



— BUREAU OF —
RECLAMATION

Patterson Irrigation District 1-Year Transfer for up to 6,000 acre-feet of Available Surface Water Supply to Santa Clara Valley Water District

CGB-ED-2024-002

Final Environmental Assessment

Mission Statements

The U.S. 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.

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Section 1. Introduction

1.1 Background

In 2009, Patterson Irrigation District (PID) requested approval from Reclamation for the transfer of up to 13,350 acre-feet (AF) of its Replacement Water, Central Valley Project (CVP) water, and pre-1914 San Joaquin River water (henceforth known as Transfer Water) to Santa Clara Valley Water District (Valley Water) over a period of four years (March 1, 2010 through February 28, 2014). Reclamation analyzed the affected environment for the following resources: Water Resources, Land Use, Biological Resources, Cultural Resources, Indian Trust Assets (ITA), Socioeconomic Resources, Environmental Justice, Air Quality, and Global Climate in EA-09-172 entitled Four Year Transfer and Warren Act Contracts for up to 13,350 acre-feet of PID's Available Surface Water Supply to Santa Clara Valley Water District. FONSI/EA-09-172 was executed on March 16, 2010 and is hereby incorporated by reference.

In 2014, after the four-year transfer had expired, PID requested approval from Reclamation for a new 10-year transfer (March 1, 2014 through February 29, 2024), subject to available water, of up to 36,000 AF of its Transfer Water to Valley Water. Reclamation analyzed the affected environment for the following resources: Water Resources, Land Use, Biological Resources, Cultural Resources, Indian Trust Assets (ITA), Socioeconomic Resources, Environmental Justice, Air Quality, and Global Climate in EA-13-072 entitled Patterson Irrigation District 10-Year Transfer and/or Warren Act Contract for up to 36,000 acre-feet of Available Surface Water Supply to Santa Clara Valley Water District. FONSI/EA-13-072 was released on September 23, 2014, and is hereby incorporated by reference.

PID and Valley Water executed a series of water transfer agreements to effectuate the water transfers contemplated under Reclamation's prior approvals, with the current agreement expiring in 2025. However, because Reclamation's approval completed for the transfer program expired on February 28, 2024, PID requested approval from Reclamation for a one-year transfer (March 1, 2024 through February 28, 2025), subject to available water, of up to 6,000 AF of its Transfer Water to Valley Water.

1.2 Purpose and Need for the Proposed Action

The State of California experiences extreme variability in its hydrology from year-to-year. The State experienced one of its driest periods on record between 2020 to 2022, and while 2023 was a wet year, it is prudent for water agencies to plan for an eventual return to dry conditions. In response to future dry conditions, Valley Water has a need to develop alternative sources of water to meet its demands.

1.3 Scope

This EA is being prepared to examine the impacts of approving a transfer from March 1, 2024 to February 28, 2025 for the conveyance and delivery of up to 6,000 AF of PID’s Transfer Water to Valley Water. The areas in which impacts may occur and methods of conveyance are the same as those analyzed in EA-09-172 and EA-13-072 (Figure 1).



Figure 1 Proposed Action Area

Section 2. Alternatives Including 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 approve the delivery of up to 6,000 AF of PID's Transfer Water to Valley Water over the transfer-year period (March 1, 2024 through February 28, 2025). Reclamation would continue to deliver CVP and Replacement water to PID and Valley Water pursuant to their CVP water service contracts. PID could sell their non-CVP water to willing buyers and Valley Water could purchase additional non-CVP water supplies.

2.2 Proposed Action

Reclamation proposes to approve PID's delivery of up to 6,000 AF of PID's Transfer Water to Valley Water over the transfer period. All water stored within federal facilities would be delivered prior to the end of the transfer period (by February 28, 2025).

Water made available to Valley Water by PID would occur under the following conditions:

- PID would make available a minimum of 4,000 AF of Transfer Water to Valley Water.
- If PID is allocated 100 percent of its Replacement Water by Reclamation, PID would make available an additional 2,000 AF of Transfer Water to Valley Water.

