

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Shafter-Wasco Irrigation District 5-Year Warren Act Agreement for Kern River Water

FONSI-17-024



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

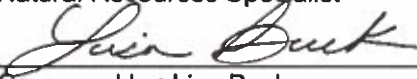
FONSI-17-024

**Shafter-Wasco Irrigation District 5-Year
Warren Act Agreement for Kern River
Water**



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Dec 13, 2017
Date



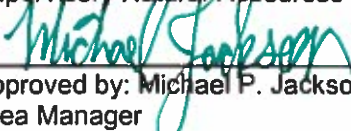
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12/14/2017
Date



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12/18/17
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Approved by: Michael P. Jackson, P.E.
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12/19/2017
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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 an environmental impact statement is not required for the Shafter-Wasco Irrigation District Warren Act agreement. This Finding of No Significant Impact (FONSI) is supported by Reclamation's Environmental Assessment (EA)-17-024, *Shafter-Wasco Irrigation District 5-Year Warren Act Agreement for Kern River Water*, and is hereby incorporated by reference.

Reclamation provided the public with an opportunity to comment on the Draft FONSI and Draft EA between August 10, 2017 and August 25, 2017. One comment was received. The comment letter and Reclamation's response to comments is included in Appendix A of Final EA-17-024.

Background

The Friant-Kern Canal carries water over 151.8 miles in a southerly direction from Millerton Lake to the Kern River, 4 miles west of Bakersfield. The majority of the canal is concrete lined, and has a maximum carrying capacity of 5,300 cubic feet per second (cfs). However, since construction in 1951 by Reclamation, the Friant-Kern Canal has lost its ability to fully meet its designed conveyance capacity, resulting in restrictions on water deliveries to Friant Division Central Valley Project (CVP) contractors. The reduction in capacity is a result of several factors, including original design limitations, ground subsidence, natural erosion of the canal lining, and changes in water delivery patterns.

From approximately Milepost (MP) 103 to MP 107 of the Friant-Kern Canal, there has been dramatic canal subsidence. The subsidence has caused water capacity issues in this stretch of the canal which has the potential to seriously impact CVP contractors, including but not limited to Shafter-Wasco Irrigation District (Shafter-Wasco).

Shafter-Wasco obtains its CVP water supplies from the Friant-Kern Canal for agricultural use only. They do not have any other long-term surface water supplies. To supplement their water supply portfolio, Shafter-Wasco has purchased 5,000 acre-feet (AF) of Kern River water (hereafter referred to as non-CVP water) from Buena Vista Water Storage District (Buena Vista). In order to receive this non-CVP water, Shafter-Wasco has requested approval from Reclamation to introduce and convey their purchased non-CVP water in the Friant-Kern Canal.

Proposed Action

Reclamation will issue a 5-year Warren Act agreement to Shafter-Wasco for the introduction and conveyance of up to 5,000 AF per year (AFY) of non-CVP water purchased from Buena Vista. Specific details of the proposed transfers are included in Section 2.2 of EA-17-024.

Environmental Commitments

Shafter-Wasco shall implement the environmental protection measures listed in Table 1 of EA-17-024 to avoid 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-17-024, 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, and Indian Trust Assets.

Biological Resources

The Proposed Action would involve the diversion of 30 cfs of water from the Kern River, for delivery to Shafter-Wasco, for up to 90 days per year over a 5-year period. Flows in the Kern River are significantly higher this year than they have been in the last several years due to increased precipitation and run-off. The Kern River downstream of the Beardsley-Lerdo Canal diversion point supports a narrow-band of low quality remnant riparian habitat in some areas, and is bordered by development (i.e. oil fields, shopping centers agricultural orchards, etc.). Large portions of the Kern River several miles downstream of the Beardsley-Lerdo diversion point go dry in most years. Buena Vista Lake Shrews have been observed at the Kern Fan Water Recharge Area west of Bakersfield, and may still be present in this area. However, the Kern River typically goes dry miles upstream of this area, so the diversion of water for the Proposed Action would not affect the habitat in this area and would therefore have *No Effect* on Buena Vista Lake Shrews.

