

RECLAMATION

Managing Water in the West

Draft FINDING OF NO SIGNIFICANT IMPACT

Exchange Agreement for Water in San Luis Reservoir and Millerton Lake Between Arvin-Edison Water Storage District and the San Joaquin River Exchange Contractors

FONSI-14-030

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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 an environmental impact statement is not required for the facilitation of an exchange of up to 30,000 acre-feet (AF) between Arvin-Edison Water Storage District (Arvin-Edison) and the San Joaquin River Exchange Contractors (Exchange Contractors). This Finding of No Significant Impact (FONSI) is supported by Reclamation's Environmental Assessment (EA)-14-030, *Exchange Agreement for Water in San Luis Reservoir and Millerton Lake between Arvin-Edison Water Storage District and the San Joaquin River Exchange Contractors*, which is hereby incorporated by reference.

Background

The Exchange Contractors hold historic senior water rights to water supplies in the San Joaquin River watershed. In exchange for the Central Valley Project's (CVP's) regulation and diversion of the San Joaquin River water at Millerton Lake/Friant Dam, Reclamation agreed to provide water to the Exchange Contractors from the CVP's Sacramento-San Joaquin Delta (Delta) supply. Due to the current hydrologic and regulatory conditions, Reclamation informed the Exchange Contractors earlier this year that only 40 percent of the Exchange Contractor's water supply can be delivered even though their water allocation in a critical year is 75 percent (650,000 AF) of their maximum contract entitlement pursuant to the 1967 Second Amended Exchange Contract (Contract No. Ilr-1144r). As a result, there is a need to provide San Joaquin River water from Millerton Lake (Friant Water) pursuant to contract obligations.

In anticipation of Friant Water being delivered to the Exchange Contractors, Arvin-Edison Water Storage District (Arvin-Edison) negotiated an exchange of some of its available supplies in San Luis Reservoir for a portion of the San Joaquin River water that is anticipated to be released for delivery to the Exchange Contractors by Reclamation from Millerton Lake/Friant Dam and conveyed in the San Joaquin River channel (see Figure 1-1 in EA-14-030).

Proposed Action

Reclamation proposes to facilitate the exchange of up to 30,000 AF of Arvin-Edison's available water supplies in San Luis Reservoir for San Joaquin River water that is anticipated to be released for delivery to the Exchange Contractors via the San Joaquin River by Reclamation. Specific details of the exchange, including Arvin-Edison's transfer of a portion of this exchange water to Friant Division contractors, including but not limited to Terra Bella Irrigation District (Terra Bella) and Orange Cove Irrigation District (Orange Cove) are included in Section 2.2 in EA-14-030.

Environmental Commitments

Reclamation, Arvin-Edison and the Exchange Contractors would implement the environmental protection measures included in Table 2-1 of EA-14-030 to reduce environmental consequences associated with the Proposed Action. Environmental consequences for resource areas assume the measures specified would be fully implemented.

Reclamation's finding that implementation of the Proposed Action would result in no significant impact to the quality of the human environment is supported by the following findings:

Findings

Water Resources

Under the Proposed Action, water supplies that would have gone to Arvin-Edison from San Luis Reservoir via the California Aqueduct would instead be delivered to the Exchange Contractors at the Mendota Pool via the Delta-Mendota Canal, the preferred point of delivery for the Exchange Contractors. As this water is existing supplies held in San Luis Reservoir for Arvin-Edison, no additional Delta pumping would occur. As such, the Proposed Action would not affect CVP or State Water Project (SWP) operations and would not change existing diversion points from the Delta under Reclamation's or the California Department of Water Resource'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.

In exchange for Arvin-Edison's San Luis Reservoir water, a portion of Friant Water that is anticipated to be delivered to the Exchange Contractors would instead be delivered to Arvin-Edison and other Friant Division contractors from the Friant-Kern Canal (FKC). Although Arvin-Edison would initially receive more water (up to approximately 7,500 AF) from the up to 30,000 AF exchange, Arvin-Edison would balance this exchange by providing a like amount of water from San Luis Reservoir to the Exchange Contractors in a future year. The additional 25 percent (up to 7,500 AF) of Friant Water would be transferred by Arvin-Edison to other Friant districts, including but not limited to, Terra Bella and Orange Cove for agricultural and municipal purposes pursuant to the Friant Division/Cross Valley Accelerated Water Transfer Program. Terra Bella and Orange Cove have very limited to non-existent groundwater supplies and, as noted earlier, have little to no surface supplies available to them this year; therefore, the availability of supplemental water from this exchange would alleviate an urgent and critical need of surface water supplies to prevent catastrophic loss of permanent crops. Any water transferred by Arvin-Edison to Friant Division contractors would be returned to Arvin-Edison in a wetter year type on a 5:1 basis, as mutually agreed to between the parties; therefore, Arvin-Edison would receive a future 4:1 benefit (after returning the additional 25 percent of water to the Exchange Contractors used for these transfers) in a wet year type, which could occur over multiple wetter year types, in exchange for water in this critically dry year.

As a result of the exchange, 2014 FKC operations would have an increased water supply for conveyance all the way to its terminus at the Kern River and Arvin-Edison's turnout. The increased FKC flows would benefit other Friant districts that are pursuing other operational exchange opportunities.

The exchange would utilize existing facilities and not require new infrastructure, modifications of existing facilities, or ground disturbing activities. The water would be used for existing agricultural and municipal uses. No native or untilled land (fallow for three years or more) would be cultivated with water involved with these actions.

Land Use

The Proposed Action would not change historic land and water management practices. Exchanged water would move through existing facilities for delivery to lands within the Districts for use on existing crops. The water would not be used to place untilled or new lands into production, or to convert undeveloped land to other uses.

Biological Resources

Federally listed species and their associated critical habitat with the potential to occur in the Action area have been addressed by the following Biological Opinions (BOs):

- The 2000 U.S. Fish and Wildlife Service (USFWS) BO on Implementation of the Central Valley Project Improvement Act and Continued Operation and Maintenance of the CVP (1-1-01-1-0311).
- The 2001 USFWS Biological Opinion on U.S. Bureau of Reclamation Long Term Contract Renewal of Friant Division and Cross Valley Unit Contracts.
- The 2008 USFWS Biological Opinion on the Coordinated Operations of the CVP and SWP (81420-2008-F-1481-5).
- The 2009 National Marine Fisheries Service Biological Opinion and Conference Opinion on the Long-Term Operations of the CVP and SWP.