2.2.1 Conveyance of Replacement Water

PID's Replacement Water would continue to be pumped from the Sacramento-San Joaquin Delta into the Delta-Mendota Canal (DMC); however, rather than being delivered to PID's turnouts, the water would be delivered to O'Neill Forebay and pumped into San Luis Reservoir. From San Luis Reservoir, the water would be diverted to Reach 1 of the Pacheco Tunnel and then to the Pacheco Pumping Plant where it would be lifted into the Pacheco Conduit and delivered to Valley Water via the Santa Clara Conduit and Tunnel. Valley Water would then convey the water through its internal distribution system to its water users. As required by Reclamation's water rights permits, CVP water may only be used in portions of Valley Water that are within the Consolidated Place of Use (CPOU) as shown in Figure 1.

2.2.2 Environmental Commitments

Reclamation, PID, and Valley Water shall implement the following environmental protection measures to reduce environmental consequences associated with the Proposed Action (Table 2-

1). Environmental consequences for resource areas assume the measures specified would be fully implemented.

Table 1 Environmental Protection Measures and Commitments

Resource	Protection Measure
Water Resources	Transfer Water would only be used for beneficial purposes.
Water Resources	Replacement Water and CVP water may only be served within areas that are within the CPOU as shown in Figure 1.
Water Resources	The transfer would not adversely affect CVP, Valley Water, and PID normal water system delivery operations.
Water Resources	No new construction or modification of existing facilities may occur to complete the Proposed Action.
Biological Resources	Transfer Water would not be used to place untilled or new lands into production, nor to convert undeveloped land to other uses.

Environmental consequences for resource areas assume the measures specified would be fully implemented.

Section 3. Affected Environment and Environmental Consequences

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 adverse effects to the following resources:

3.1.1 Air Quality

No new construction or new facilities would be needed under the Proposed Action to approve the transfer of water between PID and Valley Water. There would be no change from existing conditions, a conformity analysis is not required and there would be no impact to air quality as a result of the Proposed Action.

3.1.2 Agricultural Resources

Under the Proposed Action, no new lands would be put into agricultural production. The Proposed Action would provide supplemental water that would benefit existing agricultural needs of Valley Water and would not adversely affect PID during this wet year of abundant surplus surface water supplies.

3.1.3 Climate Change

The Proposed Action does not include construction of new facilities or modification to existing facilities. While pumping would be necessary to deliver CVP water, no additional electrical production beyond baseline conditions would occur. In addition, the generating power plant that produces electricity for the electric pumps operates under permits that are regulated for

greenhouse gas emissions. As such, there would be no additional impacts to global climate change. Global climate change is expected to have some effect on the snowpack of the Sierra Nevada and the runoff regime. Reclamation developed an updated climate model for the Sacramento and San Joaquin Basins in the 2021 Science and Engineering to Comprehensively Understand and Responsibly Enhance (SECURE) Water Act Report to Congress, prepared in accordance with Section 9503(c) of the SECURE Water Act of 2009, Public Law 111-11. The report characterizes the impacts of warmer temperatures, changes to precipitation and snowpack, and changes to the timing and quantity of streamflow runoff across the western U.S. The model predicts increased temperatures, increased precipitation variability, increased runoff, and reduced snowpack at higher latitudes over the next several decades (Reclamation 2021). However, the effects of this are long-term and are not expected to impact CVP operations within the two-year window of this action. Further, CVP water allocations are made dependent on hydrologic conditions and environmental requirements. Since Reclamation operations and allocations are flexible, any changes in hydrologic conditions due to global climate change would be addressed within Reclamation's operation flexibility.

3.1.4 Cultural Resources

There would be no impacts to cultural resources as a result of implementing the Proposed Action as the Proposed Action would facilitate the flow of water through existing facilities to existing users. No new construction or ground disturbing activities would occur as part of 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).

3.1.5 Environmental Justice

Executive Order 12898 requires each federal agency to identify and address disproportionately high and adverse human health or environmental effects, including social and economic effects of its program, policies, and activities on minority populations and low-income populations. 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.

3.1.6 Indian Sacred Sites

Executive Order 13007 (May 24, 1996) requires that federal agencies accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoids adversely affecting the physical integrity of such sacred sites. The Proposed Action would not limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or affect the physical integrity of such sacred sites. There would be no impacts to Indian sacred sites as a result of the Proposed Action.

