RECLAMATION
Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Poso Creek Integrated Regional Water Management Plan: 25-Year Groundwater Banking, Transfer, and Exchange Program

FONSI-09-121

Recommended by:

Date: 5/8/12

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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 the approval of a 25-year groundwater banking, transfer, and exchange program for three Central Valley Project (CVP) contractors as part of an Integrated Regional Water Management Plan (IRWMP) with other entities 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 Finding of No Significant Impact (FONSI) is supported by Reclamation's Final Environmental Assessment (EA) number EA-09-121, *Poso Creek Integrated Regional Water Management Plan: 25-Year Groundwater Banking, Transfer, and Exchange Program*, which is hereby incorporated by reference.

A Draft EA/ FONSI for the proposed action and No Action Alternative was circulated for public review February 23, 2012 through March 23, 2012. Comments were received from Arvin-Edison Water Storage District in a letter dated March 23, 2012 and from Central Delta Water Agency in a letter also dated March 23, 2012. These comments and Reclamation's responses to those comments are located in Appendix A of Final EA 09-121.

Background/ Proposed Action

The Poso Creek Regional Water Management Group (RWMG) was formed in 2005 to focus on improving water supplies throughout the Poso Creek Region (Region) and includes three Central Valley Project (CVP) contractors (Delano-Earlimart Irrigation District, Kern-Tulare Water District, and Shafter-Wasco Irrigation District), three non-CVP contractors (Semitropic Water Storage District, Cawelo Water District, and North Kern Water Storage District), one resource conservation district (North West Kern Resource Conservation District), and a representative for the 16 disadvantaged communities within the Region. In July 2007, the Poso Creek RWMG adopted an IRWMP which was prepared to emphasize resolving the Region's short-term and long-term water supply challenges.

The Region lies at the crossroads of the California Aqueduct (Aqueduct), Friant-Kern Canal (FKC), and the Kern River, which is a strategic location for facilitating surface water exchanges, transfers, and groundwater banking. The three CVP contractors within the RWMG are interested in having a streamlined approval process to deliver CVP water to the three non-CVP contractors for exchange, transfer, and/or banking when they have water supplies surplus to their immediate in-district needs and to return the previously banked water or the exchange water from these entities by exchange or direct conveyance. As a result, Reclamation has been requested to provide a 25-year, programmatic approval program for the three CVP contractors to bank, exchange, and/or transfer CVP water among the Poso Creek RWMG (Proposed Action).

Resources Eliminated from Further Analysis

Reclamation analyzed the affected environment of the Proposed Action and No Action Alternative and has determined that there is no potential for direct, indirect, or cumulative effects to the following resources:

- Cultural Resources: The Proposed Action is not the type of activity that has potential to affect historic properties pursuant to the regulations at 36 CFR Part 800.3(a)(1). There would be no modification of CVP conveyance facilities and no activities that would result in ground disturbance under the Proposed Action. Because there would be no potential to affect historic properties, no cultural resources would be impacted as a result of implementing the Proposed Action.

- Air Quality: The Proposed Action would involve gravity and/or electrical pumps to convey surface water for banking, transfers, and exchanges, which have no direct emissions to impact air quality. As compared to the No Action Alternative, there would be no adverse impacts to air quality since less groundwater would be pumped using gasoline or diesel engines. There would be no cumulative adverse impacts to air quality as a result of the Proposed Action when added to other past, present, and reasonably foreseeable future actions.

- Global Climate: Greenhouse gases generated are expected to be extremely small compared to sources contributing to potential climate change since the movement of water under the Proposed Action would be conveyed mostly via gravity and little, if any, additional pumping from electric motors would be required. There would be no adverse impacts as a result of the Proposed Action when added to other past, present, and reasonably foreseeable future actions.

As there would be no impact to the resources listed above as a result of the Proposed Action or the No Action alternative, they will not be considered further.

