

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Central Valley Project Interim Renewal Contracts for Panoche Water District and San Luis Water District 2017-2019

FONSI-16-021



Mission Statements


The Department of the Interior protects and manages the Nation's natural resources and cultural heritage; provides scientific and other information about those resources; and honors 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.

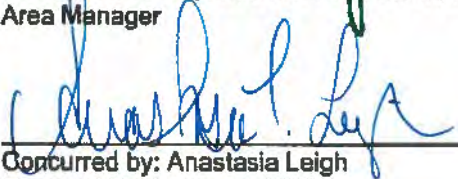
BUREAU OF RECLAMATION
South-Central California Area Office, Fresno, California

FONSI-16-021

**Central Valley Project Interim Renewal
Contracts for Panoche Water District and
San Luis Water District 2017-2019**


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Area Manager

2/28/2017
Date


Concurred by: Anastasia Leigh
Regional Environmental Officer

2/28/2017
Date


Approved by: Pablo Arroyave
Acting Regional Director

FEB 28 2017
Date

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 the proposed execution of two year Central Valley Project (CVP) San Luis Unit interim renewal contracts with Panoche Water District (PWD) and San Luis Water District (SLWD) is not a major federal action that will significantly affect the quality of the human environment and an environmental impact statement is not required. This draft Finding of No Significant Impact (FONSI) is supported by Reclamation's Environmental Assessment (EA)-16-021, *Central Valley Project Interim Renewal Contracts for Panoche Water District and San Luis Water District 2017-2019*, and is hereby incorporated by reference.

Reclamation provided the public with an opportunity to comment on the Draft FONSI and Draft EA between January 26, 2017 and February 14, 2017. Two comment letters were received. The comment letters and Reclamation's response to comments are included in Appendix A of EA-16-021.

Background

Section 3404(c)(1) of the Central Valley Project Improvement Act (CVPIA) authorizes and directs Reclamation to prepare appropriate environmental review before renewing an existing water service contract for a period of twenty-five years. Section 3404(c) of the CVPIA further provides for the execution of interim renewal contracts for contracts which expired prior to completion of the CVPIA Programmatic Environmental Impact Statement (PEIS). Interim renewal contracts have been and continue to be undertaken under the authority of the CVPIA to provide a bridge between the expiration of the original long-term water service contracts and the execution of new long-term water service contracts as provided for in the CVPIA. The interim renewal contracts reflect current Reclamation law, including modifications resulting from the Reclamation Reform Act and applicable CVPIA requirements. The initial interim renewal contracts were negotiated beginning in 1994 for contractors whose long-term renewal contracts were expiring, with an initial interim period not to exceed three years in length, and for subsequent renewals for periods of two years or less to provide continued water service. Many of the provisions from the interim renewal contracts were assumed to be part of the contract renewal provisions in the description of the PEIS Preferred Alternative.

Proposed Action

In accordance with Section 3404(c) of the CVPIA, Reclamation proposes to execute interim renewal contracts with PWD and SLWD for contract period March 1, 2017 through February 28, 2019 as described in Section 2.2 of EA-16-021.

Environmental Commitments

Reclamation, PWD, and SLWD shall implement the environmental protection measures included in Table 2 of EA-16-021 as well as all measures and terms and conditions included in the associated section 7 Endangered Species Act (ESA) compliance documents (see Appendix B and C in EA-16-021). 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 3 of EA-16-021, 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: cultural resources, global climate change, Indian Sacred Sites, or Indian Trust Assets.

Air Quality

Under the Proposed Action, CVP water would continue to be conveyed through existing facilities either via gravity or electric pumps which would not produce air pollutant emissions that impact air quality.

Biological Resources

Conditions of special status species and habitats would remain the same as current conditions described in Section 3.3.1 of EA-16-021 over the two-year period of the Proposed Action. The proposed execution of interim renewal contracts with PWD and SLWD would provide for the delivery of CVP water up to their specific contract totals for use on the same lands that have previously received CVP water. No native lands would be converted or cultivated with CVP water. The water would be delivered to existing homes or farmlands, through existing facilities, as has been done under existing contracts, and would not be used for land conversion. The Proposed Action does not require the construction of any new facilities, the installation of any new structures, or the modification of existing facilities.

Existing and future environmental commitments addressed in biological opinions, including the CVPIA biological opinion, the continuation of ongoing species conservation programs, and compliance with permits for the Grassland Bypass Project (GBP) would continue to be met under the Proposed Action.

On November 30, 2016, Reclamation received a memorandum from the U.S. Fish and Wildlife Service concurring with Reclamation's determination that effects of the Proposed Action are not likely to adversely affect San Joaquin kit fox, giant garter snake, and blunt-nosed leopard lizard and habitat (see Appendix B in EA-16-021). Reclamation will comply with all measures contained within the concurrence memorandum.