3.1.7 Indian Trust Assets

Indian Trust Assets are legal interests in assets that are held in trust by the United States for federally recognized Indian tribes or individuals. There are no Indian reservations, rancherias or allotments in the Proposed Action area. The nearest Indian Trust Asset is the Lytton Rancheria which is about 42 miles to the Northwest of the Proposed Action area. The Proposed Action does not have a potential to affect Indian Trust Assets.

3.1.8 Land Use and Planning

The Proposed Action would not involve any construction or new structures that could divide a community or conflict with land use plans, policies, or zoning. There would be no change in land use.

3.2 Biological Resources

3.2.1 Affected Environment

An official list of federally listed threatened and endangered species and critical habitat that occur within project area and/or may be affected as a result of the Proposed Action was obtained on May 14, 2024, by accessing the U.S. Fish and Wildlife Service database:

<https://ecos.fws.gov/ipac/>. The list is summarized in Table 5 and was generated for a polygon that encompassed the entire Action area.

The California Natural Diversity Database (CNDDDB 2024) was also queried for the Proposed Action Area. The other fish species (all administered by NMFS except the delta smelt), did not appear on the USFWS’ species list. They have been added in, as they are known to migrate through the Sacramento-San Joaquin Delta. The Proposed Action area overlaps critical habitat for the Alameda whipsnake, Bay checkerspot butterfly, California red-legged frog, California tiger salamander, and the Marbled Murrelet.

A majority of PID consists of agricultural lands which do not provide suitable habitat for most of the species listed in Table 4. Large portions of Valley Water are highly urbanized and do not contain suitable habitat for Federally protected species, while the remainder consists largely of natural lands that could provide suitable habitat for listed species, along with some agricultural lands, particularly in the southern portion.

Table 2 Federally Listed Threatened and Endangered Species

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination
Amphibians			
California red-legged frog (<i>Rana draytonii</i>)	T, X	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
California tiger salamander (<i>Ambystoma californiense</i>)	T, X	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
foothill yellow-legged frog (<i>Rana boylei</i>)	T	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
western spadefoot (<i>Spea hammondi</i>)	PT	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.
Birds			

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination
California Condor (<i>Gymnogyps californianus</i>)	E, X	NE	Absent. Occurs outside of Proposed Action area.
California Least Tern (<i>Sternula antillarum browni</i>)	E	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
California Ridgway's Rail (<i>Rallus obsoletus obsoletus</i>)	E	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
Least Bell's Vireo (<i>Vireo bellii pusillus</i>)	E, X	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
Marbled Murrelet (<i>Brachyramphus marmoratus</i>)	T, X	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but coastal redwood habitat is available. No land use conversion as a result of the Proposed Action.
Western Snowy Plover (<i>Charadrius alexandrinus nivosus</i>)	T, X	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
Yellow-Billed Cuckoo (<i>Coccyzus americanus</i>)	T, X	NE	Possible. This species could fly over during migration, but nesting habitat (extensive cottonwood-willow riparian vegetation) is absent, and the one CNDDDB record is for an extirpated population.
Fish			
Central California Coastal steelhead (<i>Oncorhynchus mykiss</i>)	T, X (NMFS)	NE	Absent. Occurs outside of Proposed Action area.
Central Valley spring-run chinook salmon (<i>Oncorhynchus tshawytscha</i>)	T (NMFS)	NE	Present. Effects of pumping in the San Joaquin-Sacramento Delta are a result of CVP operations and have been/are being addressed separately under the CVP/SWP Coordinating Operations consultations (USFWS 2019; NMFS 2019).
Central Valley steelhead (<i>Oncorhynchus mykiss</i>)	T, X (NMFS)	NE	Present. Effects of pumping in the San Joaquin-Sacramento Delta are a result of CVP operations and have been/are being addressed separately under the CVP/SWP Coordinating Operations consultations (USFWS 2019; NMFS 2019).
coho salmon - central CA coast (<i>Oncorhynchus kisutch</i>)	E, X (NMFS)	NE	Absent. Occurs outside of Proposed Action area.
delta smelt (<i>Hypomesus transpacificus</i>)	T, X	NE	Present. Effects of pumping in the San Joaquin-Sacramento Delta are a result of CVP operations and have been/are being addressed separately under the CVP/SWP Coordinating Operations consultations (USFWS 2019; NMFS 2019).