No additional effects to special status species or critical habitats are associated with the Proposed Action. Existing and future environmental commitments addressed in the BOs, as listed above, would be met under the Proposed Action, including continuation of ongoing species conservation programs.

The Proposed Action would utilize existing facilities to exchange water stored in San Luis Reservoir with that stored in or flowing through Millerton Lake. The Proposed Action would not involve the construction of new facilities, or the modification of existing facilities. As a result, there would be no disturbance of ecologically sensitive lands due to construction activities. All water would be delivered to existing agricultural lands. The water associated with the Proposed Action would not be used to convert native lands, or change existing land use patterns. As no land use changes or additional disturbance would occur as a result of the Proposed Action, no habitat changes would occur that could potentially affect listed species and their associated critical habitats or species covered under the Migratory Bird Treaty Act.

Cultural Resources

The Proposed Action would facilitate the flow of water through existing facilities to existing users. As no construction or modification of facilities would be needed in order to complete the Proposed Action, Reclamation has determined that these activities have no potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1). See Appendix A of EA-14-030 for Reclamation's determination.

Indian Sacred Sites

The Proposed Action would not limit access to or ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites.

Indian Trust Assets

The Proposed Action would not impact Indian Trust Assets as there are none in the Proposed Action area. See Appendix B of EA-14-030 for Reclamation's determination.

Socioeconomic Resources

The Proposed Action would have beneficial impacts on socioeconomic resources with the Districts as the exchanged water would be used to help sustain existing crops and maintain farming within the Districts.

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.

Air Quality

The Proposed Action would not require construction or modification of facilities to move the exchanged water between the Districts. Exchanged water would be moved via gravity which would not produce emissions that impact air quality. As such, no impacts to air quality would occur and a determination of general conformity under the Clean Air Act is not required.

Global Climate and Energy Use

The Proposed Action would not result in emissions of greenhouse gases as water would move in existing facilities via gravity. Global climate change is expected to have some effect on the snow pack of the Sierra Nevada and the runoff regime. Current data are not yet clear on the hydrologic changes and how they would affect the San Joaquin Valley. CVP water allocations are made dependent on hydrologic conditions and environmental requirements. Since Reclamation operations are flexible, any changes in hydrologic conditions due to global climate change would be addressed within Reclamation's operation flexibility.

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.

Reclamation has reviewed existing or foreseeable projects in the same geographic area that could affect or could be affected by the Proposed Action as Reclamation and CVP contractors have been working on various drought-related projects, including this one, in order to manage limited water supplies due to current hydrologic conditions and regulatory requirements. This and similar projects would have a cumulative beneficial effect on water supply during this critically dry year.

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. It is likely that in 2014, more districts would request exchanges, transfers, and Warren Act contracts (conveyance of non-CVP water in CVP facilities) due to hydrologic conditions. Each water service transaction involving Reclamation undergoes environmental review prior to approval.

The Proposed Action and other similar projects would not hinder the normal operations of the CVP and Reclamation's obligation to deliver water to its contractors or to local fish and wildlife habitat. Since the Proposed Action would not involve construction or modification of facilities, there would be no cumulative impacts to existing facilities or other contractors.

The Proposed Action would not result in cumulative adverse impacts to biological resources beyond those previously consulted upon.

As the Proposed Action is not expected to result in any direct or indirect adverse impacts to cultural resources, Indian Sacred Sites, Indian Trust Assets, socioeconomics, minority or disadvantaged populations, air quality or global climate and energy use, there would be no cumulative adverse impacts to these resources.

RECLAMATION

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Draft Environmental Assessment

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EA-14-030



U.S. Department of the Interior
Bureau of Reclamation
Mid Pacific Region
South-Central California Area Office
Fresno, California

May 2014

Mission Statements

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian Tribes and our commitments to island communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

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Section 1 Introduction

1.1 Background

The San Joaquin River Exchange Contractors (Exchange Contractors), which include Central California Irrigation District, Firebaugh Canal Water District, San Luis Canal Company and Columbia Canal Company, hold historic senior water rights to water supplies in the San Joaquin River watershed. In exchange for the Central Valley Project's (CVP's) regulation and diversion of the San Joaquin River water at Millerton Lake/Friant Dam, the Bureau of Reclamation (Reclamation) agreed to provide water to the Exchange Contractors from the CVP's Sacramento-San Joaquin Delta (Delta) supply. Due to the current hydrologic and regulatory conditions, Reclamation informed the Exchange Contractors earlier this year that only 40 percent of the Exchange Contractor's water supply can be delivered even though their water allocation in a critical year is 75 percent (650,000 acre-feet [AF]) of their maximum contract entitlement pursuant to the 1967 Second Amended Exchange Contract (Contract No. Ilr-1144r). As a result, there is a need to provide San Joaquin River water from Millerton Lake (Friant Water) pursuant to contract obligations.

In anticipation of Friant Water being delivered to the Exchange Contractors, Arvin-Edison Water Storage District (Arvin-Edison) has negotiated an exchange of some of its available supplies in San Luis Reservoir for a portion of the San Joaquin River water that would be released for delivery to the Exchange Contractors at Mendota Pool by Reclamation from Millerton Lake/Friant Dam and conveyed in the San Joaquin River channel (see Figure 1-1). Supplies available to Arvin-Edison in San Luis Reservoir include: (1) recaptured San Joaquin River Restoration Project (SJRRP) restoration flows, and (2) State Water Project (SWP) supplies that would be provided to Arvin-Edison by Metropolitan Water District of Southern California (MWD) pursuant to an existing Water Management Program agreement. Arvin-Edison proposes to transfer a portion of the exchanged water in Millerton Lake to other Friant districts including, but not limited to, Terra Bella Irrigation District (Terra Bella) and Orange Cove Irrigation District (Orange Cove).