The Proposed Action would not involve any construction or changes in land use. The water involved in the Proposed Action would be used to support existing uses within Shafter-Wasco and would not be used to convert fallowed lands or lands that have been untilled for three or more years. No native lands would be cultivated as a result of the Proposed Action. With the implementation of the environmental commitments included in Table 1 of EA-17-024, Reclamation has determined that the Proposed Action would result in *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

Reclamation would annually approve the introduction of up to 5,000 AF of Shafter-Wasco's non-CVP water into the Friant-Kern Canal when excess capacity is available as determined by Reclamation. The water would be used by Shafter-Wasco's landowners to meet existing agricultural demands. All water would be used for existing purposes to offset potential reduced

deliveries from the Friant-Kern Canal. By receiving the non-CVP water, Shafter-Wasco's allocated CVP water would be rescheduled for a time when demand is lower, preventing excess capacity issues in the Friant-Kern Canal. Therefore, the Proposed Action would provide a beneficial impact to water resources for CVP contractors within and south of the subsidence impacted area, including Shafter-Wasco.

The Kern River water is allocated for use under Buena Vista's water rights, and has been made available to Shafter-Wasco because this water is in excess of their needs. The Proposed Action does not represent a new diversion of water, or a new water right, but an alternate use for an existing supply.

The Kern River water purchased from Buena Vista originates as snow in the Kern River watershed, and is generally of very high quality (see Table 4 in EA-17-024). Under the Proposed Action, this water would be conveyed through a portion of the Beardsley-Lerdo Canal upstream of any produced water, as per North Kern Water Storage District's, to the Friant-Kern Canal. The non-CVP water is required to meet Reclamation's then current water quality standards prior to the introduction in the Friant-Kern Canal. If, through monitoring, the non-CVP water fails to meet these standards, the water would not be introduced until subsequent testing has demonstrated that the water quality has met the criteria outlined in Reclamation's then current water quality standards.

No facilities would be constructed or modified for the Proposed Action. Based on these findings, there would be no adverse impacts as a result of the Proposed Action.

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 is not expected to result in any direct or indirect impacts to biological resources, there would be no cumulative impacts.

Water Resources

Reclamation has reviewed existing or foreseeable projects in the same geographic area that could affect or could be affected by the Proposed Action as Reclamation and CVP contractors have been working on various water management projects, including this one, in order to better manage limited water supplies due to current and future hydrologic conditions as well as regulatory requirements. This and similar projects would have a cumulatively beneficial effect on water supplies.

As in the past, hydrological conditions and other factors are likely to result in fluctuating water supplies, which drive requests for water service actions. Water districts provide water to their customers based on customers' demands and available water supplies and timing, while attempting to minimize costs. Farmers irrigate and grow crops based on these conditions and

factors, and a myriad of water service actions are approved and executed each year to facilitate water needs. It is likely that during a drought, more districts will request exchanges, transfers, and Warren Act contracts (conveyance of non-Project water in federal facilities) due to hydrologic conditions. Each water service transaction involving Reclamation undergoes environmental review prior to approval.

Capacity in the Friant-Kern Canal is limited, and if several water actions were scheduled to take place concurrently then they could cumulatively compete for space. However, non-CVP water would only be allowed to enter the Friant-Kern Canal for conveyance if excess capacity is available. As such, the Proposed Action would not limit the ability of CVP contractors to make use of the facilities. In addition, the introduction of the non-CVP water would allow Shafter-Wasco to reduce demands within the area affected by subsidence by rescheduling receipt of their available water supplies to a later time when there is less demand, reducing the chance for excess capacity issues for itself and other CVP contractors. This would provide a cumulatively beneficial impact to available water supplies.

The Proposed Action and other similar projects would not hinder the normal operations of the CVP and Reclamation's obligation to deliver water to its contractors or to local fish and wildlife habitat. Since the Proposed Action would not involve construction or modification of facilities, nor interfere with CVP operations, there would be no cumulative impacts to existing facilities or other contractors.