

# RECLAMATION

*Managing Water in the West*

FINDING OF NO SIGNIFICANT IMPACT

## **Exchange Agreement for Water in San Luis Reservoir and Millerton Lake between Reclamation and Westlands Water District to Facilitate Water Supply for the Exchange Contractors and Friant Division Contractors**

FONSI-15-034



## **Mission Statements**

The mission of the Department of the Interior is to protect and manage the Nation's natural resources and cultural heritage; provide scientific and other information about those resources; and honor its trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated island communities.

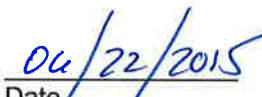
The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

**BUREAU OF RECLAMATION**  
**South-Central California Area Office, Fresno, California**


**FONSI-15-034**

**Exchange Agreement for Water in San  
Luis Reservoir and Millerton Lake  
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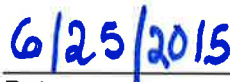
  
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## Introduction

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 the facilitation of an exchange of 13,195 acre-feet (AF) between Westlands Water District (Westlands) and the San Joaquin River Exchange Contractors (Exchange Contractors). This Finding of No Significant Impact (FONSI) is supported by Reclamation's Environmental Assessment (EA)-15-034, *Exchange Agreement for Water in San Luis Reservoir and Millerton Lake between Reclamation and Westlands Water District to Facilitate Water Supply for the Exchange Contractors and Friant Division Contractors*, and is hereby incorporated by reference.

Reclamation provided the public with an opportunity to comment on the Draft FONSI and Draft EA between June 4, 2015 and June 9, 2015. One comment letter was received. The comment letter and Reclamation's response to comments is included in Appendix A of EA-15-034.

## Background

The State of California is currently experiencing unprecedented water management challenges due to severe drought in recent years. On January 17, 2014, the Governor proclaimed a Drought State of Emergency (State of California 2014). On December 22, 2014, provisions within this proclamation were extended until May 31, 2016. On April 1, 2015, following the lowest snowpack ever recorded in California and the ongoing drought, the Governor proclaimed a second Drought State of Emergency and directed the State Water Resources Control Board to implement mandatory water reductions in cities and towns across California to reduce water usage by 25 percent (State of California 2015). On April 23, 2015 and May 1, 2015 the State Water Resources Control Board issued curtailment notices to junior water rights holders in the San Joaquin River watershed and the Delta, respectively. The curtailment notices require junior water rights holders to stop diverting water from the watershed in order to allow it to flow to more senior water-right holders, as required by state law (State of California 2015). On June 12, 2015, the State Water Resources Control Board issued curtailment notices to senior water rights holders with a priority date of 1903 or later in the San Joaquin and Sacramento watersheds and the Delta (2015b).

### **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. In exchange for the 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.

In 2015, due to the current hydrologic and regulatory conditions, Reclamation informed the Exchange Contractors that only up to 75 percent of the Exchange Contractor's water supply can be delivered (650,000 AF during a critical year) pursuant to the 1967 Second Amended Exchange Contract (Contract No. Ilr-1144r). However, only a portion of this supply can be met from the CVP's Delta supplies. As a result, there is a need for Reclamation to provide San Joaquin River water from Millerton Lake via the San Joaquin River channel for delivery to the Exchange Contractors at the Mendota Pool pursuant to contract obligations.

### **Friant Division CVP Contractors**

The Friant Division provides CVP water from Millerton Lake to over one million acres of irrigable farm land on the east side of the southern San Joaquin Valley. Currently, there are 32 Friant Division CVP contractors located in Merced, Madera, Fresno, Tulare, Kings, and Kern Counties (see Figure 1 in EA-15-034). Water conveyed to these contractors is categorized as either Class 1 or Class 2 water as defined in their water contract with Reclamation<sup>1</sup>. Due to current hydrologic and regulatory conditions described above, Reclamation declared an unprecedented 0 percent allocation for Class 1 and Class 2 water supplies for Friant Division CVP contractors for the 2014 and 2015 Contract Years (a Contract Year is from March 1 through the last day of February of the following year).

### **Proposed Exchange Agreements**

In recognition of the dire situation faced by Friant Division CVP contractors, the Exchange Contractors and its members reached out to Reclamation and Friant Division CVP contractors to develop a collaborative plan that would leave water that the Exchange Contractors are otherwise entitled to in Millerton Lake, making it available for Friant Division contractors, rather than Reclamation having to make releases down the San Joaquin River, as was done in 2014. An agreement on the plan (see Appendix B in EA-15-034) was reached after weeks of

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<sup>1</sup> Class 1 water is considered as the first 800,000 AF supply of CVP water stored in Millerton Lake, which would be available for delivery from the Friant-Kern Canal and/or Madera Canals as a dependable water supply during each Contract Year. Class 2 water is considered as the next approximate 1,400,000 AF supply of non-storable CVP water which becomes available in addition to the Class 1 supply and, due to the uncertainty of its availability, is considered to be undependable in character and is furnished only if and when it can be made available as determined by Reclamation per Contract Year.

negotiations involving Reclamation, the Exchange Contractors, nearly all Friant Division contractors, and Westlands.

Some of the water transactions that make the plan possible include a land fallowing and transfer program put forth by the Exchange Contractors, an exchange of State Water Project (SWP) water supplies in San Luis Reservoir for water supplies in Millerton Lake put forth by Delano-Earlimart Irrigation District and Kern-Tulare Water District, and an arrangement with Westlands to defer delivery of about 13,195 AF of their CVP and non-CVP water supplies currently available in San Luis Reservoir until at least the fall of 2015 when critically low storage levels in San Luis Reservoir are not of imminent concern.

A potential exchange between Dudley Ridge Water District and the Exchange Contractors has also been proposed as a back-up to portions of the plan described above. An EA was released on May 18, 2015 for public review (Reclamation 2015a). The EA analyzes the proposed exchange of up to 6,900 AF of Dudley Ridge Water District's available SWP water supplies located in San Luis Reservoir for a portion of the San Joaquin River water that would be released by Reclamation from Millerton Lake into the San Joaquin River channel for delivery to the Exchange Contractors at Mendota Pool.

## **Proposed Action**

Reclamation proposes to facilitate an exchange of 13,195 AF of Westlands available CVP and non-CVP water supplies located within San Luis Reservoir for a like amount of San Joaquin River water, plus an additional 28 percent that would have been lost due to conveyance in the San Joaquin River channel. Specific details of the exchange are included in Section 2.2 of EA-15-034.

## **Environmental Commitments**

Reclamation, Westlands, Friant Division Class 1 contractors, and the Exchange Contractors shall implement the environmental protection measures listed in Table 1 of EA-15-034 in order to avoid and/or reduce environmental consequences associated with the Proposed Action. Environmental consequences for resource areas assume the measures specified would be fully implemented.

## **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:

### **Resources Eliminated from Detailed Analysis**

As described in Table 2 of EA-15-034, Reclamation analyzed the affected environment and determined that the Proposed Action does not have the potential

to cause direct, indirect, or cumulative adverse effects to the following resources: air quality, cultural resources, environmental justice, global climate change, Indian Sacred Sites, Indian Trust Assets, land use, or socioeconomic resources.

### **Water Resources**

Under the Proposed Action, Westlands would defer use of 13,195 AF of their available CVP and non-CVP water currently stored in San Luis Reservoir. This same amount of water would be made available to the Exchange Contractors at the Mendota Pool via the Delta-Mendota Canal, the preferred point of delivery for the Exchange Contractors, prior to August 2015, when San Luis low point is of concern.

As this water is existing supplies held in San Luis Reservoir, no additional Delta pumping would be needed to facilitate this exchange. Therefore, 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 Resources' 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.

A like amount of San Joaquin River water, plus the additional 28 percent of avoided conveyance losses, would be made available to Friant Division Class 1 contractors (see Table 1 in EA-15-034) from Millerton Lake pursuant to the collaborative agreement reached between Reclamation, Westlands, the Exchange Contractors, and Friant Division contractors.

As the remaining components of the collaborative agreement (transfer by the Exchange Contractors through land fallowing and the proposed exchange with Kern-Tulare Water District and Delano-Earlimart Irrigation District) are contingent upon the Proposed Action being approved, they would also occur. This would be a beneficial impact on water supply availability for Friant Division Class 1 contractors during a critical drought year. As a result of the Proposed Action, including the components of the collaborative agreement not included in the Proposed Action, 2015 Friant-Kern Canal operations would have an increased water supply for conveyance all the way to the terminus of the Friant-Kern Canal. The increased flows would also benefit other Friant contractors that are pursuing other operational exchange opportunities in the canal.

Reclamation would return Westlands' deferred 13,195 AF in the fall of 2015 when critically low storage levels in San Luis Reservoir are not of imminent concern. This would benefit operations and water supply quality in San Luis Reservoir. In a future year, Westlands would also receive fifty percent (approximately 2,565 AF) of the avoided conveyance losses delivered to Friant Division Class 1 contractors in 2015. This water would be provided through a transfer from Friant Division Class 1 contractors of recirculated/recaptured San Joaquin River Restoration Flows from San Luis Reservoir and/or other available water supplies. Transferred water would be scheduled and approved by



Reclamation prior to delivery from San Luis Reservoir and would move through existing facilities to Westlands for irrigation and municipal uses in-district. There would be no adverse impacts to water resources due to this transfer.