1.2 Need for the Proposed Action

The State of California is currently experiencing unprecedented water management challenges due to severe drought and regulatory actions. Both the State and Federal water projects are forecasting very low storage conditions in all major reservoirs. In addition, CVP contractors experienced reduced water supply allocations in recent years due to hydrologic conditions and regulatory requirements. Based on hydrologic conditions, Reclamation declared an initial allocation of 0 percent Class 1 and 0 percent Class 2 supplies for Friant Division CVP contractors for the 2014 Contract Year¹. As a result, Friant Division contractors, such as Arvin-Edison, Terra Bella and Orange Cove, have a need to find additional sources of water to fulfill demands. In addition, Terra Bella and Orange Cove have very limited to non-existent

¹ A Contract Year is from March 1 through February 28/29 of the following year.

groundwater supplies and, therefore, have an urgent and critical need for surface water supplies to prevent catastrophic loss of permanent crops.

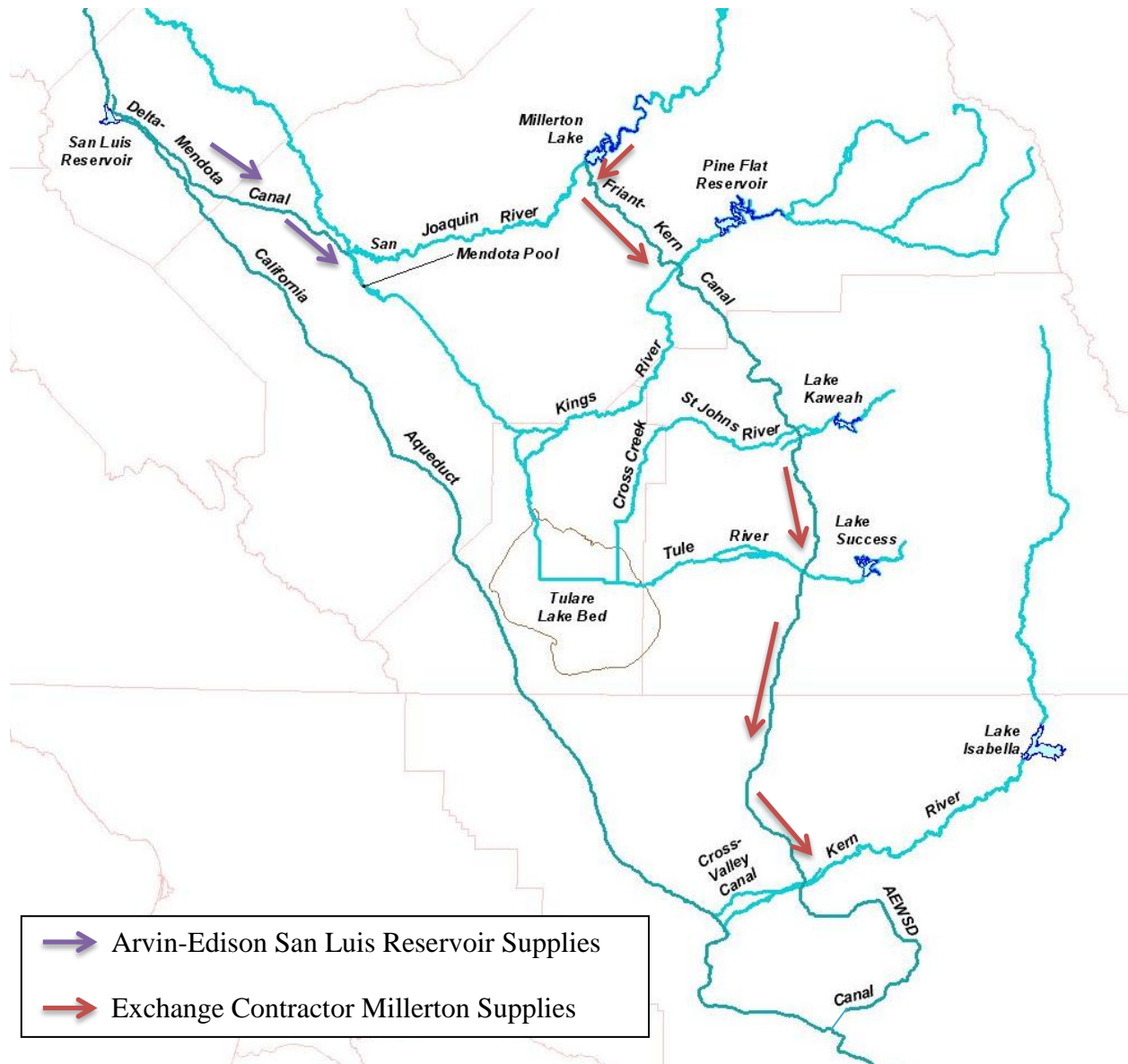


Figure 1-1 Exchange of Supplies between Arvin-Edison and the Exchange Contractors

1.3 Scope

This Environmental Assessment (EA) is being prepared to examine the possible impacts of facilitating an exchange of up to 30,000 AF of Arvin-Edison's available water supplies in San Luis Reservoir for San Joaquin River water that is anticipated to be released for delivery to the Exchange Contractors from Millerton Lake in 2014. This EA has also been prepared to examine the possible impacts of the No Action alternative.

Previous actions and analysis have been conducted for portions of the Proposed Action and include the following:

Recirculation of Recaptured Restoration Flows

The recirculation and beneficial use of recaptured SJRRP restoration flows by Friant Division contractors was analyzed by Reclamation in an EA entitled *Recirculation of Recaptured Water Year 2013-2017 San Joaquin River Restoration Program Flows* (Reclamation 2013). The EA analyzed the return, via transfers and/or exchange agreements, of up to 260,000 AF per year (AFY) of recaptured water from San Luis Reservoir to Friant Contractors through existing CVP, SWP, and local facilities. The EA also analyzed the transfer of recaptured water between CVP and non-CVP contractors. Reclamation determined that the execution of transfer and exchange agreements to recirculate up to 260,000 AFY of recaptured flows from San Luis Reservoir would not significantly affect the quality of the human environment and a Finding of No Significant Impact (FONSI) was executed on April 1, 2013. As the exchange of Arvin-Edison's recaptured SJRRP restoration flows was covered in the environmental analysis described above, which is hereby incorporated by reference, it is not repeated in this EA.

