

RECLAMATION

Managing Water in the West

**Draft Environmental Assessment/Finding of No Significant Impact
(EA/FONSI)**

2015 American River Division Interim Water Service Contract Renewal for Sacramento Municipal Utility District

**Central California Area Office
Folsom, CA**

November 2014



U.S. Department of the Interior
Bureau of Reclamation
Central California Area Office

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FINDING OF NO SIGNIFICANT IMPACT

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FONSI-14-08-CCAO

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FINDINGS

The Bureau of Reclamation has determined that authorizing the implementation of a 24-month interim renewal Central Valley Project (CVP) water service contract with the Sacramento Municipal Utility District (SMUD) will not have a significant impact on the quality of the human environment. Therefore, an Environmental Impact Statement (EIS) is not required and will not be prepared for this project, based on the fact that there will be no short-term adverse impacts on the human environment resulting from the Proposed Action.

This decision is based on a thorough review of the 2015 American River Interim Water Service Contract Renewal for the Sacramento Municipal Utility District Environmental Assessment (EA dated August 2014). This decision is in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508) and the Department of the Interior (DOI) regulations for implementation of NEPA (43 CFR Part 46).

A finding of no significant impact is based on the following:

Indian Trust Assets (ITAs) - There are no known ITAs or treaty rights exercised by tribes, nor are there any reservations or trust lands located within or adjacent to the Proposed Action that will be affected. The Proposed Action does not have a potential to affect ITAs.

Indian Sacred Sites - There are no identified Indian Sacred Sites within the action area and therefore this project will not inhibit use or access to any Indian Sacred Sites.

Environmental Justice - The Proposed Action will not have any disproportionately negative impact on low-income or minority individuals within the project area. Conditions under the Proposed Action will be identical to conditions under the No Action Alternative.

Cultural Resources - The Proposed Action does not involve the types of activities that have the potential to affect historic properties pursuant to the regulations at 36 CFR Part 800.3(a)(1). Land use would remain unchanged and no new construction or new ground disturbing activities would occur in the renewal water service contract areas. Impacts to cultural resources in the American River Division counties within the Proposed Action's area of potential effect are defined in the Long-term Contract Renewals in the American River Division EIS (USBR, 2005).

Water Supply & Hydrology - Implementation of the Proposed Action does not change current hydrology for the water sources listed in the Proposed Action. Reclamation is currently operating the overall CVP system to meet all regulatory requirements, downstream water needs, and environmental requirements. Water delivery quantities and patterns will be the same as in the No Action Alternative.

Biological and Aquatic Resources - Biological and aquatic resources under the Proposed Action will be identical to conditions under the No Action Alternative. The interim contract will provide for the continued delivery of the same quantities of CVP water to the same lands for the same M&I uses that are provided for under existing contract. These contract quantities are included in the analyses and consistent with those presented in the 2008/2009 BOs from the USFWS and the NMFS, respectively on the Continued Long-term Operations of the CVP and SWP. Reclamation will continue to comply with commitments made or requirements imposed in the 2008/2009 BOs. The Proposed Action will have no

adverse effect on species either currently federally listed or proposed for listing as candidate, endangered, or threatened species, and have no adverse effect on designated critical habitat for these species.

Facility Operations - The Proposed Action would not result in changes to Folsom Reservoir operations or Folsom Reservoir's cold water pool volume and therefore, would not have any additional effect on Reclamation's ability to meet downstream fisheries requirements.

The Proposed Action will not alter Folsom Reservoir water storage or release patterns, or the maximum volume of water to be delivered to the American River Division. The interim contracts will provide for the continued delivery of the same quantities of CVP water to the same lands for the same M&I uses that are provided for under existing contracts. Facility operations will not be affected by the implementation of the Proposed Action.

Wildlife Resources - Wildlife resources and habitats would not be affected by the implementation of the Proposed Action. The interim contract would provide for the continued delivery of the same quantity of CVP water to the same lands for the same M&I uses that are provided for under existing contract. Water deliveries would be made through existing CVP facilities. The action does not require the construction of any new facilities, the installation of any new structures, or the modification of existing facilities. The water would be placed to beneficial use within the authorized place of use for CVP water from the American River. Implementation of the Proposed Action would not alter wildlife resources or habitats within the action area; therefore there will be no impacts to wildlife resources.

SUMMARY OF ENVIRONMENTAL IMPACTS

The expected environmental effects of the Proposed Action are described in Chapter 3 of the attached EA. The environmental analysis indicated that the Proposed Action meets the purpose and need described in the EA with negligible effects on the human environment.

ENVIRONMENTAL COMMITMENTS

Reclamation is obligated to ensure fulfillment of any environmental commitments prescribed to mitigate or eliminate impacts resulting from implementation of the Proposed Action.

The following commitments are assumed under the Proposed Action:

- A 24-month interim renewal period is considered in the analysis;
- The contract would be renewed for a second time with existing contract quantities;
- Reclamation would continue to comply with commitments made or requirements imposed by applicable environmental documents, such as existing biological opinions (BOs) including any obligations imposed on Reclamation resulting from re-consultations;
- Reclamation would implement its obligations resulting from Court Orders issued in actions challenging applicable BOs that take effect during the interim renewal period.



