

RECLAMATION

Managing Water in the West

Finding of No Significant Impact

Kaweah River Water Warren Act Agreements

FONSI-14-037

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Date: 8-1-14

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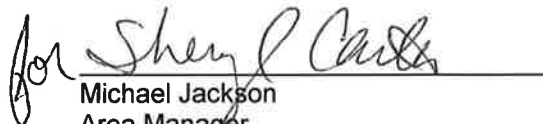
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Introduction

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 issuance of Warren Act agreements to seven Central Valley Project (CVP) contractors for conveyance of non-project water in the Friant-Kern Canal (FKC). This Finding of No Significant Impact (FONSI) is supported by Reclamation's Environmental Assessment (EA) 14-037, *Kaweah River Water Warren Act Agreements*, which is hereby incorporated by reference.

Reclamation provided the public with an opportunity to comment on the Draft FONSI and Draft EA between July 16, 2014 and July 31, 2014. Comments received and Reclamation's responses to the comments are included in Appendix A of EA 14-037.

Background

In recent years, California has experienced droughts that have reduced water supplies to many water districts. As a result of the drought, as well as environmental and regulatory restrictions, Friant Division CVP water service contractors have received unprecedented zero percent water supply allocations in 2014. The zero allocation follows previous dry years in 2012 and 2013, in which Friant Division CVP contractors received 57 and 62 percent of their full Class 1 contract supply, respectively.

In order to continue meeting their customers' needs, affected contractors are pursuing a range of additional water supplies, such as transfers, pumped groundwater and other surface water sources. Seven of these contractors have now purchased a total of 8,250 acre-feet (AF) of non-CVP Kaweah River water from the Wutchumna Mutual Water Company, which they would like to deliver for agricultural use by way of the federal FKC. The districts have requested Warren Act agreements for conveyance of this non-CVP water in federal facilities. Participating districts are listed in Table 1.

The districts have proposed introducing the Kaweah River water into the FKC using Lindsay-Strathmore ID's turnout at FKC Milepost (MP) 69.13. Some of the participating districts are located upstream of the introduction point, so they would also have need of exchange agreements to deliver their water where it is needed.

Proposed Action

Reclamation proposes to issue Warren Act agreements to seven Friant Division contractors under Article 18 of their Repayment Contracts. Under the proposed agreements, Lindsay-Strathmore Irrigation District (Lindsay Strathmore ID) would convey a total of up to 8,250 AF of non-CVP Kaweah River water into the FKC by way of their turnout/Wutchumna Ditch Siphon at MP 69.13. The various districts would then take delivery of the water at their respective turnouts, as shown below in Table 1.

Table 1 Participating Contractors

Contractor	Estimated Volume (AF)	Turnout(s) by Milepost
Garfield Water District	150	7.57
Hills Valley Irrigation District	1,600	41.15L
Tri-Valley Water District	400	35.85L, 38.74R*
Orange Cove Irrigation District	1,700	35.85L, 35.87L, 36.79R, 38.74R, 39.82R, 41.76R, 42.89L, 44.56R, 44.56L, 45.46R, 47.03R, 48.58R, 49.87R, 50.38L, 51.62L, 52.44R, 53.32R
Ivanhoe Irrigation District	400	65.04R, 67.05R, 68.13R
Exeter Irrigation District	1,000	72.52L, 75.18L,R , 76.35R, 76.98R, 78.08R, 79.24R
Terra Bella Irrigation District	3,000	102.65L, 103.64L

*- Shared with Orange Cove Irrigation District

Shaded turnouts are located upstream from the proposed introduction point at MP 69.13. An operational exchange would be needed to convey water to these locations.

Each Warren Act agreement would be individually issued effective through February 28, 2019. Operational exchanges would be necessary as part of this action, to deliver water to the districts whose turnouts are located upstream of the introduction point (MP 69.13). These would include:

- Exchanges with Lindsay-Strathmore ID for their water designated for Health and Public Safety (HPS) from Millerton Lake, with its HPS needs instead being met using Kaweah River water, and
- Exchanges with Arvin-Edison Water Storage District for CVP water they have stored in Millerton Lake.

Environmental Commitments

The participating contractors will implement the following environmental protection measures to avoid, minimize and mitigate environmental consequences associated with the Proposed Action (Table 2). Environmental consequences for resource areas assume the measures specified would be fully implemented.

Table 2 Environmental Protection Measures and Commitments

Resource	Protection Measure
Multiple	There will be no construction or modification of water conveyance facilities.
Biological Resources	The Proposed Action would not involve the conversion of any natural land, or land fallowed and untilled for three or more years.

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 would allow non-CVP Kaweah River water purchased from the Wutchumna Mutual Water Company to be conveyed in CVP facilities when excess capacity is available. This would allow the water to be delivered to CVP contractors' service areas for

agricultural use. There would be no permanent modification of the FKC, and the capacity of the facility would remain the same.