On February 24, 2017, the National Marine Fisheries Service (NMFS) issued a biological opinion on the effects of agricultural drainwater entering the San Joaquin River as a result of issuing interim renewal contracts to PWD and SLWD (see Appendix C in EA-16-021). NMFS concluded the execution of PWD and SLWD's interim renewal contracts would not jeopardize the continued existence of the federally listed endangered Sacramento River winter-run Chinook salmon, threatened Central Valley spring-run Chinook salmon, threatened Central Valley steelhead, the threatened Southern Distinct Population Segment (DPS) of North American green sturgeon, nor would it result in the destruction or adverse modification of designated critical habitat of Central Valley steelhead and the Southern DPS of North American green sturgeon. NMFS transmitted Essential Fish Habitat (EFH) conservation recommendations for Pacific salmon, as required by the Magnuson-Stevens Fisher Conservation and Management Act. Reclamation will comply with the requirements of the biological opinion and EFH conservation recommendations issued by NMFS.

Environmental Justice

As the Proposed Action would be a continuation of current conditions, it would not cause dislocation, changes in employment, or increase flood, drought, or disease. The Proposed Action would not disproportionately impact economically disadvantaged or minority populations as there would be no changes to existing conditions.

Land Use

The proposed execution of interim renewal contracts would not result in a change in contract water quantities or a change in water use and would continue water deliveries within the contractors' respective service areas. Both districts are primarily agricultural and intend to remain so. In addition, the two year period of the Proposed Action does not provide any additional water supplies that could act as an incentive for conversion of native habitat or increased agricultural production acreage. Therefore, land use within each district would continue as it has in the past and there would be no impacts compared to the No Action alternative.

Socioeconomic Resources

The proposed execution of interim renewal contracts would not result in a change in contract water quantities or a change in water use and would continue water deliveries within the contractors' respective service areas. As a result, the viability of farming practices would be maintained and there would be beneficial impacts to socioeconomics under the Proposed Action compared to the No Action alternative.

Water Resources

Under the Proposed Action, Reclamation will execute a two-year interim renewal contract with PWD and SLWD to provide CVP water. Based in part on the updated Water Needs Assessments for both Districts (see Section 2.3 in EA-16-021), there would be no change from conditions under the existing interim renewal contract as CVP water would be placed to beneficial use within the authorized CVP place of use as it has in the past. Water delivery during the interim renewal contract period would be up to the respective contract total and would not exceed historic quantities. Execution of the interim renewal contracts would continue to provide needed CVP water to meet M&I and agricultural demands in both Districts. As the delivery of CVP

water would be done through existing infrastructure for existing uses within both Districts, the Proposed Action would not result in impacts to water resources.

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.

Air Quality

The Proposed Action would not result in cumulative air quality impacts as there are no direct or indirect air quality impacts.

Biological Resources

The Proposed Action, when added to other past, present, and reasonably foreseeable future actions, represent a continuation of existing conditions which are unlikely to result in cumulative impacts on biological resources in the Action area. The Proposed Action would continue the delivery of the same contractual amount of water to the same lands without the need for additional facility modifications or construction. As discussed in Section 3.7.1 of EA-16-021, Reclamation expects that drainage production within the study area would continue to be reduced, and discharges to the San Joaquin River through the GBP would continue to decrease pursuant to the GBP Waste Discharge Requirements.

Finally, the Proposed Action would be subject to regulatory constraints imposed pursuant to the Endangered Species Act, regardless of whether those constraints exist today. As such, there would be no cumulative adverse impacts as a result of the Proposed Action.

Environmental Justice

The Proposed Action would not differ from current or historical conditions, and would not disproportionately affect minority or low income populations in the future; therefore, there would be no cumulative impacts as a result of the Proposed Action.

Land Use

The Proposed Action would maintain the status quo of delivering the same contractual amount of CVP water for existing purposes within each district without the need for additional facility modification or construction. As such, there would be no cumulative adverse impacts to land use.

Socioeconomic Resources

The Proposed Action would maintain the status quo of delivering the same contractual amount of CVP water for existing purposes within each district without the need for additional facility modification or construction. As such, there would be no cumulative adverse impacts to socioeconomics.

Water Resources

The CVPIA PEIS included full contract deliveries in the assumptions regarding future use. By including full deliveries, the impact assessments were able to adequately address the hydrologic, operational, and system-wide cumulative conditions expected under future conditions. In addition, Reclamation's Proposed Action is the execution of interim renewal water service contracts between the United States and PWD and SLWD. These contractors have existing interim renewal contracts, and therefore, the Proposed Action would be a continuation of existing conditions. As such, the Proposed Action, when added to other past, present, and reasonably foreseeable future actions, would not result in cumulative effects to water resources.