Arvin-Edison/MWD Water Management Program

The return of SWP water to Arvin-Edison by MWD was analyzed by Reclamation in an EA entitled *Arvin-Edison Water Storage District and Metropolitan Water District 10-year Water Transfer/Exchange Program* (Reclamation 2014). The EA analyzed the temporary storage of Arvin-Edison's water with MWD for later return to Arvin-Edison via exchange of MWD's SWP supplies. Exchanges between Arvin-Edison and MWD are contingent upon approval of the Consolidated Place of Use (CPOU) by the State Water Resources Control Board (SWRCB), and would only be permitted during the timeframe for which the CPOU is in effect. The SWRCB has approved a CPOU from May 1, 2014 through April 30, 2015 for the Arvin-Edison/MWD Program and other programs. Reclamation determined that the groundwater banking, regulation program and exchanges would not significantly affect the quality of the human environment and a FONSI was executed on March 20, 2014. As the return of Arvin-Edison's water via exchange for MWD's SWP water was covered in the environmental analysis described above, which is hereby incorporated by reference, it is not repeated in this EA.

Friant Division/Cross Valley Accelerated Water Transfer Program

The transfer of CVP water supplies from Arvin-Edison to Terra Bella and Orange Cove was analyzed by Reclamation in an EA entitled *Accelerated Water Transfer Program for Friant Division and Cross Valley Central Valley Project Contractors, 2011-2015* (Reclamation 2011). The EA analyzed a five-year Accelerated Water Transfer Program (AWTP) for transfers and/or exchanges between CVP contractors geographically situated within the same region and who are provided water service through the same CVP facilities pursuant to Section 3405 of Central Valley Project Improvement Act (CVPIA, Title 34 of Public Law 102-575). A FONSI was executed on February 11, 2011. As the transfer of CVP water to Terra Bella and Orange Cove from the exchange between Arvin-Edison and the Exchange Contractors was covered in the environmental analysis described above, which is hereby incorporated by reference, it is not repeated in this EA.

Section 2 Alternatives Including the Proposed Action

This EA considers two possible actions: the No Action Alternative and the Proposed Action. The No Action Alternative reflects future conditions without the Proposed Action and serves as a basis of comparison for determining potential effects to the human environment.

2.1 No Action Alternative

Under the No Action Alternative, Reclamation would not facilitate the exchange of water supplies between Arvin-Edison and the Exchange Contractors. Supplies available in San Luis Reservoir would be directly delivered to Arvin-Edison via the California Aqueduct to meet its needs. Reclamation would deliver Friant Water from Millerton Lake to the Exchange Contractors at the Mendota Pool via the San Joaquin River channel pursuant to contract obligations. Water delivered to the Exchange Contractors would incur losses ranging between 30 percent and 50 percent depending on flow rates and schedules. Terra Bella and Orange Cove would need to find other water supplies to meet the needs of their water users or, failing that, would suffer the impacts from catastrophic loss of permanent crops.

2.2 Proposed Action

Reclamation proposes to facilitate the exchange of up to 30,000 AF of Arvin-Edison's available water supplies in San Luis Reservoir for a larger amount of San Joaquin River water that is anticipated to be released for delivery to the Exchange Contractors by Reclamation from Millerton Lake. The proposed exchange would occur between May 2014 and February 28, 2015. Although Arvin-Edison would temporarily receive more water than the Exchange Contractors, they would, in a subsequent year(s), under mutually agreeable terms, balance the exchange by providing the Exchange Contractors with recaptured SJRRP restoration flows from San Luis Reservoir and/or other westside supplies (i.e. SWP or CVP Cross Valley contractor supplies). See Figure 1-1 for an illustration of the exchange between Arvin-Edison and the Exchange Contractors.

2.2.1 Proposed Exchange

Supplies proposed by Arvin-Edison for exchange include recaptured SJRRP restoration flows and SWP supplies provided to Arvin-Edison by MWD pursuant to their existing Water Management Program agreement. These supplies would be released from San Luis Reservoir and conveyed down the Delta-Mendota Canal (DMC) for direct delivery to the Exchange Contractors at the Mendota Pool (Figure 1-1), which is the preferred and historical Exchange Contractor conveyance path.

In exchange for Arvin-Edison's water in San Luis Reservoir, the Exchange Contractors would provide Arvin-Edison a like amount of Friant Water plus an additional 25 percent, which is considered a conservative loss factor that would otherwise been incurred, for delivery from Millerton Lake via the Friant-Kern Canal (FKC) for agricultural and municipal purposes. Of the

total Friant Water made available to Arvin-Edison, Arvin-Edison intends to take direct delivery to its service area of the same amount of water transferred to the Exchange Contractors in San Luis Reservoir. The additional 25 percent (up to 7,500 AF) of Friant Water would be transferred by Arvin-Edison to other Friant districts, including but not limited to, Terra Bella and Orange Cove for agricultural and municipal purposes pursuant to the Friant Division/Cross Valley AWTP. Should either district choose not to take a portion of this water, Arvin-Edison may make it available to other contractors within the Friant Division as provided by the Friant Division/Cross Valley AWTP, or take direct delivery.

Friant Water made available to Arvin-Edison and others under this exchange program would also be allowed to be carried-over into the 2015 contract year, if needed. Any water transferred by Arvin-Edison to Friant Division contractors would be returned to Arvin-Edison in a wetter year(s) type on a 5:1 basis as mutually agreed to between the parties. In addition, Arvin-Edison would provide the Exchange Contractors the remaining exchange balance, in future year(s), so as to make it a balanced exchange of supplies. Therefore, Arvin-Edison would receive a 4:1 benefit for up to 7,500 AF of future wet year supplies in exchange for water in this critically dry year.

2.2.2 Environmental Commitments

Reclamation, Arvin-Edison and the Exchange Contractors would implement the following environmental protection measures to reduce environmental consequences associated with the Proposed Action (Table 2-1). Environmental consequences for resource areas assume the measures specified would be fully implemented.

Table 2-1 Environmental Protection Measures and Commitments

Resource	Protection Measure
Water Resources	The Proposed Action would not affect CVP or SWP operations; all supplies would be previously scheduled for delivery points south-of-Delta, and do not require additional Delta exports.
Water Resources	The water would only be used for beneficial purposes and in accordance with Federal Reclamation law and guidelines.
Water Resources	The water may only be served within areas that are within the CPOU.
Various Resources	The water would not be used to place untilled or new lands into production, or to convert undeveloped land to other uses.
Various Resources	No new construction or modification of existing facilities may occur in order to complete the Proposed Action.
Various Resources	The Proposed Action cannot alter the flow regime of natural waterways or natural watercourses such as rivers, streams, creeks, ponds, pools, wetlands, etc., so as to have a detrimental effect on fish or wildlife or their habitats.
Various Resources	The Proposed Action would not increase or decrease water supplies that would result in land development.