The exchanges 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 purposes. No native or untilled land (fallow for three years or more) would be cultivated with water involved with these actions.

### **Biological Resources**

As the Proposed Action would not involve any construction, changes in water diversions from natural waterways, or any land use, there would be no impacts to federally listed or candidate species or critical habitat. As a result, 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.), and there would be no take of birds protected under the Migratory Bird Treaty Act (16 U.S.C. §703 et seq.).

### **Cumulative Impacts**

Cumulative impacts result from incremental impacts of the Proposed Action 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.

### **Water Resources**

Reclamation has reviewed existing or foreseeable projects in the same geographic area that could affect or could be affected by the Proposed Action since 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 over the course of the Proposed Action, districts will request various water service actions, such as transfers, exchanges, and Warren Act contracts (conveyance of non-CVP water in CVP facilities). 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.

***Biological Resources***

As the Proposed Action is not expected to result in any direct or indirect impacts to biological resources, there would be no cumulative impacts.

# RECLAMATION

*Managing Water in the West*

Final Environmental Assessment

## **Exchange Agreement for Water in San Luis Reservoir and Millerton Lake between Reclamation and Westlands Water District to Facilitate Water Supply for the Exchange Contractors and Friant Division Contractors**

EA-15-034



U.S. Department of the Interior  
Bureau of Reclamation

June 2015

## **Mission Statements**

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# Section 1 Introduction

The Bureau of Reclamation (Reclamation) provided the public with an opportunity to comment on the Draft Finding of No Significant Impact (FONSI) and Draft Environmental Assessment (EA) between June 4, 2015 and June 9, 2015. One comment letter was received. The comment letter and Reclamation's response to comments are included in Appendix A. Changes between this Final EA and the Draft EA, which are not minor editorial changes, are indicated by vertical lines in the left margin of this document.

## 1.1 Need for the Proposed Action

The State of California is currently experiencing unprecedented water management challenges due to severe drought in recent years. On January 17, 2014, the Governor proclaimed a Drought State of Emergency (State of California 2014). On December 22, 2014, provisions within this proclamation were extended until May 31, 2016. On April 1, 2015, following the lowest snowpack ever recorded in California and the ongoing drought, the Governor proclaimed a second Drought State of Emergency and directed the State Water Resources Control Board to implement mandatory water reductions in cities and towns across California to reduce water usage by 25 percent (State of California 2015a). On April 23, 2015 and May 1, 2015 the State Water Resources Control Board issued curtailment notices to junior water rights holders in the San Joaquin River watershed and the Delta, respectively. The curtailment notices require junior water rights holders to stop diverting water from the watershed in order to allow it to flow to more senior water-right holders, as required by state law (State of California 2015a). On June 12, 2015, the State Water Resources Control Board issued curtailment notices to senior water rights holders with a priority date of 1903 or later in the San Joaquin and Sacramento watersheds and the Delta (2015b).

### **San Joaquin River Exchange Contractors**

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.

In 2015, due to the current hydrologic and regulatory conditions, Reclamation informed the Exchange Contractors that only up to 75 percent of the Exchange Contractor's water supply can be delivered (650,000 acre-feet [AF] during a critical year) pursuant to the 1967 Second Amended Exchange Contract (Contract No. Ilr-1144r). However, only a portion of this supply can be met from the CVP's Delta supplies. As a result, there is a need for Reclamation to provide San Joaquin River water from Millerton Lake via the San Joaquin River channel for delivery to the Exchange Contractors at the Mendota Pool pursuant to contract obligations.

### **Friant Division CVP Contractors**

The Friant Division provides CVP water from Millerton Lake to over one million acres of irrigable farm land on the east side of the southern San Joaquin Valley. Currently, there are 32 Friant Division CVP contractors located in Merced, Madera, Fresno, Tulare, Kings, and Kern Counties (see Figure 1). Water conveyed to these contractors is categorized as either Class 1 or Class 2 water as defined in their water contract with Reclamation<sup>1</sup>. Due to current hydrologic and regulatory conditions described above, Reclamation declared an unprecedented 0 percent allocation for Class 1 and Class 2 water supplies for Friant Division CVP contractors for the 2014 and 2015 Contract Years (a Contract Year is from March 1 through the last day of February of the following year).

### **Proposed Exchange Agreements**

In recognition of the dire situation faced by Friant Division CVP contractors, the Exchange Contractors and its members reached out to Reclamation and Friant Division CVP contractors to develop a collaborative plan that would leave water that the Exchange Contractors are otherwise entitled to in Millerton Lake, making it available for Friant Division contractors, rather than Reclamation having to make releases down the San Joaquin River, as was done in 2014. An agreement on the plan (see Appendix B) was reached after weeks of negotiations involving Reclamation, the Exchange Contractors, nearly all Friant Division contractors, and Westlands Water District (Westlands).

Some of the water transactions that make the plan possible include a land fallowing and transfer program put forth by the Exchange Contractors, an exchange of State Water Project (SWP) water supplies in San Luis Reservoir for water supplies in Millerton Lake put forth by Delano-Earlimart Irrigation District and Kern-Tulare Water District, and an arrangement with Westlands to defer delivery of about 13,195 AF of their CVP and non-CVP water supplies currently

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available in San Luis Reservoir until at least the fall of 2015 when critically low storage levels in San Luis Reservoir are not of imminent concern.

A potential exchange between Dudley Ridge Water District and the Exchange Contractors has also been proposed as a back-up to portions of the plan described above. An Environmental Assessment (EA) was released on May 18, 2015 for public review (Reclamation 2015a). The EA analyzes the proposed exchange of up to 6,900 AF of Dudley Ridge Water District's available SWP water supplies located in San Luis Reservoir for a portion of the San Joaquin River water that would be released by Reclamation from Millerton Lake into the San Joaquin River channel for delivery to the Exchange Contractors at Mendota Pool.

## **1.2 Existing Environmental Coverage**

Portions of the Collaborative Plan described in Section 1.1 have been analyzed previously as described below.

### **Exchange Contractors Transfer of Water Developed from Land Fallowing**

Reclamation and the Exchange Contractors prepared a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) on a proposed program to annually transfer up to 150,000 AF of water developed by the Exchange Contractors over a 25 year period (Reclamation 2013a). Under the program, the Exchange Contractors would transfer water to San Joaquin Valley wildlife refuges as well as to Friant Division CVP contractors, San Luis Unit CVP contractors, and/or SWP contractors located west and south of the Sacramento/San Joaquin River Delta (Delta). Water for the proposed transfers would be developed through conservation measures as well as crop idling or land fallowing. A Record of Decision for this program was signed by Reclamation on July 30, 2013. As the development of up to 10,000 AF of water for transfer to Friant Division CVP contractors due to land fallowing in 2015 was covered in the EIS/EIR, it is hereby incorporated by reference and not repeated in this EA.

### **Kern-Tulare Water District and Delano-Earlimart Irrigation District 2015 Exchange with the Exchange Contractors**

In anticipation of San Joaquin river water being delivered to the Exchange Contractors in 2015, Kern-Tulare Water District and Delano-Earlimart Irrigation District proposed an exchange of some of their previously banked CVP water supplies (11,000 AF and up to 10,000 AF, respectively) for a portion of the San Joaquin River water that would be released by Reclamation from Millerton Lake for delivery to the Exchange Contractors at Mendota Pool. Reclamation analyzed the proposed exchange in EA-15-015 and a Finding of No Significant Impact (FONSI) was completed on April 21, 2015 (Reclamation 2015b). As the proposed exchange of 11,000 AF of Kern-Tulare Water District's and up to 10,000 AF of Delano-Earlimart Irrigation District's previously banked CVP water

was covered in the analysis of EA-15-015, it is incorporated by reference and not repeated in this EA.

### 1.3 Scope

As the transfer of water from the Exchange Contractors due to land fallowing and the exchange of water supplies between Kern-Tulare Water District, Delano-Earlimart Irrigation District, and the Exchange Contractors have been previously covered, they are not included in the Proposed Action analyzed in this EA. The only component of the Collaborative Plan described in Section 1.1 without existing environmental coverage is the proposed exchange of up to 13,195 AF of Westlands' available CVP and non-CVP water supplies in San Luis Reservoir for San Joaquin River water that would be have been delivered to the Exchange Contractors from Millerton Lake in 2015. This EA has also been prepared to examine the possible impacts of the No Action alternative.

A portion of the Proposed Action has been previously analyzed and includes the following:

#### **Recirculation of Recaptured Restoration Flows**

The recirculation and beneficial use of recaptured San Joaquin River Restoration Flows by Friant Division contractors was previously analyzed by Reclamation in an EA and a FONSI was executed on April 1, 2013 (Reclamation 2013b). The EA analyzed the return, via transfers and/or exchange agreements, of up to 260,000 AF per year 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 FONSI was executed on April 1, 2013. As the recirculation of recaptured San Joaquin River restoration flows including transfer and exchanges between CVP and non-CVP contractors to return the water to Friant Division contractors was covered in the environmental analysis described above, which is hereby incorporated by reference, it is not repeated in this EA. However, the transfer of recaptured San Joaquin River from Friant Division contractors to Westlands was not part of the analysis in this EA and is therefore included in the analysis of this EA.

