported by the findings summarized below and further described in the attached EA.

Indian Sacred Sites

The Proposed Action will not affect and/or prohibit access to and ceremonial use of Indian sacred sites.

Indian Trust Assets (ITA)

The Proposed Action does not have the potential to affect ITA.

Environmental Justice

There are no economically disadvantaged or minority populations that will be disproportionately affected by the Proposed Action.

Land Use

The Proposed Action will provide irrigation supplies to existing agriculture and will not result in changes to existing land use.

Air Quality

The Proposed Action will utilize gravity and electric or diesel pumps, and will not involve emissions that threaten to violate any local, state, or federal air quality standards.

Cultural Resources

The Proposed Action has no potential to cause effects to historic properties pursuant to 36 CFR § 800.3(a)(1).

Greenhouse gas (GHG)

Trends and conditions related to the global climate will remain the same.

Water Resources

BCID will continue to assert their Pre-1914 water right from the San Joaquin River as has historically occurred. The Proposed Action will not result in BCID diverting more water from the San Joaquin River.

The Proposed Action will be allowed only if capacity exists within the federal facilities so as not to hinder the normal canal operations and Reclamation's obligation to deliver Central Valley Project water to its contractors and/or refuges. In addition, the same water quality monitoring regimen as noted in Section 2.2 of EA-09-156 will continue to be implemented to ensure that quality of water to downstream users will be of acceptable quality for agricultural and/or municipal and industrial purposes. If water quality monitoring detect that water as a result of the Proposed Action substantially degrades the quality of water in the DMC, then BCID will be required to cease the introduction of this non-Project water until the quality has been improved to acceptable levels.

Biological Resources

Water quality levels will continue to be monitored, with the requirement of pumps ceasing if water quality objectives are exceeded, to avoid effects to wildlife. Also, Warren Act related water would not reach streams containing listed fish species.

The Proposed Action will not involve the conversion of any land fallowed and untilled for three or more years. The Proposed Action will not change the land use patterns of the cultivated or fallowed fields that do have some value to listed species or birds protected by the Migratory Bird Treaty Act. No critical habitat occurs within the area affected by the Proposed Action and so none of the primary constituent elements of any critical habitat will be affected.

Cumulative Impacts

There are no other known past, present, and reasonably foreseeable future actions that will cumulatively result in significant impacts to the human environment when taking into consideration the actions analyzed within the EA.