Section 3 Affected Environment and Environmental Consequences

As described in Section 1.3, the recirculation and beneficial use, including transfer and/or exchange, of recaptured SJRRP restoration flows by Friant Division contractors was analyzed in an EA and a FONSI was executed on April 1, 2013 (Reclamation 2013). Further, the return of SWP water to Arvin-Edison by MWD was analyzed by Reclamation in an EA and a FONSI was executed on March 20, 2014 (Reclamation 2014). Lastly, transfer of CVP water supplies from Arvin-Edison to Terra Bella and Orange Cove or other Friant Division or Cross Valley contractors was analyzed by Reclamation in an EA and a FONSI was executed on February 11, 2011 (Reclamation 2011). The affected environment and environmental impacts of these actions were previously covered in their respective EAs and are not repeated here. As such, this section focuses on the potential affected environment and the environmental consequences involved with the Proposed Action and the No Action Alternative that have not previously been covered.

3.1 Resources Eliminated from Further Analysis

Reclamation analyzed the affected environment and determined that the Proposed Action did not have the potential to cause direct, indirect, or cumulative adverse effects to the resources listed in Table 3-1.

Table 3-1 Resources Eliminated from Further Analysis

Resource	Reason Eliminated
Land Use	The Proposed Action would not change historic land and water management practices. Exchanged water would move through existing facilities for delivery to lands within the Districts for use on existing crops. The water would not be used to place untilled or new lands into production, or to convert undeveloped land to other uses.
Cultural Resources	The Proposed Action would facilitate the flow of water through existing facilities to existing users. As no construction or modification of facilities would be needed in order to complete the Proposed Action, Reclamation has determined that these activities have no potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1). See Appendix A for Reclamation's determination.
Indian Sacred Sites	The Proposed Action would not limit access to or ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites.
Indian Trust Assets	The Proposed Action would not impact ITA as there are none in the Proposed Action area. See Appendix B for Reclamation's determination.
Socioeconomics	The Proposed Action would have beneficial impacts on socioeconomic resources with the Districts as the exchanged water would be used to help sustain existing crops and maintain farming within the Districts.
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.
Air Quality	The Proposed Action would not require construction or modification of facilities to move the exchanged water between the Districts. Exchanged water would be moved via gravity which would not produce emissions that impact air quality. As such, no impacts to air quality would occur and a determination of general conformity under the Clean Air Act is not required.
Global Climate and Energy Use	The Proposed Action would not result in emissions of greenhouse gases as water would move in existing facilities via gravity. Global climate change is expected to have some effect on the snow pack of the Sierra Nevada and the runoff regime. Current data are not yet clear on the hydrologic changes and how they will affect the San Joaquin Valley. CVP water

Resource	Reason Eliminated
	allocations are made dependent on hydrologic conditions and environmental requirements. Since Reclamation operations are flexible, any changes in hydrologic conditions due to global climate change would be addressed within Reclamation's operation flexibility.

3.2 Water Resources

3.2.1 Affected Environment

Friant Division

The Friant Division was authorized by Congress under the concept of conjunctive use where CVP water was meant to be a supplemental supply to alleviate groundwater overdraft in the area. Based on the conjunctive use concept within the Friant Division, contractors are expected to continue mixed use of CVP and other surface water supplies and groundwater, with greater emphasis on groundwater use during dry periods when surface water is limited or expensive and percolate excess surface water in wet years. The Friant Division is an integral part of the CVP, but is hydrologically independent and therefore operated separately from the other divisions of the CVP. Major facilities of the Friant Division include Friant Dam and Millerton Lake, the Madera Canal and the FKC. As shown in Table 3-2, Friant Division CVP contractors have recently experienced reduced water supply allocations due to hydrologic conditions, regulatory actions, and implementation of the Stipulation of Settlement in *NRDC, et al., v. Kirk Rodgers, et al.*

Table 3-2 Friant Division Allocations 2005 to 2014

Contract Year	Class 1 Allocation (%)	Class 2 Allocation (%)
2014	0	0
2013	62	0
2012	50	0
2011	100	20
2010	100	15
2009	100	15
2008	100	5
2007	65	0
2006	100	10
2005	100	10
Average	77.7	7.5

Source: Reclamation's Water Allocations (Historical) <http://www.usbr.gov/mp/cvo/>
 *Initial 2014 allocation as of February 21, 2014.

San Joaquin River Restoration Program In 2006, the SJRRP was established to implement the Stipulation of Settlement in *NRDC, et al. v. Kirk Rodgers et al.* The Settlement's two primary goals include: (1) restoration and maintenance of fish population in the San Joaquin River below Friant Dam to the confluence of the Merced River; and (2) management of water resources in order to reduce or avoid adverse water supply impacts to Friant Division long-term contractors. The SJRRP is a long-term effort to restore flows to the San Joaquin River from Friant Dam to the confluence of Merced River in order to meet the two goals established in the Settlement (SJRRP 2014). The Settlement requires that Reclamation modify releases from Friant Dam from October 1 to September 30 for a program of interim flows in order to collect pertinent scientific data and to implement a monitoring program. These flows started October 1, 2009. Full restoration flows were scheduled to start no later than January 1, 2014. However,

due to the critical low water year, flows from Friant Dam were decreased beginning February 1, 2014 until all restoration flows stopped. Unless hydrologic conditions improve, the SJRRP will not receive Restoration flows until March 2015 (SJRRP 2014).

Arvin-Edison Water Storage District

Arvin-Edison is a Friant Division CVP contractor with a water service contract (Contract No. 14-06-200-229AD) for up to 40,000 AFY of Class 1 and 311,675 AFY of Class 2 Friant Division CVP supplies for irrigation and municipal purposes. AEWSD has historically made available a portion of its Friant Division CVP water supply to other CVP contractors located on the eastside of the San Joaquin Valley in exchange for alternate CVP supplies originating from the Delta, diverted and wheeled through the California Aqueduct for ultimate delivery to Arvin-Edison. Due to a decrease in supply reliability, cost increases, and water quality concerns, several of these exchanges are no longer feasible to the extent they once were. As a result, it has been necessary for Arvin-Edison to identify and implement additional programs to manage its highly variable CVP water supplies. Other surface water supplies available to Arvin-Edison include water from the SWP, Kern River, and flood flows when available. Arvin-Edison manages these surface water supplies by using an underlying groundwater reservoir to regulate water availability and to stabilize water reliability by percolating water through spreading basins in addition to water management programs (i.e. transfers/exchanges) with other water agencies outside its service area. Arvin-Edison owns and operates spreading/percolation/recharge basins and groundwater extraction wells, which are used to supply previously banked groundwater to its landowners within its service area when surface water supplies are deficient.