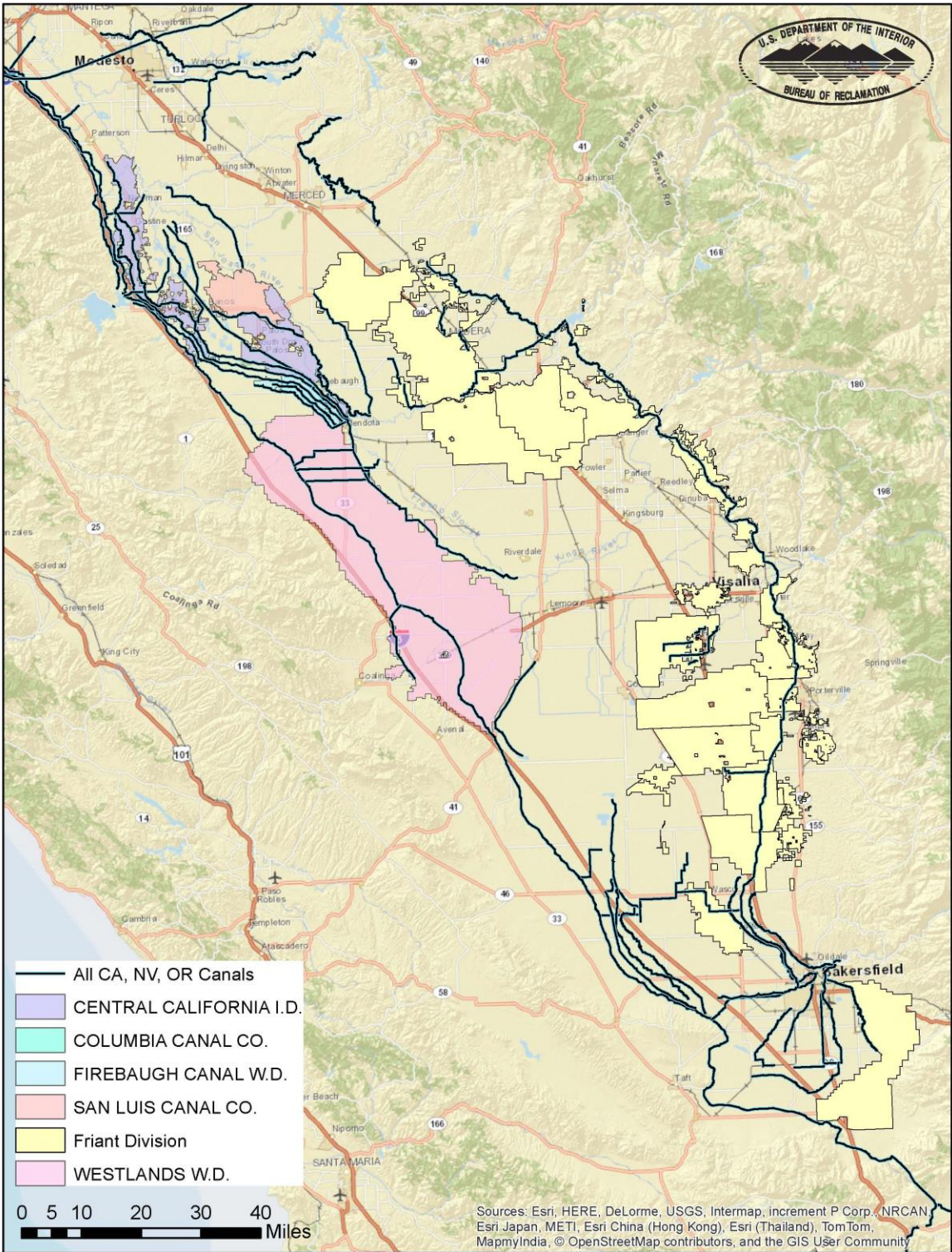


Figure 1 Proposed Action Area

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## 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 Westlands and the Exchange Contractors. Westlands' CVP and non-CVP water supplies would either remain within San Luis Reservoir or be delivered to Westlands in 2015 as previously scheduled.

Pursuant to the agreement described in Section 1.1 (see Appendix B), in the absence of the Proposed Action the Exchange Contractors would not be agreeable to exchange a portion of the supplies from Millerton Lake expected to be delivered by Reclamation. Consequently, if the proposed exchange of up to 13,195 AF of water with Westlands did not occur, the remaining components of the collaborative plan (transfer by the Exchange Contractors through land fallowing and the proposed exchange with Kern-Tulare Water District and Delano-Earlimart Irrigation District), or any other previously proposed exchange, would not occur unless another source of water could be found to exchange all of the water in Millerton Lake expected to be delivered to the Exchange Contractors. At this time no other source of water has been identified.

Reclamation would deliver San Joaquin River 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 through the river channel would incur approximately 28 percent in conveyance losses. No alternative water supplies would be provided to Friant Division Class contractors.

### 2.2 Proposed Action

Reclamation proposes to facilitate an exchange of 13,195 AF of Westlands available CVP and non-CVP water supplies located within San Luis Reservoir for a like amount of San Joaquin River water, plus an additional 28 percent that would have been lost due to conveyance in the San Joaquin River channel.

Under this exchange, Westlands would defer use of 13,195 AF of their available CVP and non-CVP water currently stored in San Luis Reservoir. This same amount of water would be made available to the Exchange Contractors at the Mendota Pool via the Delta-Mendota Canal prior to August 2015, when San Luis low point is of concern.

A like amount of San Joaquin River water, plus the additional 28 percent of avoided conveyance losses, would be made available to Friant Division Class 1 contractors (see Table 1) from Millerton Lake pursuant to the collaborative agreement reached between Reclamation, Westlands, the Exchange Contractors, and Friant Division contractors.

Reclamation would return Westlands' deferred 13,195 AF in the fall of 2015 when critically low storage levels in San Luis Reservoir are not of imminent concern. Westlands would also receive fifty percent (approximately 2,565 AF) of the avoided conveyance losses delivered to Friant Division Class 1 contractors in 2015 in a future year through a transfer from Friant Division Class 1 contractors of recirculated/recaptured San Joaquin River Restoration Flows and/or other supplies available to Friant Division contractors.

Table 1 Friant Division Class 1 Contractors

<b>Contractor</b>	<b>Class 1 (AF/year)</b>	<b>Class 2 (AF/year)</b>
Arvin-Edison Water Storage District	40,000	311,675
City of Fresno	60,000	0
<sup>2</sup> City of Lindsay	2,500	0
City of Orange Cove	1,400	0
Delano-Earlimart Irrigation District	108,800	74,500
Exeter Irrigation District	11,100	19,000
Fresno Irrigation District	0	75,000
Garfield Water District	3,500	0
Gravelly Ford Water District	0	14,000
<sup>2</sup> Hills Valley Irrigation District	1,250	0
International Water District	1,200	0
Ivanhoe Irrigation District	6,500	500
<sup>1</sup> Kaweah Delta Water Conservation District	1,200	7,400
<sup>2</sup> Kern-Tulare Irrigation District	0	5,000
Lewis Creek Water District	1,200	0
Lindmore Irrigation District	33,000	22,000
Lindsay-Strathmore Irrigation District	27,500	0
<sup>2</sup> Lower Tule River Irrigation District	61,200	238,000
Orange Cove Irrigation District	39,200	0
Porterville Irrigation District	15,000	30,000
<sup>2</sup> Saucelito Irrigation District	21,500	32,800
Shafter-Wasco Irrigation District	50,000	39,600

<b>Contractor</b>	<b>Class 1 (AF/year)</b>	<b>Class 2 (AF/year)</b>
Southern San Joaquin Municipal Utility District	97,000	45,000
<sup>2</sup> Stone Corral Irrigation District	10,000	0
Tea Pot Dome Water District	7,200	0
Terra Bella Irrigation District	29,000	0
<sup>2</sup> Tri-Valley Water District	400	0
Tulare Irrigation District	30,000	141,000
<sup>1</sup> Kaweah Delta Water Conservation District is comprised of four districts: Lakeside Irrigation Water District, Kings County Water District, Corcoran Irrigation District, and Tulare Irrigation District. <sup>2</sup> Lower Tule River ID, Saucelito ID, Stone Corral ID, Tri-Valley, Kern-Tulare, Hills Valley and City of Lindsay receive CVP water under more than one contract, either as a Friant Division and/or Cross Valley Contractor/Sub-Contractor.		

### 2.2.1 Environmental Commitments

Reclamation, Westlands, Friant Division Class 1 contractors, and the Exchange Contractors shall implement the following environmental protection measures to avoid and/or reduce 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

<b>Resource</b>	<b>Protection Measure</b>
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.
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.

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## Section 3 Affected Environment and Environmental Consequences

This section identifies the potentially affected environment and the environmental consequences involved with the Proposed Action and the No Action Alternative, in addition to environmental trends and conditions that currently exist.

### 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 2.

Table 3 Resources Eliminated from Further Analysis

Resource	Reason Eliminated
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. No impacts to air quality would occur and a determination of general conformity under the Clean Air Act is not required.
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 C for Reclamation's determination.
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.
Global Climate	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 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.
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 within 25 miles of the Proposed Action area.
Land Use	The Proposed Action would not change historic land and water management practices. Exchanged water would move through existing facilities for delivery to the districts for existing agricultural and municipal purposes. The water would not be used to place untilled or new lands into production, or to convert undeveloped land to other uses.
Socioeconomics	The Proposed Action would have beneficial impacts on socioeconomic resources as the exchanged water would be used for existing purposes.