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination
longfin smelt (<i>Spirinchus thaleichthys</i>)	PE	NE	Present. Adjacent to Santa Clara County as well as other parts of the San Joaquin-Sacramento Delta and San Francisco Bay. Effects of pumping in the San Joaquin-Sacramento Delta are a result of CVP operations and have been/are being addressed separately under the CVP/SWP Coordinating Operations consultations (USFWS 2019; NMFS 2019).
North American green sturgeon (<i>Acipenser medirostris</i>)	T (NMFS)	NE	Present. Effects of pumping in the San Joaquin-Sacramento Delta are a result of CVP operations and have been/are being addressed separately under the CVP/SWP Coordinating Operations consultations (USFWS 2019; NMFS 2019).
Sacramento River winter-run chinook salmon (<i>Oncorhynchus tshawytscha</i>)	E, X (NMFS)	NE	Present. Effects of pumping in the San Joaquin-Sacramento Delta are a result of CVP operations and have been/are being addressed separately under the CVP/SWP Coordinating Operations consultations (USFWS 2019; NMFS 2019).
South Central California steelhead (<i>Oncorhynchus mykiss</i>)	T, X (NMFS)	NE	Absent. Occurs outside of Proposed Action area.
tidewater goby (<i>Eucyclogobius newberryi</i>)	E, X	NE	Absent. Occurs outside of Proposed Action area.
Invertebrates			
bay checkerspot butterfly (<i>Euphydryas editha bayensis</i>)	T, X	NE	Present. There are CNDDDB records and Critical Habitat for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
Conservancy fairy shrimp (<i>Branchinecta conservatio</i>)	E, X	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable vernal pool habitat is available. No land use conversion as a result of the Proposed Action.
Monarch butterfly (<i>Danaus plexippus</i>)	C	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but it is likely that both the larval host plants (milkweeds) and host plants for adult butterflies are present. No land use conversion as a result of the Proposed Action.
Mount Hermon june beetle (<i>Polyphylla barbata</i>)	E	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination
valley elderberry longhorn beetle (<i>Desmocerus californicus dimorphus</i>)	T, X	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present along irrigation canals and ditches, etc. if elderberry shrubs with stems one inch in diameter or greater are present at ground level. No land use conversion as a result of the Proposed Action.
vernal pool fairy shrimp (<i>Branchinecta lynchi</i>)	T, X	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable vernal pool habitat is available. No land use conversion as a result of the Proposed Action.
vernal pool tadpole shrimp (<i>Lepidurus packardii</i>)	E, X	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable vernal pool habitat is available. No land use conversion as a result of the Proposed Action.
Zayante band-winged grasshopper (<i>Trimerotropis infantilis</i>)	E, X	NE	Possible. There is one extirpated CNDDDB record of this species in the Proposed Action Area, but they could be present in areas that weren't surveyed. No land use conversion as a result of the Proposed Action.
Mammals			
riparian brush rabbit (<i>Sylvilagus bachmani riparius</i>)	E	NE	Absent. Proposed Action area is outside of the species' range.
salt marsh harvest mouse (<i>Reithrodontomys raviventris</i>)	E	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
San Joaquin kit fox (<i>Vulpes macrotis mutica</i>)	E	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
Plants			
Ben Lomond spineflower (<i>Chorizanthe pungens</i> var. <i>hartwegiana</i>)	E	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.
Ben Lomond wallflower (<i>Erysimum teretifolium</i>)	E	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination
California seablite (<i>Suaeda californica</i>)	E	NE	Possible. There is a possibly extirpated CNDDDB record of this species in the Proposed Action Area. No land use conversion as a result of the Proposed Action.
Contra Costa goldfields (<i>Lasthenia conjugens</i>)	E, X	NE	Possible. There are two extirpated CNDDDB records of this species in the Proposed Action Area, but they could be present in areas that weren't surveyed. No land use conversion as a result of the Proposed Action.
Coyote ceanothus (<i>Ceanothus ferrisiae</i>)	E	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
fountain thistle (<i>Cirsium fontinale</i> var. <i>fontinale</i>)	E	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.
Lassics lupine (<i>Lupinus constancei</i>)	E, X	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.
Marin dwarf-flax (<i>Hesperolinon congestum</i>)	T	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.
Marsh sandwort (<i>Arenaria paludicola</i>)	E	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.
Metcalf Canyon jewelflower (<i>Streptanthus albidus</i> ssp. <i>albidus</i>)	E	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
Monterey spineflower (<i>Chorizanthe pungens</i> var. <i>pungens</i>)	T, X	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.
robust spineflower (<i>Chorizanthe robusta</i> var. <i>robusta</i>)	E, X	NE	Possible. There are two possibly extirpated CNDDDB records of this species in the Proposed Action Area. No land use conversion as a result of the Proposed Action.