Orange Cove Irrigation District

Orange Cove is a Friant Division CVP contractor with a water service contract (Contract No. 175r-1672D) for up to 39,200 AFY of Class 1 Friant Division CVP supplies for irrigation and municipal purposes. A groundwater basin is almost non-existent under Orange-Cove and the District does not operate any groundwater wells or recharge facilities due to the existing groundwater conditions. The area immediately east of Smith Mountain and the area in the vicinity of Navelencia contain some groundwater and landowners in Orange Cove manage the groundwater supplies through conjunctive use practices. The majority of wells are located in this area. The safe yield is less than 28,000 AFY.

Terra Bella Irrigation District

Terra Bella is a Friant Division CVP contractor with a water service contract (Contract No. I75r-2446D) for up to 29,000 AFY of Class 1 Friant Division CVP supplies for irrigation and municipal purposes. Terra Bella also has access to groundwater recharge basins at the confluence of the FKC and Deer Creek. In years when the Friant declaration meets or exceeds 100 percent Class 1, Terra Bella typically has water in excess of in-district demands and delivers that water to the groundwater recharge basins for future use. Only recharged CVP water is pumped for use within the District. No other groundwater is pumped by the District.

San Joaquin River Exchange Contractors

The Exchange Contractors, which include Central California Irrigation District, Firebaugh Canal Water District, San Luis Canal Company and Columbia Canal Company, hold historic senior water rights to water supplies in the San Joaquin River watershed. Their service area is located on the west side of the San Joaquin Valley. In exchange for those rights (resulting in the CVP's

regulation and diversion of San Joaquin River water at Millerton Lake/Friant Dam, etc.), Reclamation agreed to supply water to the Exchange Contractors from the CVP's Delta supply. Reclamation's contract obligations include provisions for a call on San Joaquin River water under certain circumstances which is anticipated to occur this year.

3.2.2 Environmental Consequences

No Action

Under the No Action alternative, Reclamation would not facilitate the exchange between Arvin-Edison and the Exchange Contractors. Arvin-Edison would receive available supplies from San Luis Reservoir via the California Aqueduct to meet its needs. The Exchange Contractors would continue to receive their allocated supplies from the Delta as well as the Friant Water that they have called upon, including the portion proposed for exchange. Friant Water would be delivered to the Exchange Contractors at the Mendota Pool via the San Joaquin River channel with conveyance losses between 30 percent and 50 percent depending on flow rates and schedules. No additional water would be conveyed down the FKC. Terra Bella and Orange Cove would not have supplemental surface water supplies and would likely lose existing permanent crops and/or need to increase fallowing. FKC operations would also have less water supplies for conveyance and operations which could negatively impact the ability to support other beneficial operations along the FKC. This would be an adverse impact to water resources for all the districts.

Proposed Action

Under the Proposed Action, water supplies that would have gone to Arvin-Edison from San Luis Reservoir via the California Aqueduct would instead be delivered to the Exchange Contractors at the Mendota Pool via the DMC, the preferred point of delivery for the Exchange Contractors. As this water is existing supplies held in San Luis Reservoir for Arvin-Edison, no additional Delta pumping would occur. As such, the Proposed Action would not affect CVP or SWP operations and would not change existing diversion points from the Delta under Reclamation's or the California Department of Water Resource'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.

In exchange for Arvin-Edison's San Luis Reservoir water, a portion of Friant Water that is anticipated to be delivered to the Exchange Contractors pursuant to contract obligations would instead be delivered to Arvin-Edison and other Friant Division contractors from the FKC. Although Arvin-Edison would initially receive more water (up to approximately 7,500 AF) from the up to 30,000 AF exchange, Arvin-Edison would balance this exchange by providing a like amount of water from San Luis Reservoir to the Exchange Contractors in a future year. The additional 25 percent (up to 7,500 AF) of Friant Water would be transferred by Arvin-Edison to other Friant districts, including but not limited to, Terra Bella and Orange Cove for agricultural and municipal purposes pursuant to the Friant Division/Cross Valley AWTP. Terra Bella and Orange Cove have very limited to non-existent groundwater supplies and, as noted earlier, have little to no surface supplies available to them this year; therefore, the availability of supplemental water from this exchange would alleviate an urgent and critical need of surface water supplies to prevent catastrophic loss of permanent crops. Any water transferred by Arvin-Edison to Friant Division contractors would be returned to Arvin-Edison in a wetter year type on a 5:1 basis, as mutually agreed to between the parties; therefore, Arvin-Edison would receive a future 4:1

benefit (after returning the additional 25 percent of water to the Exchange Contractors used for these transfers) in a wet year type, which could occur over multiple wetter year types, in exchange for water in this critically dry year.

As a result of the exchange, 2014 FKC operations would have an increased water supply for conveyance all the way to its terminus at the Kern River and Arvin-Edison's turnout. The increased FKC flows would benefit other Friant districts that are pursuing other operational exchange opportunities.

The exchange would utilize existing facilities and not require new infrastructure, modifications of existing facilities, or ground disturbing activities. The water would be used for existing agricultural and municipal uses. No native or untilled land (fallow for three years or more) would be cultivated with water involved with these actions.

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.

Reclamation has reviewed existing or foreseeable projects in the same geographic area that could affect or could be affected by the Proposed Action as Reclamation and CVP contractors have been working on various drought-related projects, including this one, in order to manage limited water supplies due to current hydrologic conditions and regulatory requirements. This and similar projects would have a cumulative beneficial effect on water supply during this critically dry year.

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. It is likely that in 2014, more districts will request exchanges, transfers, and Warren Act contracts (conveyance of non-CVP water in CVP facilities) due to hydrologic conditions. Each water service transaction involving Reclamation undergoes environmental review prior to approval.

The Proposed Action and other similar projects would not hinder the normal operations of the CVP and Reclamation's obligation to deliver water to its contractors or to local fish and wildlife habitat. Since the Proposed Action would not involve construction or modification of facilities, there would be no cumulative impacts to existing facilities or other contractors.