## **3.2 Water Resources**

### **3.2.1 Affected Environment**

The Proposed Action area includes the service areas of Westlands, the Exchange Contractors, and Friant Division Class 1 contractors, as well as South-of-Delta CVP facilities (West San Joaquin Division and Friant Division as shown in Figure 3), and the Mendota Pool.

#### ***Westlands Water District***

Westlands provides irrigation water to over 570,000 acres of annual and permanent crops in Fresno and Kings Counties (see Figure 1). Westlands receives CVP water both from the Delta-Mendota Canal and the San Luis Canal with the majority of its CVP supply diverted from the San Luis Canal. All water is metered at the point of delivery through more than 3,200 agricultural and 250 municipal and industrial meter locations. Westlands' permanent distribution system consists of 1,034 miles of closed, buried pipeline. The district also operates and maintains the 12-mile-long, concrete-lined, Coalinga Canal, the Pleasant Valley Pumping Plant, and the laterals that supply CVP water to the communities of Coalinga and Huron.

#### ***San Joaquin River Exchange Contractors***

The Exchange Contractors service area is located on the west side of the San Joaquin Valley (see Figure 1). In exchange for the CVP 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 Delta supply at the Mendota Pool. Reclamation's contract obligations include provisions for a call on San Joaquin River water under certain circumstances. This call occurred last year for the first time and is anticipated to occur again this year.

#### ***Friant Division Class 1 CVP Contractors***

There are 32 Friant Division CVP contractors located on the eastern side of the San Joaquin Valley in Merced, Madera, Fresno, Tulare, Kings, and Kern Counties (see Figure 1 and Table 1). Twenty-five of the Friant Division CVP contractors listed in Table 1 hold Class 1 contracts.

#### ***South-of-Delta Facilities***

A general diagram of South-of-Delta CVP facilities proposed for use under the Proposed Action is shown in Figure 2. Facilities proposed for use under the Proposed Action include: San Luis Reservoir and Gianelli Pumping and Generating Plant, O'Neill Forebay and Pumping and Generating Plant, the San Luis Canal, and the Delta-Mendota Canal in the West San Joaquin Division, as well as Millerton Lake and the Friant-Kern Canal within the Friant Division. Non-Federal facilities include the Mendota Pool.

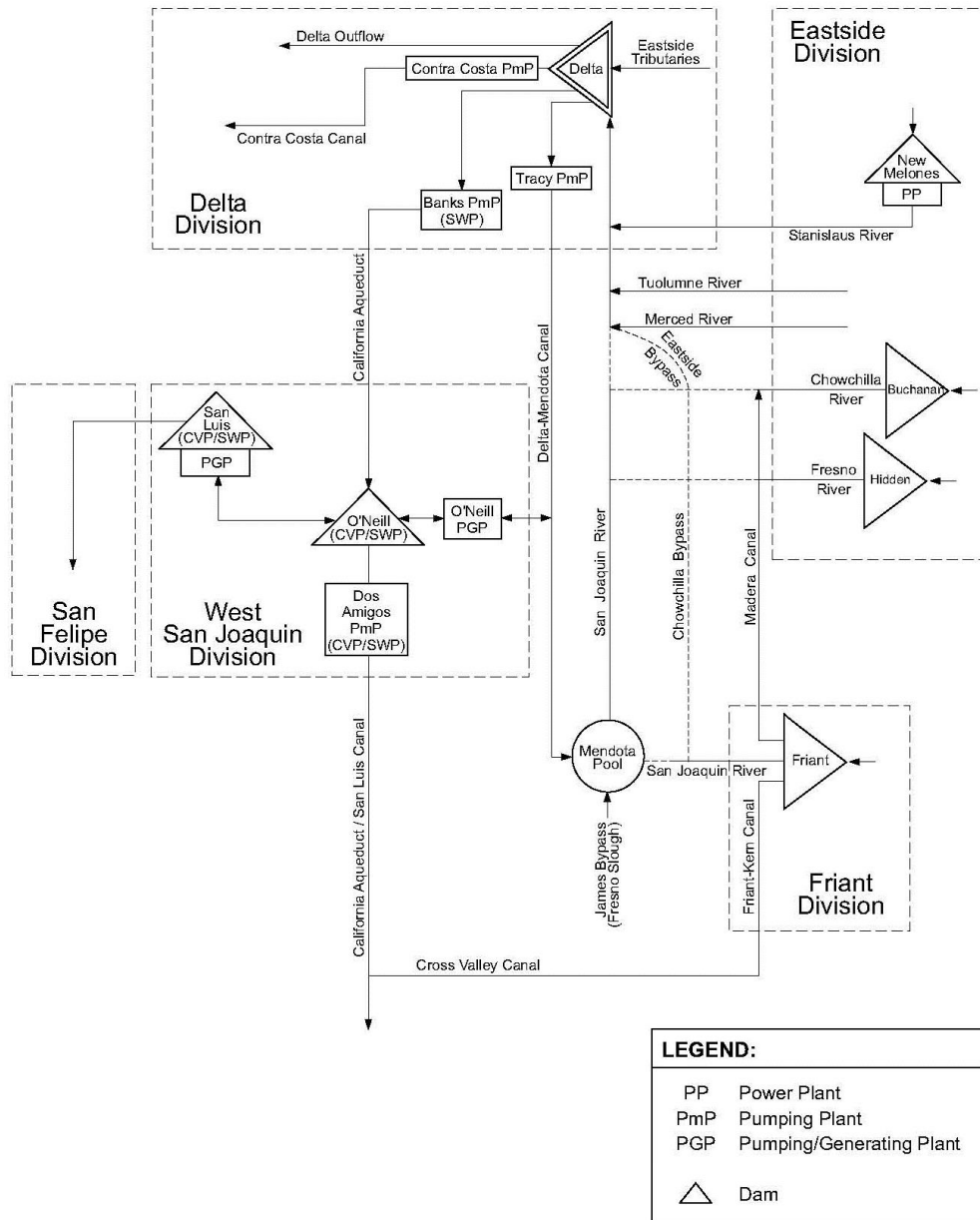


Figure 2 South-of-Delta CVP Facilities by Division  
(Source: Reclamation 1999, page III-19)

### ***Mendota Pool***

The Mendota Pool is impounded by Mendota Dam, which is owned and operated by Central California Irrigation District. The Pool primarily serves as a conveyance facility but is also used as a short-term storage and re-regulation reservoir. The Pool is supplied with surface water from the Delta-Mendota Canal (its primary source), the San Joaquin River (during restoration and flood releases from Friant Dam), and the Kings River via Fresno Slough (during flood releases from Pine Flat Dam). In addition, local wells owned by the Mendota Pool Group, Tranquillity Irrigation District, and Fresno Slough Water District also pump

groundwater into the Pool, and the Mendota Wildlife Area drains its waterfowl ponds into the Pool during the spring. Water is diverted from the Pool for agricultural and wildlife uses. Most of this water is used by the members of the Exchange Contractors to irrigate lands within their service areas, but there are other CVP contractors that divert water from the Pool for irrigation purposes.

### **3.2.2 Environmental Consequences**

#### ***No Action***

Under the No Action Alternative, Reclamation would not facilitate the exchange of water supplies between Westlands and the Exchange Contractors. Westlands CVP and non-CVP water supplies would either remain within San Luis Reservoir or be delivered to Westlands in 2015 as previously scheduled. However, pursuant to the agreement described in Section 1.1, the Exchange Contractors would not be agreeable to exchange a portion of the supplies from Millerton Lake expected to be delivered by Reclamation. Consequently, if the proposed exchange with Westlands did not occur, the remaining components of the collaborative plan (transfer by the Exchange Contractors through land fallowing and the proposed exchange with Kern-Tulare Water District and Delano-Earlimart Irrigation District) would also not occur. Reclamation would deliver San Joaquin River 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 through the river channel would incur approximately 28 percent in conveyance losses. No alternative water supplies would be provided to Friant Division Class contractors and Friant-Kern Canal operations would have less water supplies for conveyance which could negatively impact the ability to support other beneficial operations within the canal. This would be an adverse impact to water resources for all the Friant Division contractors.

#### ***Proposed Action***

Under the Proposed Action, Westlands would defer use of 13,195 AF of their available CVP and non-CVP water currently stored in San Luis Reservoir. This same amount of water would be made available to the Exchange Contractors at the Mendota Pool via the Delta-Mendota Canal, the preferred point of delivery for the Exchange Contractors, prior to August 2015, when San Luis low point is of concern.

As this water is existing supplies held in San Luis Reservoir, no additional Delta pumping would be needed to facilitate this exchange. Therefore, 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 Resources' 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.

A like amount of San Joaquin River water, plus the additional 28 percent of avoided conveyance losses, would be made available to Friant Division Class 1

contractors (see Table 1) from Millerton Lake pursuant to the collaborative agreement reached between Reclamation, Westlands, the Exchange Contractors, and Friant Division contractors.

As the remaining components of the collaborative agreement (transfer by the Exchange Contractors through land fallowing and the proposed exchange with Kern-Tulare Water District and Delano-Earlimart Irrigation District) are contingent upon the Proposed Action being approved, they would also occur. This would be a beneficial impact on water supply availability for Friant Division Class 1 contractors during a critical drought year. As a result of the Proposed Action, including the components of the collaborative agreement not included in the Proposed Action, 2015 Friant-Kern Canal operations would have an increased water supply for conveyance all the way to the terminus of the Friant-Kern Canal. The increased flows would also benefit other Friant contractors that are pursuing other operational exchange opportunities in the canal.

