

RECLAMATION

Managing Water in the West

Finding of No Significant Impact

Klamath Project Internal Water Transfers (2016-2020)

Klamath Reclamation Project, Oregon
Mid-Pacific Region
2016-FONSI-001

Prepared by:



Date: 6/27/2016

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Date: 7/22/16

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Background

In accordance with Section 102(2)(c) of the *National Environmental Policy Act of 1969* (NEPA), as amended, the Bureau of Reclamation (Reclamation) has prepared an Environmental Assessment (EA) for approving water transfers between contractors for lands within the delivery area of the Klamath Project. The proposed action area is located within the existing boundaries of the Project within Klamath County, Oregon, and Siskiyou and Modoc counties, California.

Reclamation policy requires Reclamation's approval for transfers of water within a federal reclamation project (Reclamation, 2013). Reclamation policy further identifies minimum requirements for the approval of project water transfers. The Mid-Pacific Regional Director has delegated authority to the Area Manager of the Klamath Basin Area Office (KBAO) to approve short-term transfers of Klamath Project water (Reclamation, 1993).

Alternatives Including the Proposed Action

No Action Alternative

Under the No Action Alternative, Reclamation would not approve internal water transfers between lands within the Klamath Project. Under the No Action Alternative, some agricultural water users may face shortages in the absence of water transfers and have to idle or fallow cropland as a result. Some water users may rely upon alternative water supplies when Klamath Project water is not available, such as supplemental groundwater. These subsequent actions under this No Action Alternative do not require Reclamation approval and are outside the scope of this EA analysis.

Proposed Action Alternative

Reclamation is proposing to allow the transfer of available Project water between Project lands. The lands potentially receiving Project water under approved transfers have been established as irrigated lands based state water right filings and water service contracts with Reclamation, and no new lands or lands outside the Project would become irrigated as a result. Transfers would be limited to the 2016 through 2020 irrigation seasons. No additional water would be used than what is currently provided in the *Biological Opinions on the Effects of Proposed Klamath Project Operations from May 31, 2013, through March 31, 2023, on Five Federally-Listed Threatened and Endangered Species* (2013 BiOp) (USFWS and NMFS, 2013).

No new construction or modification of existing facilities would occur in order to complete the Proposed Action. Reclamation's action is administrative in nature and serves to optimize the use of limited Klamath Project water supplies among existing irrigated lands within the Klamath Project.

To ensure compliance with Reclamation policy regarding the minimum requirements for the approval of project water transfers (Reclamation, 2013), KBAO would develop and utilize Interim Guidelines similar to those sample guidelines identified in the EA within Appendix A. These guidelines would address all water transfers equitably and provide flexibility to water users in managing available Project water supplies. The Interim Guidelines would establish the conditions for Reclamation's approval of transfers of Project water under the Proposed Action.

Findings

Based on the attached EA, Reclamation finds that the Proposed Action is not a major Federal action that will significantly affect the quality of the human environment. The attached EA describes the existing environmental resources in the Proposed Action area and evaluates the effects of the No Action and Proposed Action alternatives on various resources. This EA was prepared in accordance with Council on Environmental Quality regulations (40 C.F.R. §§1500-1508) and Department of the Interior regulations (43 C.F.R. Part 46) implementing NEPA. Effects on several environmental resources were examined and found to be absent or minor. That analysis is provided in the attached EA, and the analysis in the EA is hereby incorporated by reference.

Water Resources

No impacts to waters of the United States are expected to occur as the Proposed Action is administrative in nature and is in accordance with Reclamation historic and routine operations for delivery of available water supplies through Reclamation facilities within the Project.

Biological Resources

Based on the lists generated from the U.S. Fish and Wildlife Services Ecological Services' website (USFWS, 2016) on the Federally Listed, Proposed, and Candidate species that may occur within the Proposed Action Area (Klamath County, Oregon and Modoc and Siskiyou counties, California) (Appendix A of the attached EA), Reclamation determined that the Proposed Action is not expected to have an effect on these species or their habitats as the Proposed Action is administrative in nature and does not change land status or historic water delivery services within or around the Project. However, for any water transfers that may involve lands within the Tulelake or Lower Klamath National Wildlife refuges, Reclamation will coordinate with the USFWS to ensure Proposed Action has no effect on refuge fish and wildlife, migrating birds protected under the Migratory Bird Treaty Act (16 U.S.C. §§703-711), and that transfers are consistent with the 2013 BiOp.

Indian Trust Assets (ITAs)

The Klamath Basin Area Office Native American coordinator, Natural Resource Specialist, Kristen Hiatt on the Proposed Action, determined on June 23, 2016, that it is reasonable to assume that the Proposed Action will not have any impacts on ITAs (Appendix B of the attached EA).

Indian Sacred Sites

No Indian Sacred sites were identified within the footprint of the Proposed Action.

Environmental Justice

There are no economically disadvantaged or minority populations within the affected environment that would be subject to disproportionate impacts by the Proposed Action.

Cultural Resources

No Impacts to cultural resources would result from the Proposed Action and Reclamation has no further obligations under Title 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act.