

# RECLAMATION

## *Managing Water in the West*

Finding of No Significant Impact

### Warren Act Contract for Kern-Tulare Water District and Lindsay-Strathmore Irrigation District

FONSI-12-069

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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 issuance of a Warren Act Contract for Kern-Tulare Water District and Lindsay-Strathmore Irrigation District. This Finding of No Significant Impact is supported by Reclamation's Environmental Assessment (EA) 12-069, *Warren Act Contract for Kern-Tulare Water District and Lindsay-Strathmore Irrigation District*, and is hereby incorporated by reference.

## Background

Kern-Tulare Water District (KTWD) and Lindsay-Strathmore Irrigation District (LSID) (collectively the Districts) have Central Valley Project (CVP) Friant Division repayment contracts with Reclamation.

The Warren Act (Act of February 21, 1911; Chapter 141, 36 Stat. 925) authorizes Reclamation to enter into contracts to impound, store, or convey non-project water when excess capacity is available in Federal facilities.

Reclamation and the Districts previously had Warren Act Contracts in place for the conveyance of up to 10,000 acre-feet (af) per year of each District's non-CVP water during contract years 2009 through 2013 (March 1, 2009 – February 28, 2014). The execution of those contracts was evaluated in EA and FONSI number 08-086; those documents are incorporated by reference.

Due to regulatory, contractual, and policy changes, the Districts may now store, convey, or divert non-CVP water according to Article 18 of their repayment contracts, with Reclamation's approval but without the need for separate Warren Act contracts. Additionally, since issuance of the 5-year Warren Act contract referenced in EA/FONSI 08-086, Reclamation's Mid-Pacific Region has been given authority to approve Warren Act requests exceeding 10,000 acre-feet in a single contract year.

Pursuant to the terms of their repayment contracts, the Districts request Reclamation's approval to each store, convey, divert, or exchange up to 30,000 acre-feet (af) per year of non-CVP water in Friant Division and Cross-Valley Unit facilities.

## Proposed Action

Reclamation would approve storage, conveyance, and/or diversion of non-CVP water in Federal facilities when excess capacity exists, according to the Article 18 of the Districts' repayment contracts. Reclamation would also approve exchange of the Districts' non-CVP water for CVP water, in order to facilitate delivery. Approvals would be for varying lengths of time between the 2013 through 2042 Contract Years (March 1, 2013 - February 28, 2043).

### **Lindsay-Strathmore Irrigation District**

Reclamation proposes to approve storage, conveyance, and/or diversion of up to 30,000 af/year of LSID's non-CVP water in Federal facilities, when excess capacity exists, according to Article 18 of LSID's Friant Division repayment contract. LSID's non-CVP water originates in the Kaweah River, passes through Bravo Lake, and enters the Upper Wutchumna Ditch. Before introduction into the FKC, the Wutchumna water must be tested at specific points to confirm that it meets Reclamation's water quality requirements in effect at the time of conveyance; the current standards can be found in Appendix B. The water would be pumped from the Wutchumna Ditch into the FKC, and ultimately into LSID's distribution system and service area.

After introduction into the Friant-Kern Canal, the Wutchumna water/non-project water would be allowed to remain for up to 30 days. After 30 days, LSID would be required to pay appropriate storage fees for the water, or else it would be deemed unused water donated to the United States for CVP purposes.

### **Kern-Tulare Water District**

Reclamation proposes to approve storage, conveyance, and/or diversion of up to 30,000 af/yr of KTWD's non-CVP water in Federal facilities when excess capacity exists, per the terms of KTWD's partial assignment of the Southern San Joaquin Municipal Utility District's Friant Division repayment contract. KTWD's non-CVP supplies include Kern River and State Water Project (SWP) water. Before introduction into the FKC, KTWD's non-CVP water must be tested at specific points to confirm that it meets Reclamation's water quality requirements in effect at the time of conveyance. The two sources of non-CVP water would be introduced into the FKC from: the CVC through existing siphons; the CVC through the CVC/FKC Intertie; or the Lerdo Canal via North Kern Water Storage District's distribution system. Once introduced into the FKC, the non-CVP water could be stored, delivered directly to KTWD's service area, or delivered to KTWD through an intercept exchange for CVP water from the FKC. Physical delivery of the water to KTWD would require pumping over three check structures: the Shafter Check, the Poso Creek Check, and the Lake Woollomes Check. Alternatively, an intercept exchange can be made with Arvin-Edison Water Storage District (AEWSD) which requires no additional lifts. When an intercept exchange with AEWSD is not available, the water could be pumped over the Shafter Check and exchanged with Shafter-Wasco Irrigation District, beyond the Poso Check to exchange with Southern San Joaquin Municipal Water District, or beyond the Woollomes Check for delivery to KTWD or exchanged with Delano-Earlimart Irrigation District. Possible intermediaries needed to facilitate these exchanges may include the North Kern Water Storage District and Kern County Water Agency (KCWA) Improvement District No. 4 (ID#4).