Reclamation would return Westlands' deferred 13,195 AF in the fall of 2015 when critically low storage levels in San Luis Reservoir are not of imminent concern. This would benefit operations and water supply quality in San Luis Reservoir. In a future year, Westlands would also receive fifty percent (approximately 2,565 AF) of the avoided conveyance losses delivered to Friant Division Class 1 contractors in 2015. This water would be provided through a transfer from Friant Division Class 1 contractors of recirculated/recaptured San Joaquin River Restoration Flows from San Luis Reservoir and/or other available water supplies. Transferred water would be scheduled and approved by Reclamation prior to delivery from San Luis Reservoir and would move through existing facilities to Westlands for irrigation and municipal uses in-district. There would be no adverse impacts to water resources due to this transfer.

The exchanges 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 purposes. 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 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.

Reclamation has reviewed existing or foreseeable projects in the same geographic area that could affect or could be affected by the Proposed Action since 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 over the course of the Proposed Action, districts will request various water service actions, such as transfers, exchanges, and Warren Act contracts (conveyance of non-CVP water in CVP facilities). 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

Much of the San Joaquin Valley floor has been converted to agricultural habitat. By 1979, nearly all the Valley floor and many of the flatter upland areas were urbanized or converted to cultivated cropland (USFWS 1998). Less than 60,700 hectares (150,000 acres), which less than five percent of the Valley floor, remains uncultivated (USFWS 1998). As a result, the land in the Proposed Action area consists mostly of intensively farmed croplands and maintained farm roads which provide little or no habitat for special-status species. Limited natural habitat is present and what remain is mostly small acreages or isolated parcels.

A species list was obtained from the U.S. Fish and Wildlife Service on May 5, 2015 at <http://ecos.fws.gov/ipac/> for Merced, Kings, Fresno, Tulare, and Kern Counties. The California Natural Diversity Database (CNDDB 2015) was also checked for records of federally listed species in the Proposed Action Area. A summary of this information is included in Table 4 below.

Table 4 Federally listed species and critical habitat in the Proposed Action Area

Species	Status	Effects	Occurrence in the Proposed Action Area
<b>INVERTEBRATES</b>			
Conservancy fairy shrimp <i>Branchinecta conservatio</i>	E, X	NE	<b>Absent.</b> This species and its critical habitat do not occur within the Proposed Action Area.

Species	Status	Effects	Occurrence in the Proposed Action Area
Longhorn fairy shrimp <i>Branchinecta longiantenna</i>	E, X	NE	<b>Absent.</b> This species and its critical habitat do not occur within the Proposed Action Area.
Vernal pool fairy shrimp <i>Branchinecta lynchi</i>	T, X	NE	<b>Present.</b> There are CNDDDB records of this species within the Proposed Action Area. No vernal pool habitat would be altered by the Proposed Action. Critical Habitat for this species is present in a portion of the Proposed Action Area. No vernal pool habitat would be altered by the Proposed Action, so there would be <i>No Effect</i> to Critical Habitat.
Vernal pool tadpole shrimp <i>Lepidurus packardii</i>	E, X	NE	<b>Possible.</b> There are CNDDDB records of this species near the Proposed Action Area. No vernal pool habitat would be altered by the Proposed Action. There is no designated Critical Habitat for this species within the Proposed Action Area.
Kern primrose sphinx moth <i>Euproserpinus euterpe</i>	T	NE	<b>Absent.</b> The Proposed Action Area is outside of this species' range.
Valley elderberry longhorn beetle <i>Desmocerus californicus dimorphus</i>	T, X	NE	<b>Possible.</b> This species may be present along the San Joaquin River and along the Friant-Kern Canal. The Proposed Action would not involve any construction, ground-disturbance, or changes in land use patterns that would affect this species' host plant, the elderberry bush. The altered flows would be relatively minor and would not affect this species' host plant. There is no critical habitat for this species in the Proposed Action Area.
<b>FISH</b>			
Central Valley steelhead <i>Oncorhynchus mykiss</i>	T, X	NE	<b>Absent.</b> This species and its critical habitat do not occur within the Proposed Action Area.
Delta smelt <i>Hypomesus transpacificus</i>	T, X	NE	<b>Absent.</b> This species and its critical habitat are restricted to the Sacramento-San Joaquin Delta, which are outside of the Proposed Action Area.
Lahontan cutthroat trout <i>Oncorhynchus clarkii henshawi</i>	T	NE	<b>Absent.</b> The Proposed Action Area is outside of this species' range.
Little Kern golden trout <i>Oncorhynchus aguabonita whitei</i>	T	NE	<b>Absent.</b> This species does not occur within the Proposed Action Area.
Mojave tui chub <i>Gila bicolor</i> ssp. <i>mohavensis</i>	E	NE	<b>Absent.</b> This species does not occur within the Proposed Action Area.
Owens pupfish <i>Cyprinodon radiosus</i>	E	NE	<b>Absent.</b> This species does not occur within the Proposed Action Area.

Species	Status	Effects	Occurrence in the Proposed Action Area
Owens tui chub <i>Gila bicolor</i> ssp. <i>snyderi</i>	E, X	NE	<b>Absent.</b> This species and its critical habitat do not occur within the Proposed Action Area.
Paiute cutthroat trout <i>Oncorhynchus clarkii</i> <i>seleniris</i>	T	NE	<b>Absent.</b> This species does not occur within the Proposed Action Area.
<b>AMPHIBIANS</b>			
Arroyo toad <i>Anaxyrus californicus</i>	E	NE	<b>Absent.</b> The Proposed Action Area is outside of this species' range.
California tiger salamander Sonoma County DPS <i>Ambystoma</i> <i>californiense</i>	E, X	NE	<b>Absent.</b> The Proposed Action Area is outside of this species' range.
California tiger salamander, Central California DPS <i>Ambystoma</i> <i>californiense</i>	T, X	NE	<b>Possible.</b> The Proposed Action Area consists largely of agricultural lands, roadways and canals which do not provide suitable habitat for this species. Right of way lands or canal banks with burrows that could provide habitat at areas near suitable breeding ponds would not be affected by the Proposed Action. The Proposed Action would not result in the conversion of any potentially suitable habitat for this species. Critical Habitat for this species is present within a portion of the Proposed Action Area. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat.
California red-legged frog <i>Rana draytonii</i>	T, X	NE	<b>Absent.</b> There are no CNDDDB records of this species within the Action Area. The Action Area consists of agricultural lands and canals which do not provide suitable habitat for this species. The Proposed Action would not result in the conversion of any habitat that is potentially suitable for this species. There is no Critical Habitat for this species within the Proposed Action Area.
Mountain yellow-legged frog, northern California DPS <i>Rana muscosa</i>	E, PX	NE	<b>Absent.</b> The Proposed Action Area is outside of this species' range.
Yosemite toad <i>Anaxyrus canorus</i>	T, PX	NE	<b>Absent.</b> This species' range is outside of the Proposed Action Area.
<b>REPTILES</b>			
Alameda whipsnake <i>Masticophis lateralis</i> <i>euryxanthus</i>	T, X	NE	<b>Absent.</b> The Proposed Action Area is outside of this species' range



Species	Status	Effects	Occurrence in the Proposed Action Area
Blunt-nosed leopard lizard <i>Gambelia sila</i>	E	NE	<b>Present.</b> There are several CNDDDB recorded occurrences of this species within the Proposed Action Area. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species.
Giant garter snake <i>Thamnophis gigas</i>	T	NE	<b>Present.</b> There are several CNDDDB recorded occurrences of giant garter snakes within the Proposed Action Area. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species. Similar amounts of water would be diverted to Mendota Pool from the Proposed Action. The quality of the water diverted that this species may be exposed to in the environment would not change sufficiently to have an effect on this species.
<b>BIRDS</b>			
California Clapper Rail <i>Rallus longirostris obsoletus</i>	E	NE	<b>Absent.</b> This species' range is outside of the Proposed Action Area.
California Condor <i>Gymnogyps californianus</i>	E X	NE	<b>Present.</b> There are CNDDDB recorded occurrences of this species within the Proposed Action. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species. Critical Habitat for this species is present in a portion of the Proposed Action Area. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat.
Coastal California Gnatcatcher <i>Polioptila californica californica</i>	T, X	NE	<b>Absent.</b> This species' range is outside of the Proposed Action Area.
Least Bell's Vireo <i>Vireo bellii pusillus</i>	E, X	NE	<b>Possible.</b> There are a few potentially occurrences of this species within the Proposed Action Area. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species.
Southwestern Willow Flycatcher <i>Empidonax traillii extimus</i>	E, X	NE	<b>Absent.</b> The Proposed Action Area is outside of the species' range.
Western Snowy Plover <i>Charadrius nivosus</i> ssp. <i>nivosus</i>	T, X	NE	<b>Present.</b> There are CNDDDB recorded occurrences of this species within the Proposed Action Area. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species. There is no critical habitat for this species in the Proposed Action Area.

