

RECLAMATION

Managing Water in the West

Draft FINDING OF NO SIGNIFICANT IMPACT

Central Valley Project Interim Renewal Contract for the City of Tracy 2018-2020

FONSI-17-019



U.S. Department of the Interior
Bureau of Reclamation
South-Central California Area Office

December 2017

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-17-019

Central Valley Project Interim Renewal
Contract for the City of Tracy 2018-2020

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Area Manager

Date

Concurred by: Anastasia T. Leigh
Regional Environmental Officer

Date

Approved by: David Murillo
Regional Director

Date

Introduction

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of the Bureau of Reclamation (Reclamation), determined that the proposed execution of interim renewal contract 14-06-200-7858A-IR3 with the City of Tracy for 20,000 acre-feet (AF) per year 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)-17-019, *Central Valley Project Interim Renewal Contract for the City of Tracy 2018-2020*, hereby incorporated by reference. The EA is tiered to the Central Valley Project Improvement Act (CVPIA) Programmatic Environmental Impact Statement (PEIS), October 1999.

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

Background

Interim renewal contracts have been and continue to be executed pursuant to 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. 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.

Alternatives Considered

No Action

Under the No Action alternative, Reclamation would not renew the City of Tracy's (City) interim renewal contract set to expire February 28, 2018. Reclamation would continue to pursue execution of long-term contract renewals for the City, as mandated by Section 3404(c) of the CVPIA. There would be no contractual mechanism for Reclamation to deliver up to 20,000 AF per year of Central Valley Project (CVP) water to the City once the current contract expires, and the City would need to seek other supplies to fulfill the existing water supply needs of the City's customers. To offset the loss of up to 20,000 AF per year, the City would likely pump additional groundwater or purchase additional surface water on the open market.

Proposed Action

Under the Proposed Action, the City would continue to receive up to 20,000 AF per year of CVP water pursuant to the interim renewal contract 14-06-200-7858A-IR3.

Environmental Commitments

Reclamation and the City shall implement the environmental protection measures included in Table 2 of EA-17-019. Environmental consequences for resource areas assume the measures specified will be fully implemented.

Findings

In accordance with NEPA, the Mid-Pacific Regional Office of Reclamation determined that the approval of the Proposed Action is not a major federal action that will significantly affect the quality of the human environment; consequently, an environmental impact statement is not required.

The following reasons are why the impacts from the proposed action are not significant:

1. The proposed action will not significantly affect public health or safety (40 CFR 1508.27(b)(2)).
2. The proposed action will not significantly affect natural resources and unique geographical characteristics such as proximity to historic or cultural resources; parks, recreation, and refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order (EO) 11990); flood plains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas (40 CFR 1508.27(b)(3) and 43 CFR 46.215(b)).
3. There is no potential for the effects to be considered highly controversial (40 CFR 1508.27(b)(4)).
4. The proposed action will not have possible effects on the human environment that are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5)).
5. The proposed action will neither establish a precedent for future actions with significant effects nor represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6)).
6. The proposed action will not have cumulatively significant impacts (40 CFR 1508.27(b)(7)).
7. The proposed action will not significantly affect historic properties (40 CFR 1508.27(b)(8)).

8. The proposed action will not significantly affect listed or proposed threatened or endangered species, or its habitat that has been determined to be critical under the Endangered Species Act of 1973 (40 CFR 1508.27(b)(9)).
9. The proposed action will not threaten a violation of Federal, State, tribal or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)).
10. The proposed action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum dated December 15, 1993).
11. Implementing the proposed action will not disproportionately affect minorities or low-income populations and communities (EO 12898).
12. The proposed action will not limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 13007 and 512 DM 3).