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination
San Mateo thornmint (<i>Acanthomintha duttonii</i>)	E	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.
San Mateo woolly sunflower (<i>Eriophyllum latilobum</i>)	E	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.
Santa Clara Valley dudleya (<i>Dudleya setchellii</i>)	E	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
Santa Cruz tarplant (<i>Holocarpha macradenia</i>)	T, X	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.
Scotts Valley polygonum (<i>Polygonum hickmanii</i>)	E, X	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.
Scotts Valley spineflower (<i>Chorizanthe robusta</i> var. <i>hartwegii</i>)	E, X	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.
showy Indian clover (<i>Trifolium amoenum</i>)	E	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.
Tiburon paintbrush (<i>Castilleja affinis</i> ssp. <i>neglecta</i>)	E	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
Reptiles			
Alameda whipsnake (<i>Masticophis lateralis euryxanthus</i>)	T, X	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
giant garter snake (<i>Thamnophis gigas</i>)	T	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available in and around Patterson. No land use conversion as a result of the Proposed Action.

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination
northwestern pond turtle (<i>Actinemys marmorata</i>)	PT	NE	Present. There are CNDDDB records for this species within the Proposed Action Area. No land use conversion as a result of the Proposed Action.
East Pacific green sea turtle (<i>Chelonia mydas</i>)	T (NMFS)	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present in coastal areas of Santa Clara County. No land use conversion as a result of the Proposed Action.
San Francisco garter snake (<i>Thamnophis sirtalis tetrataenia</i>)	E	NE	Possible. There are no CNDDDB records of this species in the Proposed Action Area, but they could be present if suitable habitat is available. No land use conversion as a result of the Proposed Action.

¹ Status = Status of federally protected species protected under the ESA.

- E: Listed as Endangered
- T: Listed as Threatened
- PT: Proposed for listing as Threatened
- PE: Proposed for listing as Endangered
- C: Candidate for listing
- X: Critical Habitat designated for this species

² Effects = ESA Effect determination

- NE: No Effect anticipated from the Proposed Action to federally listed species or designated critical habitat
- NLAA: Proposed Action Not Likely to Adversely Affect federally listed species
- MAA: Proposed Action May Adversely Affect federally listed species

³ Definition of Occurrence Indicators

- Present: Species recorded in area and suitable habitat present.
- Possible: Suitable habitat present but records extirpated, possibly extirpated, or lacking.
- Absent: Species not recorded in study area and suitable habitat absent.

3.2.2 Environmental Consequences

3.2.2.1 No Action

Under the No Action Alternative, considering the short (one year) timeframe, conditions are not expected to change appreciably for Federally protected or candidate species or critical habitat.

3.2.2.2 Proposed Action

PID's Transfer Water would not be used on native lands, or lands that have been fallowed and untilled for three or more years; such actions would require separate environmental review and approval. No new facilities would be constructed as part of the Proposed Action. Therefore, no Federally listed, proposed or candidate species, no critical habitat, and no migratory birds would be impacted by the Proposed Action.