Environmental Assessment

2015 American River Division Interim Water Service Contract Renewal for Sacramento Municipal Utility District

Central California Area Office
Folsom, CA

November 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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List of Acronyms and Abbreviations

AFY	Acre feet per year
BO	Biological Opinion
CVP	Central Valley Project
CVPIA	Central Valley Project Improvement Act
EA	Environmental Assessment
EIS	Environmental Impact Statement
FONSI	Finding of No Significant Impact
IRC	Interim Renewal Contract
ITA	Indian Trust Assets
M&I	Municipal and Industrial
NMFS	National Marine Fisheries Service
PEIS	Programmatic Environmental Impact Statement
RPAs	Reasonable and Prudent Alternatives
Reclamation	Bureau of Reclamation
SMUD	Sacramento Municipal Utility District
SWP	State Water Project
FWS	U.S. Fish and Wildlife Service

Section 1 Introduction

In conformance with the National Environmental Policy Act of 1969 (NEPA), as amended, the Bureau of Reclamation (Reclamation) has prepared this Draft Environmental Assessment (EA) to evaluate and disclose any potential environmental impacts associated with the implementation of a 24-month interim renewal Central Valley Project (CVP) water service contract with the Sacramento Municipal Utility District (SMUD).

1.1 Background

On October 30, 1992, the President signed into law the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102-575) that included Title 34, the Central Valley Project Improvement Act (CVPIA). In accordance with Section 3404(c) of the CVPIA, the Bureau of Reclamation (Reclamation) proposes to execute an interim water service contract. Interim renewal contracts (IRC) are undertaken under the authority of the CVPIA to provide a bridge between the expiration of the original long-term water service contract and the execution of a new long-term water service contract. The water service contract proposed for interim renewal is with SMUD. SMUD has one IRC previously executed following the expiration of the long-term water service contract. SMUD is one of seven contractors within the American River Division of the Central Valley Project (CVP).

Section 3409 of the CVPIA required that Reclamation prepare a programmatic environmental impact statement (PEIS) before renewing long-term CVP water service contracts. The PEIS, completed in October 1999 and hereby incorporated by reference, analyzed the implementation of all aspects of CVPIA, contract renewal being one of many programs addressed by this Act. CVPIA Section 3404(c) mandated that upon request all CVP existing contracts be renewed. Implementation of other sections of CVPIA mandated actions and programs that require modification of previous contract articles or new contract articles to be inserted into renewed contracts. These programs include water measurement requirements (Section 3405(b)), water pricing actions (Section 3405(d)), and water conservation (Section 3405(e)). The PEIS evaluated CVP-wide impacts of long-term contract renewal at a programmatic level. Upon completion of contract renewal negotiations, the local effects of long-term contract renewals at the division level were evaluated in environmental documents that tiered from the PEIS.

Environmental documentation covering long-term renewal of American River Division water service contractors was completed in June 2005 (Reclamation, 2005) and is hereby incorporated by reference. This documentation evaluated the effects of renewing long-term contracts for Sacramento County Water Agency, SMUD, San Juan Water District, Placer County Water Agency, City of Roseville, El Dorado Irrigation District, and East Bay Municipal Utility District. The Record of Decision for the American River Division long-term renewals was signed on February 28, 2006 (one day prior to the beginning of a new contract year). Three of the seven American River Division contractors, San Juan Water District, El Dorado Irrigation District, and East Bay Municipal Utility District were able to execute the long-term contracts prior to the

beginning of the new contract year. The remaining Division contractors all had existing contracts in place that allowed for the continued delivery of water in the 2006 water year.

1.1.1 Sacramento Municipal Utility District

SMUD entered into a contract with Reclamation on November 20, 1970, which expired on December 31, 2012, for the delivery of up to 60,000 acre-feet per year (AFY) of CVP water for Municipal and Industrial (M&I) uses and for the delivery of up to 15,000 AFY of water rights water made available to SMUD by the City of Sacramento, as a result of a previous assignment of water to SMUD from the City of Sacramento. The CVP water under the contract was to be used by SMUD in its power generation operations, and was used for more than 15 years for the Rancho Seco nuclear power plant operations. In the 1980s, the nuclear power plant operations ceased. Since that time, water has been used for continued operation of the site including temperature controls for the nuclear fuels stored at the site. SMUD has received California Energy Commission approval for two gas-powered generators at the Rancho Seco site known as the Cosumnes Power Plant (CPP). The CPP consists of a nominal 1000-megawatt combined-cycle natural gas fired plant. The plant was constructed in two phases, each consisting of 500 megawatts. SMUD has a yearly need of 2,650 acre feet of water for the exclusive use of the CPP.

On July 12, 2006, SMUD assigned to Sacramento County Water Agency the right, title, and interest in a portion of that contract consisting of 30,000 AFY of CVP water including any rights to renew the contract reducing SMUD's CVP water to 30,000 AFY. The delivery of the water rights water made available to SMUD by the City of Sacramento is conveyed under a Warren Act contract executed December 28, 2012.