After introduction into the Friant-Kern Canal, the non-project water would be allowed to remain for up to 30 days. After 30 days, KTWD would be required to pay appropriate storage fees for the water, or else it would be deemed unused water donated to the United States for CVP purposes.

## 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 & Land	The non-Project water involved in these actions must not be used to cultivate native or untilled land (fallow for three years or more).
Land	The Proposed Action must not require new construction or modification of existing facilities.
Land & Water	The Proposed Action must not increase or decrease water supplies that would result in development.
Water Quality	The Districts must comply with all provisions of Reclamation's water quality and monitoring requirements for the FKC that are in effect at the time of pump-in.
Water Quality	LSID must additionally implement the monitoring plan specified in Table 2. The table may be amended if necessary to meet Reclamation's future water quality and monitoring requirements.
Water Quality	KTWD must additionally implement the monitoring plan specified in Table 3. The table may be amended if necessary to meet Reclamation's future water quality and monitoring requirements.

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

The Proposed Action does not involve any construction activities or require any modifications to CVP facilities. The Proposed Action would not change any existing CVP water delivery diversion points. Since only excess capacity would be used, it would not interfere with normal CVP operations.

Reclamation and the Friant Water Authority would monitor salinity and turbidity in the FKC upstream and downstream of each place where each District's non-project water is pumped into the FKC. The water in the canal would be considered to be degraded if the addition of the non-project water causes an increase of more than 20 NTU (turbidity) or 50  $\mu\text{S}/\text{cm}$  specific conductance (salinity) between the upstream and downstream sample sites for five consecutive days, or causes the turbidity or salinity of the downstream canal water to exceed 40 NTU or 250  $\mu\text{S}/\text{cm}$  respectively. Reclamation and the Friant Water Authority will revise these standards and conduct more frequent sampling as needed.

**Lindsay-Strathmore Irrigation District** Under the Proposed Action, LSID would pump up to 30,000 acre-feet of non-project water from the Wutchumna Ditch into the FKC each year; this water would be conveyed about 20 miles to the LSID service area. LSID would continue to

receive CVP water from the FKC according to the terms and conditions of its CVP water service contract. The Proposed Action would not result in any construction activities or modifications to the FKC, and would not require any additional energy to convey the Wutchumna water. LSID would continue to use TID's conjunctive use program as well as pump groundwater within its district.

The District will provide laboratory analyses of the Wutchumna Ditch water. Reclamation and the Friant Water Authority will regularly monitor the salinity and turbidity of water in the canal to determine changes caused by the addition of the District's non-project water. To verify water quality, the Wutchumna water would be tested prior to pumping into the FKC. The FKC would be tested upstream and downstream of the Wutchumna water's point of discharge. The constituents to be tested and frequency of testing would be as listed in Table 1. The tests would be compared against Reclamation's water quality standards (Appendix B): if Reclamation finds that the Wutchumna water quality is unsuitable, then Reclamation and Friant Water Authority staff would work with LSID to modify the operations to improve water quality and/or restrict pumping until standards are met.

**Table 1 Water Quality Monitoring Requirements for LSID's Non-Project Water**

Location	FKC Milepost	Parameter	Frequency	Agency
Friant-Kern Canal Avenue 336 bridge (upstream site)	68.65	Electrical conductivity, turbidity	Monthly*	Friant Water Authority
Wutchumna Ditch	69.13	Title 22 constituents	Annual	LSID
		Electrical conductivity, turbidity	Monthly*	Friant Water Authority
Friant-Kern Canal Avenue 328 bridge (downstream site)	70.28	Electrical conductivity, turbidity	Monthly*	Friant Water Authority

\* While Wutchumna water is being pumped into the FKC

**Kern-Tulare Water District** Under the Proposed Action, KTWD would introduce up to 30,000 acre-feet of water from the SWP and Kern River in the FKC for delivery into KTWD's service area. KTWD would continue to receive CVP water according to the terms and conditions of its Cross Valley water service contract via direct delivery in the FKC and/or exchanges with a partner. No construction or modifications to the FKC would be required as a result of this action. Some additional energy may be necessary to convey the SWP and Kern River water supplies. KTWD would also continue to use and pump groundwater within its service area.