3.3 Biological Resources

3.3.1 Affected Environment

The Proposed Action area includes the CVP service areas of Arvin-Edison, the Exchange Contractors, Orange Cove and Terra Bella as well as other Friant Division contractors located along the FKC. These service areas are primarily agricultural and include field crops, orchards, and pasture. If not actively farmed, vegetation frequently includes weedy non-native annual and biennial plants.

Existing Biological Opinions

Federally listed species and their associated critical habitat with the potential to occur in the Action area have been addressed by the following Biological Opinions (BOs):

- The 2000 U.S. Fish and Wildlife Service (USFWS) BO on Implementation of the CVPIA and Continued Operation and Maintenance of the CVP (1-1-01-1-0311).
- The 2001 USFWS Biological Opinion on U.S. Bureau of Reclamation Long Term Contract Renewal of Friant Division and Cross Valley Unit Contracts.
- The 2008 USFWS Biological Opinion on the Coordinated Operations of the CVP and SWP (81420-2008-F-1481-5).
- The 2009 National Marine Fisheries Service (NMFS) Biological Opinion and Conference Opinion on the Long-Term Operations of the Central Valley Project and State Water Project.

3.3.2 Environmental Consequences

No Action

Under the No Action alternative, Reclamation would not facilitate an exchange of up to 30,000 AF between Arvin-Edison and the Exchange Contractors. Arvin-Edison would receive their water supply directly from the San Luis Reservoir through the California Aqueduct to meet their needs. Reclamation would then be obligated to deliver that difference to the Exchange Contractors at the Mendota Pool from Millerton Lake/Friant Dam. Most likely Terra Bella, Orange Cove, and other Friant Contractors would lose permanent crops because of reduced water supply allocations and limited surface water supplies.

Proposed Action

No additional effects to special status species or critical habitats are associated with the Proposed Action. Existing and future environmental commitments addressed in the BOs, as listed in Section 3.3.1, would be met under the Proposed Action, including continuation of ongoing species conservation programs.

The Proposed Action would utilize existing facilities to exchange water stored in San Luis Reservoir with that stored in or flowing through Millerton Lake. The Proposed Action would not involve the construction of new facilities, or the modification of existing facilities. As a result, there would be no disturbance of ecologically sensitive lands due to construction activities. All water would be delivered to existing agricultural lands. The water associated with the Proposed Action would not be used to convert native lands, or change existing land use patterns. As no land use changes or additional disturbance would occur as a result of the Proposed Action, no

habitat changes would occur that could potentially affect listed species and their associated critical habitats or species covered under the Migratory Bird Treaty Act (MBTA).

Cumulative Impacts

The Proposed Action would not result in cumulative impacts beyond those previously consulted upon.

Section 4 Consultation and Coordination

4.1 Public Review Period

Reclamation intends to provide the public with an opportunity to comment on the Draft FONSI and Draft EA during a 7 day public review period.

4.2 Endangered Species Act (16 U.S.C. § 1531 et seq.)

Section 7 of the Endangered Species Act requires Federal agencies, in consultation with the Secretary of the Interior and/or Commerce, to ensure that their actions do not jeopardize the continued existence of endangered or threatened species, or result in the destruction or adverse modification of the critical habitat of these species.

No additional effects to special status species or critical habitats would occur beyond what was already addressed in previous consultations (see Section 3.3). The short duration of the water availability, the requirement that no native lands be converted without consultation with the USFWS, and the stringent requirements for transfers under applicable laws would preclude any impacts to wildlife, whether Federally listed or not. As such, Reclamation has determined there would be no effect to proposed or listed species or critical habitat under the Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et seq.). Therefore, no consultation with the USFWS or NMFS is necessary.

4.3 Migratory Bird Treaty Act (16 U.S.C. § 703 et seq.)

The MBTA implements various treaties and conventions between the United States and Canada, Japan, Mexico and the former Soviet Union for the protection of migratory birds. Unless permitted by regulations, the Act provides that it is unlawful to pursue, hunt, take, capture or kill; attempt to take, capture or kill; possess, offer to or sell, barter, purchase, deliver or cause to be shipped, exported, imported, transported, carried or received any migratory bird, part, nest, egg or product, manufactured or not. Subject to limitations in the Act, the Secretary of the Interior may adopt regulations determining the extent to which, if at all, hunting, taking, capturing, killing, possessing, selling, purchasing, shipping, transporting or exporting of any migratory bird, part, nest or egg will be allowed, having regard for temperature zones, distribution, abundance, economic value, breeding habits and migratory flight patterns.

The Proposed Action would not affect birds protected under the MBTA. As such, Reclamation has determined there would be no take of birds protected under the Migratory Bird Treaty Act (16 U.S.C §703 et seq.) therefore, no further coordination is needed.

Section 5 Preparers and Reviewers

Rain L. Emerson, M.S., Natural Resources Specialist, SCCAO

Jennifer L. Lewis, PhD., Wildlife Biologist, SCCAO

William Soule, Archaeologist, MP-153

Patricia Rivera, ITA, MP-400

Benjamin Lawrence, Acting Supervisory Natural Resources Specialist, SCCAO – reviewer

Rena Ballew, Supervisory Repayment Specialist, SCCAO – reviewer

David E. Hyatt, Supervisory Wildlife Biologist – reviewer

Section 6 References

Bureau of Reclamation (Reclamation). 2011. Final Environmental Assessment and Finding of No Significant Impact. *Accelerated Water Transfer Program for Friant Division and Cross Valley Central Valley Project Contractors, 2011-2015* (FONSI/EA-10-052). Mid-Pacific Region South-Central California Area Office. Fresno, California. Website: http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=6977.

Bureau of Reclamation (Reclamation). 2014. Final Environmental Assessment and Finding of No Significant Impact. *Recirculation of Recaptured Water Year 2013-2017 San Joaquin River Restoration Program Flows*. San Joaquin River Restoration Program. Sacramento, California. Website: http://restoresjr.net/program_library/02-Program_Docs/index.html.

Bureau of Reclamation (Reclamation). 2014. Final Environmental Assessment and Finding of No Significant Impact. *Arvin-Edison Water Storage District and Metropolitan Water District 10-year Water Transfer/Exchange Program* (FONSI/EA-13-026). Mid-Pacific Region South-Central California Area Office. Fresno, California. Website: http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=15741.