SMUD's CVP water is diverted from the American River at Nimbus Dam and delivered to the Ranch Seco site through the Folsom South Canal (see Appendix A). The existing contract specifically requires SMUD to be responsible for conveyance, handling, disposal, and/or distribution of water beyond the point of facilities operated by the United States.

1.2 Project Description

The Proposed Action is to enter into a 24-month (second) IRC with SMUD, an American River contractor, to facilitate the delivery of up to 30,000 AFY of CVP water for M&I uses in SMUD's Rancho Seco service area.

The first IRC for SMUD was for a 26-month period in order to move from a calendar year to a water year. Subsequent IRCs such as this will be for a 24 month period. The term of this IRC would extend from March 1, 2015 through February 28, 2017; the IRC contains the same water contract amounts and terms and conditions as the prior RIC. In the event a new long-term water service contract is executed, the IRC then-in-effect would be superseded by the long-term water service contract and analyzed under a separate process.

No changes to the SMUD's CVP service area and no construction is required as part of the Proposed Action. Any request by SMUD to change its existing service area would be a separate

federal action. Separate appropriate environmental compliance and documentation would be completed before Reclamation approves a land inclusion or exclusion to SMUD's CVP service area.

1.3 Purpose and Need

The purpose of the Proposed Action is to execute an IRC to continue delivery of CVP water to SMUD until their new long-term contract can be executed. The term of the SMUD IRC would be from March 1, 2015 through February 28, 2017.

Execution of this IRC is needed to provide the mechanism for the continued beneficial use of the water developed and managed by the CVP and for the continued reimbursement to the federal government for costs related to the construction and operation of the CVP. Additionally, CVP water is essential to continue M&I water service for SMUD.

Use of contract water for M&I use under the proposed IRC would not change from the M&I purpose of use specified in the existing IRC.

Section 2 Alternatives Including the Proposed Action

2.1 No Action

Under the No Action Alternative the 2013 IRC between SMUD and Reclamation would expire on February 28, 2015 and there would be no contractual mechanism for Reclamation to deliver CVP water to SMUD and the existing needs of SMUD facilities would not be met.

2.2 Proposed Action

The Proposed Action is to enter into an IRC with SMUD to facilitate the continued delivery of up to 30,000 AFY of water as follows:

Reclamation would enter into a CVP contract with SMUD for 30,000 AFY (Rancho Seco service area). Water associated with this action would be delivered at the point of delivery for SMUD's CVP water (30,000 AFY); milepost 24.681 (left side) on the Folsom South Canal located at a point 700 feet upstream from the inlet transition of the Laguna Creek siphon. This point of diversion is an approved CVP point of diversion.

The contract service area for the proposed IRC has not changed from current use or from that considered in the evaluation of long-term contract renewals conducted in 2005 (Reclamation, 2005). The proposed contract quantity will remain the same as SMUD's existing IRC. Water can be delivered under the IRC in quantities up to the contract total, although reduced quantities may be made available consistent with contract water shortage provisions in years when water supplies are limited. The terms and conditions of the 2015 IRC are incorporated by reference into the Proposed Action.

In the event a new long-term water service contract is executed under the proposed IRC, the IRC then-in-effect would be superseded by the long-term water service contract and analyzed under a separate process.

For purposes of this EA, the following requirements are assumed under the Proposed Action:

- A 24-month interim renewal period is considered in the analysis;
- The IRC would be renewed with existing contract quantities;
- Reclamation would continue to comply with commitments made or requirements imposed by applicable environmental documents, such as existing biological opinions (BOs), including any obligations imposed on Reclamation resulting from re-consultations; and

- Reclamation would implement its obligations resulting from Court Orders issued in actions challenging applicable BOs that take effect during the interim renewal period.

Section 3 Affected Environment and Environmental Consequences

SMUD's CVP contract service area is contained within the American River Division of the CVP along with six other water purveyors. The service area boundary within Sacramento County where CVP water is served is identified in Map 1.

Consistent with the environmental analysis for the long-term contract renewals in the American River Division (Reclamation 2005), this EA considers the potential effects of the IRC on the resources listed below. The analysis contained in the EIS (Reclamation 2005) is incorporated by reference into this document as well as the December 15, 2008 and June 4, 2009 BOs from the Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS), respectively, on the Continued Long-term Operations of the CVP and State Water Project (SWP).