The District will provide complete laboratory analysis of each source of non-project water. Reclamation and the Friant Water Authority will regularly monitor the salinity and turbidity of water in the canal to determine changes caused by the addition of the District's non-project water. KTWD's non-CVP water would be tested at specific entry points and locations along the FKC, and at routine time intervals as shown in Table 2. If the quality of the SWP and/or Kern River water is unsuitable, Reclamation and Friant Water Authority staff would work with

KTWD to modify the operations to improve water quality and/or restrict pumping until Reclamation's standards are met.

There will be extra water quality monitoring at the terminus of the FKC where the District's SWP water would be pumped into the canal. This monitoring will identify changes in salinity and turbidity in the water that is delivered at that point to Arvin-Edison WSD and the City of Bakersfield. These measurements will be compared with independent analyses conducted by Reclamation and Kern County Water Agency.

**Table 2 Water Quality Monitoring Requirements for KTWD's Non-Project Water**

Location	FKC Milepost	Parameter	Frequency	Responsible Agency
Farm Bridge	132.45	Electrical Conductivity, turbidity	Monthly*	Friant Water Authority
Discharge from North Kern Water Storage District's Beardsley Canal	133.42	Title 22 constituents	Annually, if introduction from this source is anticipated	Kern-Tulare WD
		Electrical Conductivity, turbidity	Monthly*	Friant Water Authority
Kimberlina Ave Bridge	134.44	Electrical Conductivity, turbidity	Monthly*	Friant Water Authority
Coffee Road (upstream site)	150.23	Electrical Conductivity, turbidity	Monthly*	Friant Water Authority
Terminus at Kern River	152.40	Title 22 constituents	Quarterly	Reclamation**
Cross Valley Canal Intertie	152.40	Electrical Conductivity, turbidity	Weekly	Kern County Water Agency

\* While Kern River water is being pumped into the FKC

\*\*Reclamation Baseline Monitoring Program

## Land Use

Under the Proposed Action, Reclamation would approve the Warren Act contracts and allow the districts to store and/or convey their non-CVP water in Friant Division facilities when capacity exists. The Proposed Action would not involve any new construction activities or modifications to existing facilities. The Proposed Action would not increase or decrease water supplies that would result in additional homes to be constructed or served in the respective districts. In addition, untilled lands or lands that have been fallowed for three or more years would not be put into production as a result of the Proposed Action.

The storage and conveyance of this non-CVP water would not have any adverse effects on unique geological or terrain features such as wetlands, wild or scenic rivers, refuges, flood plains, or rivers placed on the nationwide inventory. Compared to the No Action Alternative, the Proposed Action may benefit prime and unique farmlands.

### **Biological Resources**

As a result of the restrictions placed on the Proposed Action by the environmental commitments, there would be no effect on Federally listed species or critical habitat, or on birds protected by the Migratory Bird Treaty Act.

### **Socioeconomic Resources**

Under the Proposed Action, participating districts could convey and store non-CVP water in CVP facilities to supplement their CVP water supply. The Warren Act contracts and exchange agreements would allow the non-CVP water to be distributed to sustain permanent crops. This could help maintain the local agricultural economy.

### **Cumulative Impacts**

Reclamation and the Friant Water Authority routinely monitor water quality in the FKC, and the Proposed Action would not cumulatively impact the FKC. As outlined above, Reclamation would require the non-CVP water introduced into the FKC to meet established water quality standards. If water degradation due to one or more of the pump-ins occurs, the responsible pump-ins would be terminated, and would have to reestablish acceptable quality standards before allowed to operate again.

Current trends in the San Joaquin Valley indicate increased population growth over the next 20 years. It is likely that changes of water usage would occur including requests for changes in water district boundaries, permanent changes of agricultural water to M&I use, contract assignments, changes in land uses, and permanent water transfers. Reclamation does not have authority over water use changes or changes in water district boundaries; however, Reclamation is notified to determine whether these changes would impact repayment under the terms and conditions of the water service contracts in addition to compliance with applicable laws including but not limited to laws designed to protect the human environment. It is reasonable and foreseeable that agricultural lands would be sold to developers as land becomes more valuable. Each change in land use must undergo environmental review and approvals by the appropriate approving agencies including city and county officials, as well as the Local Area Formation Commission. Once approved, requests for changes in how, where, and when water is applied could occur. These requests for changes are the result of economic pressure and not the result of conveyance or deliveries of federal or non-federal water.

### **Resources Eliminated From Further Analysis**

Reclamation analyzed the affected environment and determined that neither Proposed Action nor the No Action Alternative have the potential to cause direct, indirect, or cumulative effects to the following resources: Cultural Resources, Indian Sacred Sites, Indian Trusts Assets, Environmental Justice, Air Quality, and Global Climate.