National Marine Fisheries Service (NMFS). 2009. Biological Opinion and Conference Opinion on the Long-Term Operations of the Central Valley Project and State Water Project (2008/09022). June 4, 2009.

San Joaquin River Restoration Program (SJRRP). 2014. Background and History. Website: <http://restoresjr.net/background.html>.

U.S. Fish and Wildlife Service (USFWS). 2000. Biological Opinion on Implementation of the CVPIA and Continued Operation and Maintenance of the CVP (1-1-01-1-0311). Sacramento Fish and Wildlife Office, California

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U.S. Fish and Wildlife Service (USFWS). 2008. Biological Opinion on the Coordinated Operations of the Central Valley Project and State Water Project (81420-2008-F-1481-5). Sacramento Fish and Wildlife Office, California.

Appendix A

Reclamation's Cultural Resources Determination

CULTURAL RESOURCE COMPLIANCE

Reclamation Division of Environmental Affairs

MP-153

MP-153 Tracking Number: 14-SCAO-185

Project Name: Exchange Agreement for Water in San Luis Reservoir and Millerton Lake Between Arvin-Edison Water Storage District and the San Joaquin River Exchange Contractors

NEPA Document: SCCAO-EA-14-030

NEPA Contact: Rain Emerson, Natural Resource Specialist

MP 153 Cultural Resources Reviewer: William Soule, Archaeologist

Date: 05/02/2014

Reclamation proposes to facilitate the exchange of up to 30,000 acre-feet (AF) of Arvin-Edison's available water supplies in San Luis Reservoir for a larger amount of San Joaquin River water that would have been released for delivery to the San Joaquin River Contractors from Millerton Lake. This is the type of undertaking that does not have the potential to cause effects to historic properties, should such historic properties be present, pursuant to the National Historic Preservation Act (NHPA) Section 106 regulations codified at 36 CFR Part 800.3(a)(1).

The proposed exchange would occur between May 2014 and February 28, 2015. Supplies proposed by Arvin-Edison for exchange include recaptured San Joaquin River Restoration Project restoration flows and State Water Project supplies provided to Arvin-Edison by Metropolitan Water District pursuant to their existing Water Management Program agreement. These supplies would be released from San Luis Reservoir and conveyed down the Delta-Mendota Canal (DMC) for direct delivery to the Exchange Contractors at the Mendota Po1.

In exchange for Arvin-Edison's water in San Luis Reservoir, the Exchange Contractors would provide Arvin-Edison a like amount of Friant Water plus an additional 25 percent for delivery from Millerton Lake for agricultural purposes. Of the total Friant Water made available to Arvin-Edison, Arvin-Edison intends to take direct delivery to its service area of the same amount of water transferred to the Exchange Contractors in San Luis Reservoir. The additional 25 percent (up to 6,000 AF) of Friant Water would be transferred by Arvin-Edison to other Friant districts, namely Terra Bella and Orange Cove for agricultural and municipal purposes pursuant to the Friant Division/Cross Valley AWTP. Should either district choose not to take a portion of this water, Arvin-Edison may make it available to other contractors within the Friant Division as provided by the Friant Division/Cross Valley Accelerated Water Transfer Program, or take direct delivery.

CULTURAL RESOURCE COMPLIANCE
Reclamation Division of Environmental Affairs
MP-153

Friant Water made available to Arvin-Edison and others under this program would also be allowed to be carried-over into the 2015 contract year, if needed. Any water transferred by Arvin-Edison to Friant Division contractors would be returned to Arvin-Edison in a wetter year type on a 5:1 basis as mutually agreed to between the parties. In addition, Arvin-Edison would provide the Exchange Contractors the remaining exchange balance, in a future year, so as to make it a balanced exchange of supplies. Therefore, Arvin-Edison would receive a 4:1 benefit of future wet year supplies in exchange for water in this critically dry year.

After reviewing the materials submitted by SCAO, I concur with a determination in SCCAO-EA-14-30 which states that neither the proposed action nor the no action alternative have the potential to cause effects to historic properties pursuant to the NHPA Section 106 regulations codified at 36 CFR Part 800.3(a)(1). With this determination, Reclamation has no further NHPA Section 106 obligations. This memorandum is intended to convey the completion of the NHPA Section 106 process for this undertaking. Please retain a copy in the administrative record for this action. Should changes be made to this project, additional NHPA Section 106 review, possibly including consultation with the State Historic Preservation Officer, may be necessary. Thank you for providing the opportunity to comment.

CC: Cultural Resources Branch (MP-153), Anastasia Leigh – Regional Environmental Officer (MP-150)

Appendix B

Reclamation's Indian Trust Assets Determination



Emerson, Rain <remerson@usbr.gov>

Re: 14-030 For Review

RIVERA, PATRICIA <privera@usbr.gov>

Mon, May 5, 2014 at 8:43 AM

To: "Emerson, Rain" <remerson@usbr.gov>

Cc: Kristi Seabrook <kseabrook@usbr.gov>, "Williams, Mary D (Diane)" <marywilliams@usbr.gov>

Rain,

I reviewed the proposed action to facilitate the exchange of up to 30,000 acre-feet (AF) of Arvin-Edison Water Storage District's available supplies in San Luis Reservoir for a larger amount of San Joaquin River water that would have been released for delivery to the Exchange Contractors by Reclamation from Millerton Lake.

The proposed exchange would occur between May 2014 and February 28, 2015. Although Arvin-Edison would temporarily receive more water than the Exchange Contractors, they would, in a subsequent year, under mutually agreeable terms, balance the exchange by providing the Exchange Contractors with recaptured San Joaquin River Restoration Project restoration flows from San Luis Reservoir and/or other westside supplies (i.e. State Water Project or Central Valley Project Cross Valley contractor supplies). A portion of the San Joaquin River water would be transferred by Arvin-Edison to other Friant districts, namely Terra Bella Irrigation District and Orange Cove Irrigation District for agricultural and municipal purposes pursuant to the Friant Division/Cross Valley Accelerated Water Transfer Project (AWTP). Should either district choose not to take a portion of this water, Arvin-Edison may make it available to other contractors within the Friant Division as provided by the Friant Division/Cross Valley AWTP, or take direct delivery.

The proposed action does not have a potential to impact Indian Trust Assets.

Patricia Rivera
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