This EA does not analyze resources for which it would be reasonable to assume that no impacts would occur from the implementation of the Proposed Action. Specifically, potential impacts to air quality, soils, land use, visual resources, recreation, transportation, noise, hazards and hazardous materials, public services, utilities, and service systems are not analyzed as significant issues during scoping and it would not be reasonable to assume that 24-month IRCs would result in impacts to these resources or services. In addition to the resources stated above, Reclamation considered and determined that the Proposed Action would not impact the following resources:

- Indian Trust Assets (ITA): There are no known ITAs or treaty rights exercised by tribes, nor are there any reservations or trust lands located within or adjacent to the Proposed Action that would be affected.
- Indian Sacred Sites: No Indian sacred sites have been identified within the footprint of the Proposed Action
- Global Climate Change: Impacts to climate change in the American River Division counties would be identical to conditions under the No Action Alternative.
- Environmental Justice: Environmental justice issues in the American River Division counties under the Proposed Action would be identical to conditions under the No Action Alternative.
- Cultural Resources: By implementing the Proposed Action Alternative, all water will be delivered within existing water service area boundaries utilizing existing water conveyance. The Proposed Action has no potential to cause effects to cultural resources eligible for inclusion in the National Register of Historic Properties pursuant to 36 CFR §800.3(a)(1).

This EA will analyze the affected environment of the Proposed Action and No Action Alternatives in order to determine the potential impacts and cumulative effects to the following environmental resources.

3.1 Biological Resources

3.1.1 No Action

Implementation of the No Action Alternative would result in the expiration of the existing IRC in February 2015 and 30,000 AFY of CVP water would not continue to be delivered through the Folsom South Canal to SMUD facilities at Rancho Seco in the south-eastern portion of Sacramento County. SMUD would not have a contract mechanism for delivery of their CVP water. The existing IRC provides CVP water to SMUD for M&I purposes. There would be no impacts to biological resources under the No Action Alternative.

3.1.2 Proposed Action

Impacts to biological resources under the Proposed Action would be identical to conditions under the No Action Alternative. The IRC will provide for the continued delivery of the same quantity of CVP water to the same lands for the same M&I uses that are provided for under the existing IRC. Water deliveries will be made through existing CVP facilities. The action does not require the construction of any new facilities, the installation of any new structures, or the modification of existing facilities. The water will be placed to beneficial use within the authorized place of use for CVP water from the American River. Implementation of the Proposed Action would not change biological resources within the Action Area; therefore, the biological resources analysis contained in the long-term contract renewals in the American River Division EIS (Reclamation 2005), is incorporated by reference into this document, as well as the 2008/2009 BOs from the FWS and NMFS, respectively on the Continued Long-term Operations of the CVP and SWP. This action is also in accordance with Section 3404(c) of the CVPIA; in which the Final PEIS and Programmatic CVPIA BO were released in October 1999 and November 2000, respectively. The PEIS addressed the implementation of the CVPIA and the continued operation and maintenance of the CVP (incremental and cumulative effects).

In addition, as part of the essential fish habitat conservation consultation, NMFS analyzed the effects of the Proposed Action on fall-run Chinook salmon in the Lower American River. In general, NMFS identified the primary factors potentially limiting fall-run production within the Lower American River as high water temperatures, reduced flow magnitude, and flow fluctuations. NMFS identified RPAs to alleviate the effects of Folsom Reservoir operations on fall-run Chinook salmon in the Lower American River. The Proposed Action was addressed in the consultation and is subject to the NMFS BO.

Reclamation is currently operating the overall CVP system to meet all regulatory requirements, downstream water needs, and environmental requirements. Under the Proposed Action, Reclamation would continue to implement all current regulatory actions. The Proposed Action would not alter CVP operations, water storage or release patterns from CVP facilities, or the

maximum volume of water to be delivered to the American River Division. There would be no impacts to biological resources from the implementation of the Proposed Action.

3.2 Water Supply and Hydrology

3.2.1 No Action

Implementation of the No Action Alternative would mean that the existing IRC would expire in February 2015 and 30,000 AFY of CVP-Project water would not continue to be delivered through the Folsom South Canal to flow to SMUD facilities at Rancho Seco in the south eastern portion of Sacramento County. SMUD would not have a contract mechanism for delivery of their CVP water.

3.2.2 Proposed Action

Implementation of the Proposed Action does not change current hydrology for the water sources included in the Proposed Action. Reclamation is currently operating the overall CVP system to meet all regulatory requirements, downstream water needs, and environmental requirements. Water delivery quantities and patterns under the Proposed Action Alternative will be the same as in the No Action Alternative.

The contracted water would be put to beneficial use within the authorized place of use for CVP water use within SMUD's water service area. The contract quantity was included in the impact analysis presented in the December 15, 2008 and June 4, 2009 BOs from the FWS and the NMFS, respectively, on the Continued Long-term Operations of the CVP and the SWP. In addition, this action is also in accordance with Section 3404(c) of the CVPIA; in which the Final PEIS and Programmatic CVPIA BO were released in October 1999 and November 2000, respectively. The PEIS addressed the implementation of the CVPIA and the continued operation and maintenance of the CVP (incremental and cumulative effects). The CVPIA PEIS and the 2008/2009 BOs including the full deliveries, these impact assessments were able to adequately address the hydrologic, operational, and system-wide cumulative conditions expected under the future conditions.

Water delivered under the Proposed Action would be delivered to the service area of SMUD only. The IRC would provide for the continued delivery of the same quantity of CVP water to the same lands for the same M&I uses that are provided for under existing conditions. Water deliveries would be made through existing CVP facilities. The Proposed Action does not require the construction of any new facilities, the installation of any new structures, or the modification of existing facilities.