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 determinations:

Water Quality

Due to the benefits of storing better quality CVP water from the FKC, the groundwater basin water quality impacts associated with declining water levels would decrease, resulting in a positive impact to the basin below the district storing the water. In addition, conserving the water for later delivery and use into the district originally owning or acquiring the supply would result in less groundwater pumping in that district. This would help preserve water quality in those districts by preserving shallower groundwater levels. Therefore, there would be no adverse impacts to water quality due to the Proposed Action.

Projects involving members of the RWMG over the past five years consisted of banking, transfers and exchanges, Warren Act contracts, and Article 5 Exchanges. The environmental impacts of these actions were analyzed under Natinal Environmental Policy Act (NEPA) by

Reclamation and did not contribute to adverse cumulative impacts since they are limited to water movements (no ground disturbance) and did not involve direct adverse impacts. The future facilities listed in Table 3-1 of Final EA 09-121 can occur under the No Action Alternative and are therefore considered baseline conditions. As such, the Proposed Action when added to other past, present, and future similar actions would not result in cumulative adverse impacts to water quality.

Surface Water Resources

Under the Proposed Action, increased water banking, transfers, and exchanges during wet periods would occur to off-set decreases in the surface water supplies within the Region. The additional water banking, transfers, and exchanges could add to beneficial uses of water supplies and reduce the amount of water that contributes to flooding and to saline sinks. In any given year, water would be conveyed from areas with excess water to groundwater banks or exchanged or transferred with areas with demand, recharge capacity, and available storage. In the case of exchanges, the agreed portion of the water would be returned to the same contractor or service area that supplied the water. The return would be made at a time when the original district has a demand and insufficient supplies are available from its basic contract supplies. No increases or decreases in allowable diversions from reservoirs or waterways would occur, although the timing of delivery would change. Therefore, there would be no adverse impacts from the Proposed Action to surface water resources.

The reservoirs, rivers and creeks within the Region associated with the Proposed Action are managed for flood control, municipal and industrial purposes, and agricultural supplies. Diversions of water occur based on the hydrological and environmental conditions. During wet seasons and high water flows, surplus water supplies are released and, if possible, marketed to quickly disperse this water to avoid flooding and damage downstream in the rivers. The Proposed Action would not contribute to or interfere with flood control management and operations. The Proposed Action would not interfere with deliveries, operations or cause adverse changes to the rivers, creeks or conveyance facilities associated with the SWP or CVP. The conveyance facilities and river systems in and around the Region are interconnected and allow for a myriad of transfers, exchanges, contract assignments, banking projects, and conveyances of water via Warren Act contracts, Operational Contracts or Article 55 of the SWP. The conveyance of water under these water service options are subject to available capacity, meeting primary requirements, and environmental reviews. Therefore, the Proposed Action would not result in cumulative adverse impacts to surface water resources.

Groundwater Resources

Under the Proposed Action, the banking, transferring, and exchanging of water to areas with insufficient surface water supplies would result in less pumping of groundwater during times of inadequate surface water supply. Groundwater overdraft caused by pumping is considered a threat to the water quality and quantity in the San Joaquin Valley; therefore, less groundwater pumping could constitute a beneficial effect.

Recharging surplus water into groundwater stores surface water during wet periods (seasons or years) as groundwater, which would result in shallower groundwater levels and increased reliability. Return of the agreed upon portion of the previously banked water would result in

increased supply reliability and higher groundwater elevations in the district returning the water and the recipient district in comparison to the No Action Alternative. Because, of the banking agreement and action, a higher groundwater level would be maintained than occurs without the banking agreement. There would be no adverse impacts to groundwater resources due to the Proposed Action.

Over the long-term, groundwater levels could benefit from the groundwater banking actions and the decrease in the need to pump groundwater. Land subsidence is less likely to get worse as a result of the Proposed Action. Therefore, no adverse cumulative impacts to groundwater resources would occur.

Land Use

The Proposed Action would allow better water management of the Region's varied water resources, which in turn would help maintain the existing agricultural practices and land use within the Region.

