

**FINDING OF NO SIGNIFICANT IMPACT**

**2017 Transfer of Recaptured San Joaquin River Restoration Flows to Pleasant Valley Water District**

United States Department of the Interior  
Bureau of Reclamation  
Mid-Pacific Region  
Sacramento, California

**Recommended:**

  
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5/9/17

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Date

**Approved:**



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### BACKGROUND

In 1988, a coalition of environmental groups, led by the Natural Resources Defense Council (NRDC), filed a lawsuit challenging the renewal of long-term water service contracts between the United States and Central Valley Project Friant Division. After more than 18 years of litigation, *NRDC, et al., v. Kirk Rodgers, et al.*, a settlement was reached (Settlement). On September 31, 2006, the Settling Parties, including NRDC, Friant Water Users Authority, and the U.S. Departments of the Interior and Commerce, agreed on the terms and conditions of the Settlement, which was subsequently approved by the U.S. Eastern District Court of California on October 23, 2006. The Settlement establishes two primary goals:

- Restoration Goal – To restore and maintain fish populations in “good condition” in the main stem of the San Joaquin River below Friant Dam to the confluence of the Merced River, including naturally reproducing and self-sustaining populations of salmon and other fish.
- Water Management Goal – To reduce or avoid adverse water supply impacts on all of the Friant Contractors that may result from the Interim Flows and Restoration Flows provided for in the Settlement.

The San Joaquin River Restoration Program (SJRRP) was established to implement the Settlement in accordance with the San Joaquin River Restoration Settlement Act in Public Law 111-11. The 2012 SJRRP Environmental Impact Statement/Environmental Impact Report (PEIS/EIR) and 2013 Recirculation of Recaptured Water Year 2013-2017 San Joaquin River Restoration Program Flows Environmental Assessment (Recirculation EA) analyzed and disclosed the potential impacts of recapturing, recirculating, reusing, exchanging, or transferring Restoration Flows to Friant Division Long-Term Contractors (Friant Contractors) in accordance with Paragraph 16 of the Settlement, and are hereby incorporated by reference. As described in the Recirculation EA, Friant Contractors may exchange or transfer recaptured Restoration Flows up to their existing contract amounts to other Friant Contractors or non-Friant Contractors, using existing conveyance facilities.

The proposed action analyzed in the Recirculation EA incorporated several parameters for exchanges and transfers of recaptured Restoration Flows:

- No native or untilled land (fallow for three consecutive years or more) will be cultivated with the water involved in these actions.
- Transferred water can be either agricultural or municipal and industrial water.

- The ultimate purpose of use can be for agriculture, municipal and industrial purposes, fish and wildlife purposes or groundwater recharge.
- All transfers and exchanges will be between willing sellers and willing buyers.
- Transfers or exchanges will occur without new construction or modifications to facilities.
- Transfers or exchanges are limited to existing supply and will not increase overall consumptive use.
- Transfers or exchanges for agricultural purposes will be used on lands irrigated within the last three consecutive years.
- Transfers or exchanges will not lead to any land conversions.
- Transfers or exchanges will comply with all applicable Federal, State, Local or Tribal laws or requirements imposed for the protection of the environment and Indian Trust Assets.
- Transfers or exchanges cannot alter the flow regime of natural water bodies such as rivers, streams, creeks, ponds, pools, wetlands, etc., so as not to have a detrimental effect on fish or wildlife, or their habitats.

In support of the Water Management Goal, Reclamation is proposing to approve a transfer of up to 2,000 acre-feet (AF) of recaptured Restoration Flows from Friant Division Long Term Contractors to Pleasant Valley Water District in 2017. The water will be conveyed through existing conveyance facilities from San Luis Reservoir through the San Luis Canal and Coalinga Canal; and then to local conveyance facilities for irrigation purposes in-lieu of groundwater use. The Pleasant Valley Water District is located in southwestern Fresno County and provides groundwater to approximately 35,000 acres for irrigation of agricultural lands. The proposed transfer will be subject to the parameters as described in the Recirculation EA and listed above, as applicable.

## **FINDINGS**

The proposed action will not result in any additional or more substantial impacts from what was analyzed and disclosed in the 2012 PEIS/EIR and 2013 EA. In accordance with the National Environmental Policy Act of 1969, as amended, Reclamation has found that the proposed action of approving the transfer and conveyance of up to 2,000 AF of recaptured Restoration Flows from Friant Division Long-Term Contractors to Pleasant Valley Water District in 2017 is not a major Federal action that would significantly affect the human environment. Therefore, an environmental impact statement is not required.

This finding of no significant impact is based on the following, as further described in the attached EA:

- The proposed action will not change the overall water supply. The transferred water will be used in-lieu of groundwater. The transfer will utilize existing conveyance facilities. The proposed action will not increase or decrease existing CVP allocations. Water conveyed under this transfer will provide increased operational flexibility to Pleasant Valley Water District by supplying surface water to be used in-lieu of groundwater. The water to be transferred will be within the existing contract totals for the Friant Contractors engaged in the transfer. The proposed action is short-term in nature, occurring only in 2017, and will not have an adverse impact to water resources, given the wet hydrology this year.
- The proposed action will not result in changes to land use and therefore, will have no adverse impacts to land use. There will be no land use conversions or land fallowing as a result of the transfer. The proposed action is short-term in nature and will not provide a long-term supply to support long-term land use changes.
- The proposed action will not result in effects to biological resources, including species listed in accordance with the Endangered Species Act or designated critical habitat; or species protected by the Migratory Bird Treaty Act. No Essential Fish Habitat is designated within the proposed action area. Existing conveyance facilities will be used to transfer water to existing agricultural land for irrigation purposes. No land use or habitat change will occur as a result of the proposed action.
- The proposed action will not result in adverse impacts to cultural resources. The proposed transfer will occur using existing conveyance facilities, and delivered to existing agricultural lands within the existing Pleasant Valley Water District service area. The proposed action will not result in the modification of existing facilities, construction of new facilities, changes in land use, or growth.
- The proposed action will have no effect on air quality, climate change and greenhouse gases.
- The proposed action will have no adverse impact on Indian Trust Assets or Indian sacred sites.
- The proposed action will not adversely impact socioeconomic resources and will not disproportionately impact economically disadvantaged or minority populations. The proposed action will assist in sustaining existing agricultural production in the local area.
- The proposed action will not contribute to cumulative adverse effects to any resource category when considered with other past, present and reasonably foreseeable actions in the region.