With implementation of the Proposed Action, CVP reservoir storage and operations, surface water elevations, and release patterns would not change. The Proposed Action would not result in impacts to water resources.

3.3 Aquatic Resources

3.3.1 No Action

The No Action Alternative includes the operations of the CVP consistent with all requirements as described in the 2008/2009 BOs from the FWS and the NMFS, respectively, on the Continued Long-term Operations of the CVP and SWP. This includes the Reasonable and Prudent Alternatives (RPAs) contained in the 2008/2009 BOs from the FWS and the NMFS, respectively, on the Effects of the Coordinated Operations of the CVP and SWP to federally listed fish species. Actions taken to protect sensitive species in the American River include an annual water temperature management plan for steelhead, use of CVPIA Section 3406 (b)(2) water supplies to supplement flows in the Lower American River, flow and temperature requirements, and examinations of potential improvements to fish passage and structural temperature control options. The existing IRC provides CVP water to SMUD for M&I purposes. There would be no impact to aquatic resources under the No Action Alternative.

3.3.2 Proposed Action

Aquatic resources under the Proposed Action would be identical to conditions under the No Action Alternative. The IRC would provide for the continued delivery of the same quantity of CVP water to the same lands for the same M&I uses that are provided for under the existing IRC. Water deliveries would be made through existing CVP facilities. The action does not require the construction of any new facilities. The contract quantity is included in the analyses and consistent with those presented in the 2008/2009 BOs from the FWS and the NMFS, respectively, on the Continued Long-term operations of the CVP and SWP. This action is also in accordance with Section 3404(c) of the CVPIA; in which the Final PEIS and Programmatic CVPIA BO were released in October 1999 and November 2000, respectively. The PEIS addressed the implementation of the CVPIA and the continued operation and maintenance of the CVP (incremental and cumulative effects).

In addition, as part of the essential fish habitat conservation consultation, NMFS analyzed the effects of the Proposed Action on fall-run Chinook salmon in the Lower American River. In general, NMFS identified the primary factors potentially limiting fall-run production within the Lower American River as high water temperatures, reduced flow magnitude, and flow fluctuations. NMFS identified RPAs to alleviate the effects of Folsom Reservoir operations on fall-run Chinook salmon in the Lower American River. The Proposed Action was addressed in the consultation and is subject to the NMFS BO.

Reclamation is currently operating the overall CVP system to meet all regulatory requirements, downstream water needs, and environmental requirements. Under the Proposed Action, Reclamation would continue to implement all current regulatory actions. The Proposed Action would not alter CVP operations, water storage or release patterns from CVP facilities, or the maximum volume of water to be delivered to the American River Division. There would be no impacts to aquatic resources from the implementation of the Proposed Action.

3.4 Facility Operations

3.4.1 No Action

Implementation of the No Action Alternative would mean that the existing IRC would expire in February 2015 and 30,000 AFY of CVP water would not continue to be delivered through Folsom South Canal to flow to SMUD facilities at Rancho Seco in the south eastern portion of Sacramento County. SMUD would not have a contract mechanism for delivery of their CVP water.

3.4.2 Proposed Action

The Final EIS for the June 2005 Central Valley Project Long Term Service Contract Renewals American River Division included analysis to evaluate potential impacts to Folsom Reservoir operations and Reclamation's management of the cold water pool with implementation of SMUD's CVP water. This analysis indicates that no changes in cold water pool volume would result in any change to Folsom Reservoir operations and therefore would not have any additional effect on Reclamation's ability to meet downstream fisheries requirements. Because the implementation of these water service contracts was found to not affect Folsom Reservoir operations, it is reasonable to conclude that implementation of the Proposed Action would also not result in additional affects to Reclamation's operation of Folsom Reservoir or management of the cold water pool, as this is a renewal for ongoing operations within the CVP.

3.5 Wildlife Resources

The following section describes the terrestrial habitats and wildlife associated with the principal waterways: Folsom Reservoir and the Lower American River.

Folsom Reservoir

Habitats associated with Folsom Reservoir include oak woodland and annual grassland. The oak woodland habitat, located on the upland banks and slopes of the reservoir, is dominated by live oak, blue oak, and foothill pine with several species of understory shrubs and forbs including: poison oak, manzanita, California wild rose, and lupine. Annual grasslands occur around the reservoir, primarily at the southern end and consist of wild oats, soft chess brome, ryegrass, mustard, and foxtail.

The reservoir rim is surrounded by a barren band (the drawdown zone) as a result of historic fluctuations in water elevations. The majority of this zone is devoid of vegetation, although arroyo willows and narrow-leaved willows have established in some areas (FWS, 1991). The only contiguous riparian vegetation occurs along Sweetwater Creek at the southern end of the reservoir (FWS, 1991). Because the drawdown zone is virtually devoid of vegetation and the sparse willows that have established in some areas do not form a contiguous riparian community, the drawdown zone does not possess substantial habitat value.