The Kaweah River water is already allocated for use, and would be made available through a combination of land fallowing and groundwater substitution. The Proposed Action does not represent a new diversion of the water, or a new water right, but an alternate use for existing supply.

The total quantity of water that would be conveyed in the FKC under the Proposed Action would be limited to 8,250 AF/year through February 28, 2019, split among the participating contractors roughly as outlined in Table 1. The quantity of water pumped into the FKC by a district would be delivered (less conveyance losses) and used for irrigation purposes. Some of the irrigation water would be lost to evapotranspiration, and some would also percolate back into the aquifer.

Non-CVP water introduced into the FKC must meet Reclamation's then-current *Policy for Accepting Non-Project Water in Friant Division Facilities* prior to approval for conveyance. If testing shows that the water does not meet then-current standards, the contractors would not be allowed to discharge into the FKC until water quality concerns are addressed. This testing program is anticipated to adequately protect the quality of water and limit degradation of other users' supplies.

Operational exchanges would be necessary to deliver water to the districts whose turnouts are located upstream of the introduction point (MP 69.13) as described under the Proposed Action.

Land Use

Under the Proposed Action, non-CVP water would be conveyed to agricultural districts located along the FKC. The water would be used to maintain current land uses by supporting existing crops. Some short-term fallowing over the same period would take place in the districts making the water available to the proponent contractors.

Biological Resources

Under the Proposed Action, federally listed, proposed or candidate species, and critical habitat would not be affected, nor would any migratory birds protected under the Migratory Bird Treaty Act (MBTA; 16 USC § 703-712). Many of the species and their critical habitat do not occur in the Proposed Action area (see Table 3-1 in EA 14-037). Most of the habitat types required by species protected by the Endangered Species Act (ESA; 16 USC § 1531 et seq.) do not occur in the Action area. The Proposed Action would not involve the conversion of any natural land, or land fallowed and untilled for three or more years. There would be no change in land use patterns of cultivated or fallowed fields that do have some value to listed species or to birds protected under the MBTA. Non-CVP water would not reach streams containing listed fish species, therefore there would be no effects to species under the National Marine Fisheries Service jurisdiction. No critical habitat would be affected by the Proposed Action. Based upon the reasons listed above, Reclamation has determined there would be No Effect to listed species or designated critical habitat under the ESA and No Take of birds protected by the MBTA.

Cultural Resources

Reclamation determined on May 27, 2014 that the Proposed Action has no potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1). A copy of the determination is attached as Appendix A to the Environmental Assessment.

Indian Sacred Sites

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

Indian Trust Assets

Reclamation determined on May 22, 2014 that the Proposed Action would not impact Indian Trust Assets, as there are none in the Proposed Action area. A copy of the determination is attached as Appendix B to the Environmental Assessment.

Socioeconomic Resources

Under the Proposed Action, non-CVP water would be conveyed to agricultural districts located along the FKC. The water would be used to maintain current land uses by supporting existing crops. This would support agriculture, which is a benefit to the area's economy.

Environmental Justice

The Proposed Action would support agriculture by making additional supplies of water available to support existing crops. Since farm laborers often come from minority and low-income communities, supporting farm employment is a benefit to those disadvantaged groups.

Air Quality

There would be no construction or modification of facilities as a result of the Proposed Action, so there would be no construction-related emissions. Any pumping would make use of existing equipment operating within typical ranges. Therefore no air emissions are anticipated beyond what has already been evaluated and permitted.

Global Climate

The Proposed Action would not involve physical changes to the environment or construction activities that could impact global climate change. Any pumping would make use of existing equipment operating within normal ranges. Therefore no greenhouse gas emissions are anticipated beyond what has already been evaluated and permitted.

Cumulative Impacts

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

The FKC is used to convey water for a variety of users from a variety of sources. The quality of water being introduced is tested regularly in order to limit the potential for degradation of mixed water supplies. This testing program is anticipated to adequately protect the quality of water in the FKC from the cumulative effects of this and other water conveyance actions.

Although capacity in the FKC is limited, Friant Water Authority and Reclamation actively operate it in order to balance competing demands. Non-CVP water such as the water which would be conveyed under the Proposed Action has a lower priority than CVP water. Therefore the Proposed Action is not anticipated to cause conflicts or create other cumulative impacts to FKC operations.

Regarding land use, the Proposed Action would provide a source of water to support agriculture in a time of shortage. This helps to mitigate the impacts of California's ongoing drought. Several similar water-moving actions have been authorized or are currently under review. Cumulatively they are expected to provide a benefit to existing land uses.

With respect to socioeconomic resources, the Proposed Action would provide a source of water to support agriculture in a time of shortage. Because of agriculture's importance to the area's economy, any impacts, either positive or negative, tend to have a disproportionate and cumulative effect on employment and wages. Several similar water-moving actions have been authorized or are currently under review. Cumulatively they are expected to provide a benefit to the area's economic well-being and to the economic well-being of disadvantaged groups.