3.3 Water Resources

3.3.1 Affected Environment

3.3.1.1 Patterson Irrigation District

PID's distribution system consists of 309 turnouts, 3.8 miles of unlined canal, 51.8 miles of concrete-lined canal, and 84 miles of pipeline. PID provides agricultural water to approximately 643 landowners and approximately 400 water users on about 12,700 acres. PID currently gets between 80 to 90 percent of its water supply from the San Joaquin River, with its remaining supply coming from groundwater, recirculation projects and the Delta-Mendota Canal

As a pre-1914 water rights holder, PID has the authority and right under California law to divert the amount of water that is needed as long as it is put to beneficial use and within its original water right. PID has transferred the 6,000 acre-feet of Replacement Water from Reclamation to other districts for the past 15 years, as these supplies are considered surplus. A current agreement with Valley Water allows for transfer of up to the full 6,000 acre-feet contract amount through February 29, 2024. Valley Water District opted to take 2,000 acre-feet of this water for 2023, leaving the remaining 4,000 acre-feet of surplus water available for PID to transfer. PID pumps approximately 47,000 acre-feet, on average, from the San Joaquin River through their pre-1914 water rights for use by local agriculture.

3.3.2 Environmental Consequences

3.3.2.1 No Action

Under the No Action Alternative, Reclamation would not approve the delivery of up to 6,000 AF of PID's Transfer Water to Valley Water over the transfer-year period (March 1, 2024 through February 28, 2025). Reclamation would continue to deliver CVP and Replacement water to PID and Valley Water pursuant to their CVP water service contracts. PID could sell their non-CVP water to willing buyers and Valley Water could purchase additional non-CVP water supplies.

PID would continue to use the remaining balance of its Replacement Water within its district, and Valley Water would have to find another source of water to meet the needs of its customers. This additional water could come from a variety of sources, including groundwater or surface water purchased on the open market. Pumping groundwater could exacerbate existing problems with water table overdraft and subsidence.

3.3.2.2 Proposed Action

Under the proposed action Reclamation would approve transfer of up to 6,000 acre-feet of PID's Replacement Water to Valley Water. PID has determined that they can make this water available without impacting current needs and land uses within their district. Similar to the No Action Alternative, conditions would remain the same as have historically occurred and there would be no impacts to the Delta-Mendota and San Luis Canals' operations. All water would be moved through existing facilities for in-district water users. The water could also be conveyed to directly to Valley Water. Reclamation has previously completed environmental compliance for Santa Clara Valley Water District's water transfer (CITE).

Section 4. Consultation and Coordination

4.1 Public Involvement

Reclamation intends to provide the public with an opportunity to comment on the Draft Environmental Assessment during a 30-day public review period.

Section 5. References

- CNDDDB (California Natural Diversity Database). 2024. California Department of Fish and Wildlife's Natural Diversity Database. Last updated February 2024.
- NMFS (National Marine Fisheries Service). 2019. Biological Opinion on Long-term Operation of the Central Valley Project and the State Water Project. NOAA Fisheries Service, West Coast Region. October 21, 2019. 900 pp.
- USFWS (U.S. Fish and Wildlife Service). 2019. Biological Opinion for the Reinitiation of Consultation on the Coordinated Operations of the Central Valley Project and State Water Project. Pacific Southwest Region, Sacramento, CA. October 21, 2019. 406 pp.
- Reclamation (Bureau of Reclamation). 2009. Final Environmental Assessment and Finding of No Significant Impact. Patterson Irrigation District Warren Act for use of Delta-Mendota Canal and Transfer 13,350 AF over 4 years to Santa Clara Valley Water District (FONSI/EA-09-172). California-Great Basin Region. Fresno, California.
- Reclamation (Bureau of Reclamation). 2013. Final Environmental Assessment and Finding of No Significant Impact. Patterson Irrigation District 10-Year Transfer and/or Warren Act Contract(s) for up to 36,000 acre-feet of Available Surface Water Supply to Santa Clara Valley Water District (FONSI/EA-13-072). California-Great Basin Region. Fresno, California.
- Reclamation (Bureau of Reclamation). 2021. Water Reliability in the West - 2021 SECURE Water Act Report. Prepared for the United States Congress. Bureau of Reclamation, Water Resources and Planning Office. Denver, Colorado.