Oak woodlands and annual grasslands in the reservoir area support a variety of birds, including acorn woodpecker, Nuttall's woodpecker, western wood pewee, scrub jay, Bewick's wren, plain titmouse, hermit thrush, loggerhead shrike, black-headed grosbeak, dark-eyed junco, and Bullock's oriole. A number of raptors also will use oak woodlands for nesting, foraging and roosting. These include red-tailed hawk, American kestrel, sharp-shinned hawk, Cooper's hawk, red-shouldered hawk, great horned owl, and long eared owl. Mammal species likely to occur in the woodland habitat include mule deer, coyote, bobcat, gray fox, Virginia opossum, raccoon, striped skunk, black-tailed mule jackrabbit, California ground squirrel, and a variety of rodents. Amphibians and reptiles that may be found in oak woodlands include California newt, Pacific tree frog, western fence lizard, gopher snake, common kingsnake, and western rattlesnake.

The annual grassland surrounding Folsom Reservoir represents habitat for a variety of rodents, which, in turn, serve as a prey base for carnivores such as hawks and owls, coyote, bobcat, gray fox, and some snakes. Although very few birds will nest in the grassland areas, a number of species will forage in this habitat, including white-crowned sparrow, lesser goldfinch, western meadowlark, and several raptor species. Migratory waterfowl are known to feed and rest in the grasslands associated with the north fork of Folsom Reservoir (FWS, 1991). Several of the reptiles and amphibians that inhabit the oak woodlands also will occur in the adjacent non-native grasslands.

Lower American River

The Lower American River provides a diverse assemblage of vegetation communities, including freshwater emergent wetland, riparian forest and scrub, and in the upper, drier areas further away from the river, oak woodland and annual grassland. The current distribution and structure of riparian communities along the river has been determined by human-induced changes such as gravel extraction, dam construction and operations, and levee construction and maintenance, as well as by both historic and ongoing stream flow and sediment regimes and channel dynamics (Sands et al., 1985, Watson, 1985). As a result of these factors, several riparian vegetation zones exist along the banks of the Lower American River. The composition and vegetative structure of these zones at any particular location along the river depends on the geomorphology and other physical characteristics of the riverbank.

In general, willow and alders tend to occupy areas within the active channel of the river, which are repeatedly disturbed by river flows, thus prohibiting successional stages in advancement of plant communities leading to full development of the plant community. Plant species in this zone typically include various species of willow. Cottonwood-willow thickets and cottonwood forests occupy the narrow belts along the active river channel where repeated disturbance by occasional large flows keep the communities at earlier stages. Fremont cottonwood dominates these riparian forest zones, but willow, poison oak, wild grape, blackberry, northern California black walnut, and white alder are also present.

Cottonwood forest is typical of the steep, moist banks along much of the river corridor. Valley oak woodland occurs on upper terraces composed of fine sediment where soil moisture provides a long growing season. Valley oak is the dominant tree species in these areas, although some of the sites also have a cottonwood component as a result of infrequent flood inundation. Live oak

woodland occurs in the more arid and gravelly terraces that are isolated from the fluvial dynamics and moisture of the river. Annual grassland commonly occurs in areas that have been disturbed by human activity and can be found on many of the sites within the river corridor.

Backwater areas of off-river ponds that are recharged during high flows support emergent wetland vegetation. These habitat areas are located throughout the length of the river, but occur more regularly downstream of the Watt Avenue bridge. Plant species that dominate this habitat type include various species of willow, sedge, cattail, bulrush, rush, barnyard grass, slough grass, and lycopus.

Previous studies have determined that the cottonwood-dominated riparian forest and areas associated with the backwater and off-river ponds are highest in wildlife diversity and species richness relative to other river corridor habitats (Sands et. al., 1985; Watson, 1985; FWS, 1991). More than 220 species of birds have been recorded along the Lower American River and more than 60 species are known to nest in the riparian habitats (FWS, 1991). Common species that can be found along the river include great blue heron, mallard, red-tailed hawk, red-shouldered hawk, American kestrel, California quail, killdeer, belted kingfisher, western scrub jay, ash-throated flycatcher, tree swallow, and American robin. Additionally, more than 30 species of mammals reside along the river, including striped skunk, Virginia opossum, brush rabbit, raccoon, western gray squirrel, California ground squirrel, meadow vole, muskrat, black-tailed deer, gray fox, and coyote. The most common reptiles and amphibians that depend on the riparian habitats along the river include: western toad, Pacific tree frog, bullfrog, western pond turtle, western fence lizard, common garter snake, and gopher snake.

3.5.1 No Action

Wildlife resources and habitats under the No Action Alternative would be the same as current conditions as described above in the affected environments. No additional effects to special status species or critical habitats are associated with this alternative. Existing and future environmental commitments addressed in BOs, including the CVPIA BO (FWS 2000) would be met under the No Action Alternative.