Development and urbanization is occurring in the Region. This type of land use causes an increase in water demand. Over the long-term, increased reliability in surface water supplies would allow farmers to maintain their existing crops. Therefore, the Proposed Action, when added to other past, present, and future actions, would not contribute to adverse cumulative impacts to land use.

Biological Resources

The contractors involved in the proposed action would sign binding letters of agreement restricting the use of this water and including the requirements to avoid environmental impacts. The requirement that no native lands be converted without consultation with the Fish and Wildlife Service (Service), and the stringent requirements for transfers under applicable laws would preclude any impacts to wildlife.

Under the IRWMP, it is assumed that additional planned construction projects would occur and may impact federally listed species. If a federal agency is not the lead on these particular projects, the project proponents would be expected to obtain incidental take permits from the Service through the Endangered Species Act section 10 process, in cases where incidental take would occur. In the case where other special-status species may be impacted, such as the Swainson's hawk and western burrowing owl, the project proponents would also need to comply with the California Endangered Species Act and other relevant Fish and Game Code.

Farming practices would not change. Reclamation determines annual allocations to CVP contractors based on hydrological conditions and after meeting water quality and fish and wildlife requirements. The amount of water diverted from reservoirs or waterways would not change although the timing may differ. Habitat types would not change from past conditions. Lands that have been fallowed three consecutive years would require biological surveys prior to disking. Approval of the banking and exchange of water would not interfere with the requirements or ability of Reclamation to make water available for fish and wildlife uses mandated by Central Valley Project Improvement Act.

As discussed under the No Action alternative, it is assumed that additional planned construction projects would occur; however, the projects may occur later in time under the Proposed Action. Construction projects would not depend on the Proposed Action for their justification and are therefore part of the baseline conditions. Therefore, potential impacts resulting from these projects would have to be analyzed separately.

The Proposed Action Alternative would have no impact on biological resources, and therefore, would have no cumulative impact on biological resources.

Indian Trust Assets (ITA)

The Proposed Action involves existing facilities to convey water and would not include modifications or new construction of facilities. Therefore, the Proposed Action does not have the potential to affect ITA.

The Proposed Action, when added to other past, present, and future actions, would not contribute to cumulative impacts to ITA as there are none in the Proposed Action area.

Indian Sacred Sites

Neither restriction of access to nor adverse effects to the physical integrity of any sacred sites would occur. As such, there would be no direct, indirect, or cumulative impacts to Indian sacred sites as a result of the Proposed Action.

Environmental Justice

Most of the disadvantaged communities within the Region rely on groundwater and agriculture-related work. The Proposed Action could benefit economically disadvantaged communities and minority populations within the Region by helping to reduce the declines in groundwater levels and maintaining farm job opportunities.

The Proposed Action, when added to other past, present, and future actions would not result in changes to total water supplies; however, timing of supply availability would more closely correspond to demands. The Proposed Action would allow available water supplies to be redistributed within the same geographic area. The Proposed Action may maintain some jobs for farm laborers, reduce flow to saline sinks, and improve economic conditions within the Region. SWP, CVP, and Kern River waters are delivered into the Region and if they have flood related flows, they usually come at slightly different peak times, and thus, flexibility helps reduce the flooding by having more area to deliver the water.

Socioeconomic Resources

The Proposed Action would allow water users to optimize the use of surface water through banking, transfers, and exchanges during wet periods, which may reduce the amount of groundwater used during dry periods. Maintenance of groundwater levels would reduce energy use and pumping costs for local communities and individual homeowners as well as farmers. The Proposed Action would allow increased flexibility in timing of deliveries, which would help maintain existing farming practices and small businesses that depend upon agriculture. As a result, the Proposed Action would not result in adverse affects to socioeconomic resources.

The Proposed Action Alternative is a water management tool that adds flexibility in the timing for delivery of the available water supply that could maintain some crops and jobs for farm laborers and workers in supporting businesses. The cumulative effect of helping to maintain farm jobs and agriculture-dependent small businesses will be within historical conditions. The Proposed Action, when added to other past, present, and future actions, would not contribute to adverse cumulative impacts to socioeconomic resources.