Species	Status	Effects	Occurrence in the Proposed Action Area
Western Yellow-Billed Cuckoo <i>Coccyzus americanus</i>	T, PX	NE	<b>Possible.</b> This species requires extensive cottonwood-willow riparian habitat, which no longer exists in the Proposed Action Area. However, individuals could fly over enroute to and from breeding habitat along the Sacramento River, but would not use the Proposed Action Area. Proposed critical habitat for this species is outside of the Proposed Action Area.
<b>MAMMALS</b>			
Buena Vista Lake shrew <i>Sorex ornatus relictus</i>	E, X	NE	<b>Absent.</b> CNDDDB records, suitable habitat and Critical Habitat are lacking in the Proposed Action Area.
Fresno kangaroo rat <i>Dipodomys nitratooides exilis</i>	E, X	NE	<b>Absent.</b> This species has been extirpated from the portion of its former range that overlapped the Proposed Action Area, and Critical Habitat lies outside of the Proposed Action Area.
Giant kangaroo rat <i>Dipodomys ingens</i>	E	NE	<b>Present.</b> There are several CNDDDB records of this species within the Proposed Action Area. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species.
San Joaquin kit fox <i>Vulpes macrotis mutica</i>	E	NE	<b>Present.</b> There are several extant CNDDDB occurrences of this species throughout the Proposed Action Area. San Joaquin kit foxes can use some agricultural lands for foraging (but not denning) when they are located near more suitable land (Warrick et al. 2007). The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species.
Tipton kangaroo rat <i>Dipodomys nitratooides nitratooides</i>	E	NE	<b>Present.</b> There are several extant CNDDDB occurrences of this species throughout the Proposed Action Area. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species.
<b>PLANTS</b>			
Bakersfield cactus <i>Opuntia treleasei</i>	E	NE	<b>Present.</b> There are CNDDDB records of this species occurring within the Proposed Action Area. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species.
California jewelflower <i>Caulanthus californicus</i>	E	NE	<b>Possible.</b> There are several extirpated occurrences of this species throughout the Proposed Action Area, and possibly extirpated occurrences are present within the Proposed Action Area. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species.
Colusa grass <i>Neostapfia colusana</i>	T, X	NE	<b>Absent.</b> The Proposed Action Area is outside this species' range.

Species	Status	Effects	Occurrence in the Proposed Action Area
Fleshy owl's clover <i>Castilleja campestris</i> spp. <i>succulenta</i>	T, X	NE	<b>Present.</b> The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species. Critical Habitat for this species is present within a portion of the Proposed Action Area, but similarly would not be affected.
Greene's tuctoria <i>Tutoria greenei</i>	E, X	NE	<b>Absent.</b> This species and its Critical Habitat do not occur within the Proposed Action Area.
Hairy Orcutt grass <i>Orcuttia pilosa</i>	E, X	NE	<b>Present.</b> The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species. Critical Habitat for this species is present within a portion of the Proposed Action Area, but similarly would not be affected.
Hartweg's golden sunburst <i>Pseudobahia bahiifolia</i>	E	NE	<b>Absent.</b> This species does not occur within the Proposed Action Area.
Hoover's spurge <i>Chamaesyce hooveri</i>	T, X	NE	<b>Present.</b> The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species. Critical Habitat for this species is present within a portion of the Proposed Action Area, but similarly would not be affected.
Keck's checker-mallow <i>Sidalcea keckii</i>	E, X	NE	<b>Absent.</b> The Proposed Action Area is outside of this species' range.
Kern mallow <i>Eremalche kernensis</i>	E	NE	<b>Present.</b> There are extant CNDDDB occurrences of this species within the Proposed Action Area. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species.
Mariposa pussypaws <i>Calyptridium pulchellum</i>	T	NE	<b>Absent.</b> The Proposed Action Area is outside this species' range.
Marsh sandwort <i>Arenaria paludicola</i>	E	NE	<b>Absent.</b> The Proposed Action Area is outside this species' range.
Palmate-bracted bird's-beak <i>Cordylanthus palmatus</i>	E	NE	<b>Absent.</b> This species does not occur within the Proposed Action Area.
Ramshaw Meadows sand-verbena <i>Abronia alpina</i>	C	NE	<b>Absent.</b> The Proposed Action Area is outside this species' range.
San Benito evening-primrose <i>Camissonia benitensis</i>	T	NE	<b>Absent.</b> The Proposed Action Area is outside this species' range.

Species	Status	Effects	Occurrence in the Proposed Action Area
San Fernando Valley spineflower <i>Chorizanthe parryi</i> var. <i>fernandina</i>	C	NE	<b>Absent.</b> The Proposed Action Area is outside this species' range.
San Joaquin adobe sunburst <i>Pseudobahia peirsonii</i>	T	NE	<b>Present.</b> There are CNDDDB records of this species within a portion of the Proposed Action Area. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species.
San Joaquin Orcutt grass <i>Orcuttia inaequalis</i>	T, X	NE	<b>Present.</b> Critical Habitat for this species is found in a small portion of the Proposed Action Area. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species or to Critical Habitat.
San Joaquin woolly-threads <i>Monolopia congdonii</i>	E	NE	<b>Present.</b> There are several CNDDDB records of this species within the southern portion of the Proposed Action Area. The Proposed Action would not involve any ground-disturbance, construction, or conversion of suitable habitat which may support this species.
Springville clarkia <i>Clarkia springvillensis</i>	T	NE	<b>Absent.</b> The Proposed Action Area is outside of the species' range.
whitebark pine <i>Pinus albicaulis</i>	C	NE	<b>Absent.</b> The Proposed Action Area is outside of the species' range.
<p>1 Status= Listing of Federally special status species  <b>E:</b> Listed as Endangered  <b>T:</b> Listed as Threatened  <b>X:</b> Critical Habitat designated for this species  <b>PX:</b> Proposed Critical Habitat  <b>C:</b> Candidate for Listing</p> <p>2 Effects = Effect determination  <b>NE:</b> No Effect from the Proposed Action to federally listed species</p> <p>3 Definition Of Occurrence Indicators  <b>Absent:</b> Species not recorded in study area and/or habitat requirements not met  <b>Possible:</b> Species has the potential to occur in the action area  <b>Present:</b> Species recorded in or near action area and habitat present</p>			

### 3.3.2 Environmental Consequences

#### **No Action**

Under the No Action, the districts involved in the Proposed Action would use available water supplies to keep currently farmed lands in production. There would be no land use change that could impact federally listed or candidate species or critical habitat.

#### **Proposed Action**

As the Proposed Action would not involve any construction, changes in water diversions from natural waterways, or any land use, there would be no impacts to federally listed or candidate species or critical habitat. As a result, 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.), and there would be no take of birds protected under the Migratory Bird Treaty Act (16 U.S.C. §703 et seq.).

***Cumulative Impacts***

As the Proposed Action is not expected to result in any direct or indirect impacts to biological resources, there would be no cumulative impacts.

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## **Section 4 Consultation and Coordination**

### **4.1 Public Review Period**

Reclamation provided the public with an opportunity to comment on the Draft FONSI and Draft EA between June 4, 2015 and June 9, 2015. One comment letter was received. The comment letter and Reclamation's response to comments are included in Appendix A.

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## **Section 5 Preparers and Reviewers**

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

Shauna McDonald, Wildlife Biologist, SCCAO

BranDee Bruce, Architectural Historian, MP-153

Ned Gruenhagen, PhD., Acting Wildlife Biologist, SCCAO – reviewer

Scott Taylor, Acting Supervisory Repayment Specialist, SCCAO – reviewer

David E. Hyatt, Resources Management Division Chief, SCCAO – reviewer

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## **Appendix A**

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### **Comment Letter and Reclamation's Response to Comments**

# FRIANT

## WATER AUTHORITY

**Eric Borba**

*Chairman of the Board*

**Kent H. Stephens**

*Vice Chairman*

**Lucille Demetriff**

*Secretary/Treasurer*

**Eric R. Quinley**

*Acting General Manager*

**Jennifer T. Buckman**

*General Counsel*

**Member Agencies**

*Arvin-Edison W.S.D.*

*City of Fresno*

*Kaweah Delta W.C.D.*

*Kern-Tulare W.D.*

*Lindmore I.D.*

*Lindsay-Strathmore I.D.*

*Orange Cove I.D.*

*Porterville I.D.*

*Saucelito I.D.*

*Stone Corral I.D.*

*Terra Bella I.D.*

*Tulare I.D.*

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June 9, 2015

Via electronic and US Mail

Ms. Rain Emerson  
Bureau of Reclamation  
1243 N Street  
Fresno, CA 93721  
[remerson@usbr.gov](mailto:remerson@usbr.gov)

Re: Draft Environmental Documents for Proposed Water Exchange of San Joaquin River Water

Dear Ms. Emerson,

Friant Water Authority (Authority) has reviewed the subject draft Environmental Assessment and draft Finding Or No Significant Impacts for the proposed "Exchange Agreement for Water in San Luis Reservoir and Millerton Lake between Reclamation and Westlands Water District to Facilitate Water Supply for the Exchange Contractors and Friant Division Contractors" and we have the following comments for your consideration.

The Authority supports the proposed action and concurs with the findings of no significant impacts. We also have some suggested edits to the document to provide more clarity regarding the proposed actions.