3.5.2 Proposed Action

Wildlife resources and habitats would be identical to conditions under the No Action Alternative. The IRC would provide for the continued delivery of the same quantity of CVP water to the same lands for the same M&I uses that are provided for under the existing IRC. Water deliveries would be made through existing CVP facilities. The action does not require the construction of any new facilities, the installation of any new structures, or the modification of existing facilities. The water would be placed to beneficial use within the authorized place of use for CVP water from the American River. Implementation of the Proposed Action would not alter wildlife resources or habitats within the action area; therefore there will be no impacts to wildlife resources.

3.6 Cumulative Impacts

According to the Council on Environmental Quality regulations for implementing the procedural provisions of NEPA, a cumulative impact is defined as the *impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions*. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

The IRC for SMUD would not result in cumulative adverse impacts to environmental resources when considered in combination with other past, present, and reasonably foreseeable future actions. This action is a continuation of current CVP water conveyance, and implementation of this action would be the continuation of current events. The CVPIA PEIS included the full contract deliveries in the assumptions regarding future use. By including full deliveries, these impact assessments were able to adequately address the hydrologic, operational, and system-wide cumulative conditions expected under future conditions. The analyses also indicated that future projects, including future water transfer projects, may improve CVP water supply reliability. These types of programs would modify water supply reliability but not change long-term CVP contract amounts or deliveries from within the historical ranges.

Section 4 Consultation and Coordination

This section presents the agencies and parties that were coordinated or consulted with during development of the document, the applicable federal, State and local requirements the project will comply with, and the distribution list.

SMUD, NMFS and FWS were consulted during the development of this document.

It is reasonable to assume that the 2008 and 2009 BOs, and proceeding BOs have properly identified and analyzed the impacts associated with the movement of this water through the Folsom South Canal. Furthermore, the 2008/2009 BOs provided additional analyses for the movement of this water and the Reasonable and Prudent Alternatives (RPAs) developed by NMFS and FWS allowed for the continued and ongoing operation of the CVP. Therefore, the renewal of these contracts is seen as an administrative action and not a new action that will hinder current operations in managing Folsom Reservoir, the Lower American River, or the Folsom South Canal.

The 2008 and 2009 BOs for the continued operations of the CVP and SWP indicated Reasonable and Prudent Alternatives (RPAs) to ensure that project related effects on protected species and their critical habitats are ameliorated to the extent possible. Reclamation has submitted an E A for a 24-month IRC under Section 7(a)(2) of the Endangered Species Act. This action area is defined as the water and streams within SMUD's (Rancho Seco) service area as derived from the American River watershed.

4.1 Public Review Period

Reclamation intends to provide the public with an opportunity to comment on the Draft Finding of No Significant Impact and Draft EA between November 3, 2014 and December 3, 2014.

Section 5 References

National Marine Fisheries Service, Biological Opinion on the Continued Long-term Operations of the Central Valley Project and the State Water Project, June 4, 2009.

Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102-575), Title 34, the Central Valley Project Improvement Act (CVPIA), October 30, 1992.

U.S. Bureau of Reclamation, Long-term renewal of the American River Division water service contracts, June 2005.

U.S. Department of the Interior, Bureau of Reclamation. U.S. Fish and Wildlife Service, Sacramento, California. Central Valley Project Improvement Act Programmatic Environmental Impact Statement, October 1999.

U.S. Fish and Wildlife Service, Biological Opinion on the Continued Long-term Operations of the Central Valley Project and the State Water Project, December 15, 2008.

