

# RECLAMATION

*Managing Water in the West*

**Draft FINDING OF NO SIGNIFICANT IMPACT**

## **Oak Flat Water District and Del Puerto Water District Long-Term Water Exchange**

**FONSI-16-043**



## **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-16-043**

**Oak Flat Water District and Del Puerto  
Water District Long-Term Water  
Exchange**

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Recommended by: Michael P. Jackson, P.E.  
Area Manager

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Date

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Concurred by: Anastasia T. Leigh  
Regional Environmental Officer

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Date

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Approved by: Pablo Arroyave  
Acting Regional Director

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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 an environmental impact statement is not required for Del Puerto Water District (Del Puerto) and Oak Flat Water District (Oak Flat) to exchange available water supplies through the Delta-Mendota Canal and the California Aqueduct. This draft Finding of No Significant Impact (FONSI) is supported by Reclamation's Environmental Assessment (EA)-26-043, *Oak Flat Water District and Del Puerto Water District Long-Term Water Exchange* and is incorporated by reference in the EA.

No final decision shall be made on the FONSI until public review has been completed and comments, if any, considered.

## Background

In order to provide a more reliable water supply, the North of O'Neill Contractors<sup>1</sup> requested a long-term exchange agreement with Reclamation and the California Department of Water Resources (DWR) for conveyance of their Central Valley Project (CVP) water supplies. Reclamation analyzed the proposed long-term exchange agreements in EA-15-009 and a FONSI was signed on June 16, 2015. FONSI/EA-15-009 is hereby incorporated by reference.

Del Puerto is one of the North of O'Neill Contractors analyzed in EA-15-009. Since 2014, DWR has facilitated the delivery of CVP water to Del Puerto via an exchange with Reclamation. Exchanged water is conveyed to some of Del Puerto's lands located adjacent to the California Aqueduct through Oak Flat's existing State Water Project (SWP) turnouts and facilities.

The proposed exchange analyzed in EA-15-009 for Del Puerto and Oak Flat included exchange of up to 3,966 acre-feet (AF) per year of CVP and SWP water delivered solely via the California Aqueduct. However, Oak Flat and Del Puerto share common landowners that receive deliveries from the California Aqueduct and the Delta-Mendota Canal. In order to better manage water supplies, Del Puerto and Oak Flat have requested approval from Reclamation to exchange available water supplies through the Delta-Mendota Canal as well as the California Aqueduct.

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<sup>1</sup> Byron Bethany Irrigation District (as service provider for Musco Family Olive Company), U.S. Department of Veteran's Affairs San Joaquin Valley National Cemetery, and Del Puerto are three CVP contractors located south of the Harvey O. Banks Pumping Plant and north of O'Neill Forebay, collectively referred to as North of O'Neill Contractors.

## **Proposed Action**

Reclamation proposes to approve long-term exchange agreements (through February 28, 2030) between DWR, Del Puerto, and Oak Flat that would allow the exchange of up to 3,000 AF per year of CVP and SWP supplies between the Districts utilizing the California Aqueduct and the Delta-Mendota Canal. Specific details of the proposed exchanges are included in Section 2.2 of EA-16-043.

Reclamation and DWR intends to request a long term change in Place of Use from the State Water Resources Control Board once applicable environmental review is completed. Pending approval of the long term action, Reclamation and DWR will request temporary changes in Place of Use, the most recent of which was approved on May 17, 2016. Once this expires, exchanges under the Proposed Action would only be implemented when a change in Place of Use is in effect.

### **Environmental Commitments**

Reclamation, DWR, Del Puerto, and Oak Flat shall implement the environmental protection measures listed in Table 1 of EA-16-043 to reduce environmental consequences associated with the Proposed Action. 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 2 of EA-16-043, 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: air quality, cultural resources, environmental justice, global climate change, Indian Sacred Sites, Indian Trust Assets, land use, or socioeconomic resources.

### **Biological Resources**

Under the Proposed Action, there would be no construction, no changes in Delta pumping, and water would only be used to support existing land uses. There is no critical habitat in the Proposed Action Area. The San Joaquin kit fox and any migrating birds could continue to use the Proposed Action Area as under the No Action alternative. With the environmental commitments listed in Table 1 and based upon the nature of this Action, Reclamation has determined there would be No Effect to proposed or listed species or critical habitat under the Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et seq.), and there would be no take of birds protected under the Migratory Bird Treaty Act (16 U.S.C. §703 et seq.).

### **Water Resources**

Under the Proposed Action, Reclamation would coordinate with DWR to acquire a Long-Term Change in Place of Use from the State Water Resources Control Board in order to execute long-

term exchange agreements with DWR, Del Puerto, and Oak Flat. Del Puerto and Oak Flat's common landowners would receive long-term water supply reliability from their existing water supply allocations. No additional water supply would be provided to either District.

The exchange of CVP and SWP water supplies would be one-for-one and would utilize existing facilities for existing purposes. No new infrastructure, modifications of existing facilities, or ground disturbing activities would be required in order to facilitate the exchange. No native or untilled land (fallow for three years or more) would be cultivated with water involved with these actions.

CVP and SWP facilities would not be impacted as the exchanged water will be scheduled and approved by Reclamation and DWR in advance. There would be no increase in diversions from the Delta by either DWR or Reclamation as a result of the exchanges and the Proposed Action would not interfere with Reclamation's obligations to deliver water to other contractors, wetland habitat areas, or for other environmental purposes.

### **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.

### **Biological Resources**

As the Proposed Action would not impact any federally listed species or migratory birds, it would not contribute cumulatively toward any impacts to those resources.

### **Water Resources**

The Proposed Action and other similar projects would not hinder the normal operations of the CVP or SWP as exchanges would be coordinated by Reclamation and DWR in advance. In addition, there would be no effect on Reclamation's obligation to deliver water to its contractors or to local fish and wildlife habitat as the supplies exchanged would be one-for-one exchanges from existing supplies between DWR and Reclamation. Since the Proposed Action would not involve construction or modification of facilities, nor interfere with CVP or SWP operations, there would be no cumulative impacts to water supplies, existing facilities, or other contractors.