**Inconsistent Proposed Action Descriptions**

The proposed actions regarding the water currently controlled by Westlands in San Luis Reservoir (SLR) are inconsistently described, sometimes within the same section of the document. For example, on page 2 of the FONSI, the action is described as a deferral of delivery to Westlands of water currently in SLR. Then, on page 3 of the FONSI and also in the EA, the proposed action is said to be a release of Westlands' CVP and non-CVP water in SLR to the Exchange Contractors with a later delivery of Exchange Contractor water to Westlands. It is our understanding that the nature of the arrangement is a deferral of delivery of Westlands' water in SLR so that Reclamation can deliver other CVP water to the Exchange Contractors during the summer without unduly lowering the water storage levels in SLR. The deferral of use by

FWA-1

FWA-2

Westlands allows pumping to occur during the fall months that would have occurred without the proposed action such that Westlands can take later delivery of its water in SLR without concerns about low point in SLR. We do not believe it was ever intended that Westlands water currently in SLR would be delivered to the Exchange Contractors or that Exchange Contractor water would be delivered to Westlands later in the water year.

FWA-2  
cont.

Future return inappropriately limited to Recaptured Restoration Flows

The return of the 2,565 AF as a share of avoided losses is described and evaluated only as delivery of recaptured SJRR Flows in a future year. It was our understanding that districts that receive a portion of the water that relies on the Westlands time shift action could return water in future years by other means, but no later than the first year that Recaptured Restoration Flows are available for transfer to SLR. Limiting the return options to recaptured water is limiting on the Friant Contractors who may have other sources of water to deliver to Westlands in the future. Furthermore, the EA says in the last sentence of the paragraph on page 4 of the EA titled "Recirculation of Recaptured Restoration Flows" that the delivery of recaptured water to Westlands was not analyzed in the Recapture and Recirculation environmental documents. Delivery of Recaptured water to Westlands was described in that EA and FONSI and therefore that last sentence should be deleted.

FWA-3

Reference to Exchange using Dudley Ridge Water under No Action alternatives

The EA refers to a potential exchange using Dudley Ridge water that could have occurred in the absence of the Westlands time shift exchange. The Dudley Ridge and other potential SWP exchanges should be identified as No Action alternatives.

FWA-4

We do not believe that any of these suggested revisions to the EA and FONSI would change the analysis, but we do believe that they would be more consistent with the understanding and expectations of other involved parties. Thank you for your consideration of our comments.

FWA-5

Sincerely,



Stephen H. Ottemoeller  
Water Resources Manager  
Friant Water Authority

Cc     Friant Contractors  
        Exchange Contractors  
        Westlands Water District

## **Response to Friant Water Authority (FWA) Comment Letter, June 9, 2015**

- FWA-1      Comment noted. Reclamation's responses to specific proposed edits are included in the responses below.
- FWA-2      The Proposed Action in the Final EA has been revised to remove inconsistencies. It is Reclamation's understanding that Westlands deferred water would be made available to the Exchange Contractors in order to make a like amount, plus the 28% avoided losses, available to Friant Division Class 1 contractors in Millerton. As described in Section 2.2 of the Final EA, Reclamation would return 13,195 AF of Westlands' deferred water in the fall of 2015 when critically low storage levels in San Luis Reservoir are not of imminent concern. Westlands would also receive fifty percent (approximately 2,565 AF) of the avoided conveyance losses delivered to Friant Division Class 1 contractors in 2015 in a future year through a transfer from Friant Division Class 1 contractors of recirculated/recaptured San Joaquin River Restoration Flows and/or other supplies available to Friant Division contractors.
- FWA-3      Section 2.2 of the Final EA has been updated to include other available sources of water rather than just recaptured Restoration Flows for return to Westlands in a future year.
- As described in Section 1.3 of EA-15-034, the EA prepared by Reclamation for the recapture and recirculation of San Joaquin River Restoration Flows analyzed the return, via transfers and/or exchange agreements, of up to 260,000 AF per year of recaptured water from San Luis Reservoir to Friant Contractors through existing CVP, SWP, and local facilities. Although the transfer and/or exchange of recaptured Restoration Flows in San Luis Reservoir with Westlands, as well as other CVP and non-CVP contractors, was covered in the analysis, the transfer or exchange was to facilitate return of those flows specifically to Friant Division Contractors consistent with the Water Management Goal of the Settlement Agreement for the San Joaquin River Restoration Program. It did not cover an end transfer of Restoration Flow water to Westlands in order to make up for water provided to Friant Division Contractors under a different action which is why it is included as part of the analysis covered in EA-15-034.
- FWA-4      As described in Section 1.1 of EA-15-034, the potential exchange between Dudley Ridge Water District and the Exchange Contractors was proposed as a back-up to portions of the collaborative agreement reached with Reclamation, the Exchange Contractors, nearly all Friant Division contractors, and Westlands. As described in Section 2.1 of EA-15-034, the Exchange Contractors would not be agreeable to exchange a portion of the supplies from Millerton Lake expected to be delivered by Reclamation unless all supplies were exchanged. Consequently, if the proposed exchange of up to 13,195 AF of water with Westlands did not occur, the remaining components of the collaborative plan, including the potential exchange of up to 6,900 AF of water with Dudley Ridge Water District, would



not occur unless another source of water could be found to make up the difference. At this time, no other source of water has been identified so including any other potential exchanges, including the Dudley Ridge Water District back-up exchange, as part of the No Action Alternative would not be applicable as it could not occur without another source of water being identified. Language has been added to Section 2.1 in the Final EA for clarification.

FWA-5            Comment noted. Reclamation agrees that no change in the analysis is warranted.

## **Appendix B**

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### **Collaborative Agreement**

**AGREEMENT  
BETWEEN  
WESTLANDS WATER DISTRICT,  
FRIANT WATER AUTHORITY,  
DELANO-EARLIMART IRRIGATION DISTRICT,  
LINDMORE IRRIGATION DISTRICT,  
MADERA IRRIGATION DISTRICT,  
ORANGE COVE IRRIGATION DISTRICT, and  
TERRA BELLA IRRIGATION DISTRICT**

THIS AGREEMENT (Agreement) is made and entered into this 19 day of June, 2015, by and between the WESTLANDS WATER DISTRICT, FRIANT WATER AUTHORITY, DELANO-EARLIMART IRRIGATION DISTRICT, LINDMORE IRRIGATION DISTRICT, MADERA IRRIGATION DISTRICT, ORANGE COVE IRRIGATION DISTRICT, and TERRA BELLA IRRIGATION DISTRICT.

**RECITALS**

WHEREAS, WESTLANDS WATER DISTRICT ("WESTLANDS") is a California Water District with a contract with the United States Bureau of Reclamation ("Reclamation") for water supplies that are generally delivered from the Delta Division of the Central Valley Project ("CVP") via the Jones Pumping Plant, Delta-Mendota Canal, San Luis Reservoir, and San Luis Canal;

WHEREAS, FRIANT WATER AUTHORITY ("FRIANT") is a joint powers authority which represents the interests of numerous Friant Division contractors, and also operates and maintains the Friant-Kern Canal through which water is delivered to many Friant Division contractors;

WHEREAS, DELANO-EARLIMART IRRIGATION DISTRICT, LINDMORE IRRIGATION DISTRICT, MADERA IRRIGATION DISTRICT, ORANGE COVE IRRIGATION DISTRICT, and TERRA BELLA IRRIGATION DISTRICT ("FRIANT GUARANTORS") have contracts with Reclamation for water supplies that are generally delivered from Millerton Lake ("Millerton") via the Friant-Kern Canal or the Madera Canal;

WHEREAS, there are additional Friant Division Class 1 contractors which are not Parties to this Agreement, but which may choose to participate in the delivery of the water at issue in this Agreement;

WHEREAS, the Parties to this Agreement acknowledge that this Agreement is one among a suite of other agreements between FRIANT and other entities;

WHEREAS, for the second time since 1951, this year, Reclamation is scheduled to deliver water down the San Joaquin River from Millerton and Friant Dam to the San Joaquin River Exchange Contractors ("Exchange Contractors"). This year, Reclamation will also deliver water from the Delta-Mendota Canal and the San Luis Reservoir to the Exchange Contractors;

WHEREAS, WESTLANDS has or will have at least 13,195 acre-feet ("af") of water available in storage in San Luis Reservoir;

WHEREAS, by WESTLANDS agreeing to defer delivery of 13,195 af until after December 31, 2015, Reclamation will be able to deliver 13,195 af of CVP water from San Luis Reservoir to the Exchange Contractors prior to January 1, 2016;

WHEREAS, Reclamation will make 13,195 af of water in San Luis Reservoir available to WESTLANDS after December 31, 2015;

WHEREAS, significant losses are associated with water delivered to the Exchange Contractors from Millerton Reservoir, and due to losses occurring between Friant Dam and Mendota Pool, Reclamation would be required to release 18,321 af of water from Millerton Reservoir in order to deliver 13,195 af of water from Millerton Reservoir to the Exchange Contractors at Mendota Pool; and

WHEREAS, because, as contemplated by this Agreement, Reclamation will deliver 13,195 af of CVP water in San Luis Reservoir to the Exchange Contractors instead of from Millerton, 18,321 af of water in Millerton Reservoir will be available for use by the Friant Division Class 1 contractors;

THEREFORE, THE PARTIES AGREE:

1. The term of this Agreement is effective upon the date entered above and will continue until the Agreement provisions detailed below are completed. The obligations contained in this Agreement are conditioned in each regard upon approval by Reclamation.
2. WESTLANDS shall defer the use of 13,195 af of water that is or will be available to WESTLANDS in San Luis Reservoir until January 1, 2016, ("Deferred Water") so that Reclamation can deliver an equivalent amount of CVP water to the Exchange Contractors at Mendota Pool from San Luis Reservoir. Once WESTLANDS has deferred its use of the Deferred Water until January 1, 2016, it will have fully performed under this Agreement, and no further performance shall be required of it.
3. FRIANT shall offer the water made available in Millerton Reservoir because of this Agreement to all Friant Division Class 1 contractors who have indicated they wish to participate in this program.
4. Once Restoration Flows from the San Joaquin River Restoration Program have been recaptured by Reclamation and delivered to San Luis Reservoir, or when the Friant Division contractors receive a 90 percent Class 1 allocation, whichever occurs first, the Friant Division contractors participating in this program shall be required to deliver 2,565 af of water to WESTLANDS, at no cost to WESTLANDS, at San Luis Reservoir. The 2,565 af of water to be delivered to WESTLANDS may be, at the option of the Friant Division Class 1 contractors delivering the water, either recaptured Restoration Flows or other water supplies available to the Friant Division Class 1 contractors in San Luis Reservoir.
5. FRIANT shall require that any Friant Division Class 1 contractor that chooses to take some of the water made available from Millerton Reservoir under this program to agree to provide its proportional share of the 2,565 af of water to be delivered to WESTLANDS. Within thirty (30) days of an entity receiving any amount of the water made available from Millerton Reservoir under this program, FRIANT shall provide to WESTLANDS a report of the entities that received such water and the amounts (in acre-feet) received by each.
6. FRIANT shall require any Friant Division Class 1 contractor that receives water made available from Millerton Reservoir under this program to agree that Reclamation has authority to deliver to WESTLANDS from the recaptured Restoration Flows or other water supplies available in San Luis Reservoir to that Class 1 contractor each contractor's

proportional share of the 2,565 af due under the conditions of this Agreement. Execution of this Agreement and its effectiveness hereafter shall constitute irrevocable and unconditional instructions to Reclamation by the Friant Division Class 1 contractor that received water from Millerton Reservoir under this program to deliver from either recaptured Restoration Flows or other water supplies available to the Friant contractor in San Luis Reservoir its proportionate share of the 2,565 af due under the conditions of this Agreement, unless the contractor has provided such water from other sources.

7. The Friant Division Class 1 contractors that receive water from Millerton Reservoir under this program shall be responsible to pay all water charges and fees associated with the delivery of the 2,565 af of water under this Agreement to WESTLANDS in San Luis Reservoir.
8. In the event that one or more Friant Division Class 1 contractors declines FRIANT's offer to deliver water made available under this program or fails to deliver its proportionate share described in Paragraph 6 to WESTLANDS, the FRIANT GUARANTORS shall provide the full 2,565 af to WESTLANDS according to the delivery schedule described in Paragraph 4, and shall be responsible to pay all associated water charges and fees.
9. This Agreement may be rescinded by mutual agreement among the Parties should any of the other agreements which this Agreement contemplates between FRIANT and other entities not be realized.
10. The Parties to this Agreement may agree to modify the terms and conditions upon their mutual written consent.
11. This Agreement may be executed in counterparts.

Agreed to by:

WESTLANDS WATER DISTRICT

FRIANT WATER AUTHORITY

By 

By \_\_\_\_\_

Title: CHIEF OPERATING OFFICER

Title: \_\_\_\_\_

Date: JUNE 19, 2015

Date: \_\_\_\_\_

DELANO-EARLIMART IRRIGATION DIST.

LINDMORE IRRIGATION DIST.

By 

By \_\_\_\_\_

Title: GENERAL MANAGER

Title: \_\_\_\_\_

Date: JUNE 19, 2015

Date: \_\_\_\_\_

proportional share of the 2,565 af due under the conditions of this Agreement. Execution of this Agreement and its effectiveness hereafter shall constitute irrevocable and unconditional instructions to Reclamation by the Friant Division Class I contractor that received water from Millerton Reservoir under this program to deliver from either recaptured Restoration Flows or other water supplies available to the Friant contractor in San Luis Reservoir its proportionate share of the 2,565 af due under the conditions of this Agreement, unless the contractor has provided such water from other sources.

7. The Friant Division Class 1 contractors that receive water from Millerton Reservoir under this program shall be responsible to pay all water charges and fees associated with the delivery of the 2,565 af of water under this Agreement to WESTLANDS in San Luis Reservoir.
8. In the event that one or more Friant Division Class 1 contractors declines FRIANT's offer to deliver water made available under this program or fails to deliver its proportionate share described in Paragraph 6 to WESTLANDS, the FRIANT GUARANTORS shall provide the full 2,565 af to WESTLANDS according to the delivery schedule described in Paragraph 4, and shall be responsible to pay all associated water charges and fees.
9. This Agreement may be rescinded by mutual agreement among the Parties should any of the other agreements which this Agreement contemplates between FRIANT and other entities not be realized.
10. The Parties to this Agreement may agree to modify the terms and conditions upon their mutual written consent.
11. This Agreement may be executed in counterparts.

Agreed to by:

WESTLANDS WATER DISTRICT

By \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

FRIANT WATER AUTHORITY

By E.R. JB

Title: Acting General Manager

Date: 06/19/15

DELANO-EARLIMART IRRIGATION DIST.

By \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

LINDMORE IRRIGATION DIST.

By [Signature]

Title: GENERAL MANAGER

Date: 6/22/15

MADERA IRRIGATION DIST.

By [Signature]

Title: GENERAL MANAGER

Date: JUNE 19, 2015

ORANGE COVE IRRIGATION DIST.

By [Signature]

Title: Engineer - manager

Date: 6.19.2015

TERRA BELLA IRRIGATION DIST.

By [Signature]

Title: GENERAL MANAGER

Date: 6-19-2015

## **Appendix C**

### **Reclamation's Cultural Resources Determination**

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**CULTURAL RESOURCES COMPLIANCE**  
**Mid-Pacific Region**  
**Division of Environmental Affairs**  
**Cultural Resources Branch (MP-153)**

**MP-153 Tracking Number:** 15-SCAO-151

**Project Name:** Exchange Agreement for Water in San Luis Reservoir and Millerton Lake between Reclamation and Westlands WD to Facilitate Water Supply for the San Joaquin River Exchange Contractors (Exchange Contractors) and Friant Division Contractors

**NEPA Document:** EA-15-034

**NEPA Contact:** Rain Emerson, Supervisory Natural Resources Specialist

**MP-153 Cultural Resources Reviewer:** Brandee Bruce, Architectural Historian

**Date:** May 22, 2015

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Reclamation proposes to facilitate an exchange of up to 13,195 acre feet (AF) of Westlands Water District's (Westlands) available Central Valley Project (CVP) and non-CVP water supplied located within San Luis Reservoir for a like amount of San Joaquin River water, plus an additional 28 percent that would have been lost due to conveyance in the San Joaquin River channel, that would be delivered to the San Joaquin River Exchange Contractors (Central California Irrigation District, Firebaugh Canal Water District, San Luis Canal Company, and Columbia Canal Company) from Millerton Lake in 2015.

Due to historic drought conditions in California, the Exchange Contractors, who are senior water rights holders, reached out to Reclamation and Friant Division contractors to develop a collaborative plan to leave water that the Exchange Contractors are otherwise entitled to in Millerton Lake, making it available for Friant Division contractors, rather than Reclamation having to make equivalent releases down the San Joaquin River. An agreement on the plan was reached after weeks of negotiations involving Reclamation, the Exchange Contractors, nearly all Friant Division Contractors, and Westlands.

Under this proposed exchange, 13,195 AF of Westlands' CVP and non-CVP water would be released from San Luis Reservoir and delivered to the Exchange Contractors at the Mendota Pool via the Delta-Mendota Canal. A like amount, plus the additional 28 percent of avoided conveyance losses of San Joaquin River water, would be released from Millerton Lake into the Friant-Kern Canal where it would be directly delivered to Friant Division Class 1 contractors (comprised of over 29 irrigation districts) pursuant to the collaborative agreement. In return, Westlands would defer receipt of 13,195 AF of the Exchange Contractors water supply from the Delta currently in San Luis Reservoir until later in the fall of 2015 when critically low storage levels in San Luis Reservoir are not of imminent concern. Westlands would also receive fifty percent (approximately 2,565 AF) of the avoided conveyance losses delivered to Friant Division Class 1 contractors in 2015 in a future year through a transfer from Friant Division Class 1 contractors of recirculated/recaptured San Joaquin River Restoration Flows.

**CULTURAL RESOURCES COMPLIANCE**  
**Mid-Pacific Region**  
**Division of Environmental Affairs**  
**Cultural Resources Branch (MP-153)**

Reclamation has determined that the approval of water transfers using existing facilities with no changes in land use is the type of activity that does not have the potential to cause effects on historic properties pursuant to 36 CFR § 800.3(a)(1). No new construction or modification of existing facilities will occur as a result of the proposed action. Additionally, the exchanged water would not be used to place untilled or new lands into production, or to convert undeveloped land to other uses. Therefore, Reclamation has no further obligations under Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108). The proposed action would result in no impacts to cultural resources.

This document conveys the completion of the cultural resources review and NHPA Section 106 process for this undertaking. Please retain a copy with the administrative record for this action. Should the proposed action change, additional review under Section 106, possibly including consultation with the State Historic Preservation Officer, may be required.