Appendix A

SMUD's Rancho Seco Contract Service Area Map

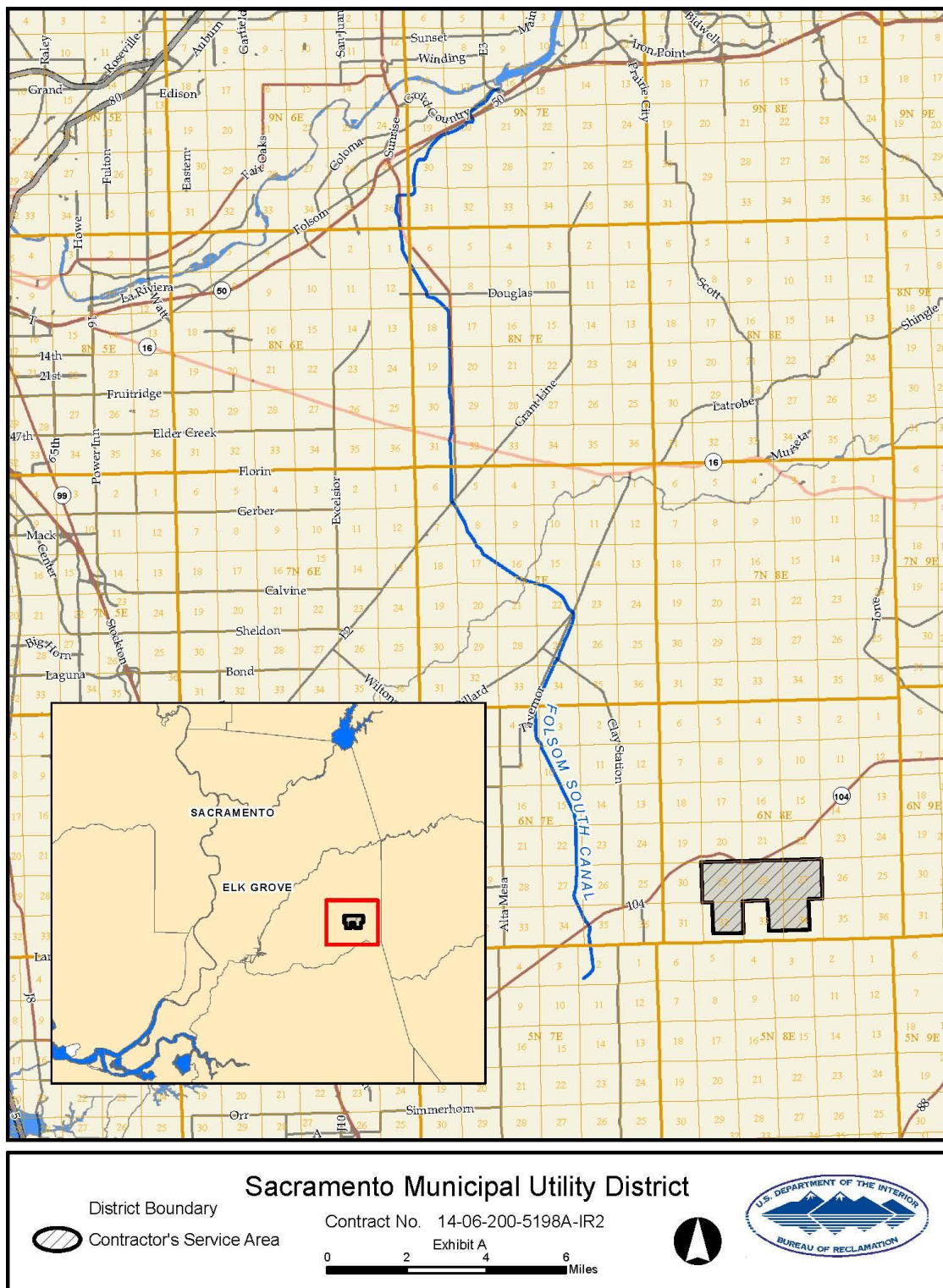


Figure 1: CVP Service Area for SMUD

Appendix B

Cultural Resources Compliance Memo

CULTURAL RESOURCE COMPLIANCE
Mid-Pacific Region
Division of Environmental Affairs
Cultural Resources Branch

MP-153 Tracking Number: 15-CCAO-004

Project Name: 2015 American River Division Interim Water Service Contract Renewal
for SMUD

NEPA Document: EA

MP 153 Cultural Resources Reviewer: Scott Williams



Date: October 3, 2014

The proposed undertaking by Reclamation is to enter into an interim renewal contract (IRC) with SMUD. This is the type of undertaking that does not have the potential to cause effects to historic properties, should such properties be present, pursuant to the NHPA Section 106 regulations codified at 36 CFR § 800.3(a)(1). Reclamation has no further obligations under NHPA Section 106, pursuant to 36 CFR § 800.3(a)(1).

The proposed interim renewal contract (IRC) with SMUD would facilitate the continued delivery of up to 30,000 acre-feet per year (AFY) of CVP water. The contract service area for the proposed IRC has not changed from current use or from that considered in the evaluation of long-term contract renewals conducted in 2005 (Reclamation 2005). The proposed contract quantity will remain the same as the existing IRC. In the event a new long-term water service contract is executed under the proposed IRC, the IRC then-in-effect would be superseded by the long-term water service contract and analyzed under a separate process. No changes to SMUD's CVP service area and no construction is required as part of the Proposed Action. Any request by SMUD to change its existing service area would be a separate federal action. Separate appropriate environmental compliance and documentation would be completed before Reclamation approves a land inclusion or exclusion to SMUD's CVP service area.

This document 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.

Appendix C

Indian Trust Assets Compliance Memo



Hutchings, John <jhutchings@usbr.gov>

ITA Request

RIVERA, PATRICIA <privera@usbr.gov>

Thu, Oct 2, 2014 at 5:02 PM

To: "Hutchings, John" <jhutchings@usbr.gov>

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

John,

I reviewed the proposed action to enter into a 24-month (second) IRC with the Sacramento Municipal Utility District (SMUD), an American River contractor, to facilitate the annual delivery of up to 30,000 AFY of CVP water for M&I use in SMUD's CVP service area (Map 1). SMUD has one IRC previously executed following the expiration of the previous long-term water service contract. The Proposed Action is the second IRC for SMUD.

The term of the SMUD IRC would be from March 1, 2015 through February 28, 2017. In the event a new long-term water service contract is executed, the IRC, then-in-effect, would be superseded by the long-term water service contract and analyzed under a separate environmental review process.

No changes to SMUD's CVP service area and no construction is required as part of the Proposed Action.

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

Patricia Rivera
Native American Affairs Program Manager
US Bureau of Reclamation
Mid-Pacific Region
2800 Sacramento, California 95825
(916) 978-5194

Kristi please log into data base. No further action needed. Thanks