

RECLAMATION

Managing Water in the West

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

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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.

Reclamation provided the public an opportunity to comment on the draft EA and FONSI from January 22, 2014 to February 5, 2014. No comments were received.

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 transfer 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, and/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:

Water Resources

Under the Proposed Action, WWD would receive up to 1,500 AF of additional water to supplement their CVP contract supply. 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' operations. The volume of water considered under the Proposed Action is relative minor and should not constrain canal capacity.

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

To determine whether cumulatively significant impacts are anticipated from the Proposed Action, the incremental effects of this action 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.

These water service transactions 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 would not hinder the normal operations of the CVP or Reclamation's obligation to deliver water to its contractors or to local fish and wildlife habitat. When added to other water service actions, it would not result in cumulative effects to surface water resources beyond historical fluctuations and conditions.