

RECLAMATION


Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Sacramento Suburban Water District 5-year Warren Act Contract

FONSI CCAO 17-08

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Sacramento Suburban Water District 5-Year Warren Act Contract

BACKGROUND

This Finding of No Significant Impact (FONSI) for the execution of a 5-year Warren Act contract (WAC) between Sacramento Suburban Water District (SSWD) and the Bureau of Reclamation's Central California Area Office (Reclamation), has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended; the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of the NEPA of 1969 (40 Code of Federal Regulations [CFR] Parts 1500-1508); and Department of the Interior regulations (43 CFR Part 46).

The Warren Act (43 U.S.C. §523) of 1911 provides authorization to the Secretary of the Interior to enter into Warren Act contracts with water purveyors to carry non-Central Valley Project (i.e., non-CVP water) through federal facilities. These contracts provide for the impounding, storage, and conveyance of non-CVP water for domestic, municipal, fish and wildlife, industrial, and other beneficial uses using any CVP facilities identified in the law, including Folsom Reservoir.

The Proposed Action would execute a "wet-year only" WAC, delivering annually up to 14,500 acre-feet per year (AFY) of Placer County Water Agency (PCWA) Middle Fork Project (MFP) water through Folsom Reservoir for municipal and industrial uses in SSWD's service area in north-central Sacramento County. The term of the WAC would be from March 1, 2018, through February 28, 2023. Water contract deliveries would be made through existing facilities and no new construction is required.

Reclamation prepared, and posted on its website, the SSWD 5-Year WAC Draft Environmental Assessment (Draft EA) for public review and comment. The public review period began on January 17, 2018, and ended on February 1, 2018. The Draft EA concluded that execution of SSWD's 5-year WAC would not have a significant effect on the human environment. Therefore, an environmental impact statement is not required and will not be prepared for this project.

ALTERNATIVES CONSIDERED

No Action

Further consideration of possible alternatives to the Proposed Action determined that the range of alternatives available to meet even the most basic purposes and need for the action is extremely limited. Diversion at Folsom Reservoir is necessary in order to avoid substantial additional investment, facilities construction and environmental impact associated with the development of alternative diversion and/or conveyance facilities. In addition, the feasibility of such alternative facilities is unknown. Also, any reduction in the total amount of the proposed 14,500 AFY diversion in wet years would be inconsistent with the basic purpose of the WAC which is to reduce reliance on groundwater resources within the SSWD service area.

Therefore, the 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. Under the No Action Alternative, 14,500 AFY of non-CVP water would be diverted at PCWA's American River Pump Station for use within PCWA's service area.

Proposed Action

As noted previously, the Proposed Action is a "wet-year only" WAC that would allow the diversion of up to 14,500 AFY of PCWA MFP water from Folsom Reservoir to serve customers in the SSWD's service area. In order for SSWD to use the up to 14,500 AFY of PCWA MFP water currently available through an existing agreement, diversion at Folsom Reservoir is necessary in order to avoid substantial additional investment, facilities construction and likely environmental impact associated with the development of alternative diversion and/or conveyance facilities, the feasibility of which is unknown.

The "wet-year only" WAC conditions reflect existing minimum in-stream flow agreements for water deliveries to the contractor according to the following restrictions:

- a) In years when the projected March-to-November unimpaired inflow to Folsom Reservoir is greater than 1,600,000 AF; or
- b) Notwithstanding a) above, in a December, January, and February following a March through November period when the unimpaired inflow was less than 1,600,000 AF, when and after water is being released from Folsom Reservoir for flood protection.

No changes in land use or construction related activities are included as part of this action; the proposed surface water supply would only be an in-lieu replacement of an already existing water supply (groundwater) and not an additional water supply. Therefore, direct impacts on resources related to facilities construction and indirect impacts related to growth and development due to the Proposed Action would not occur.

FINDINGS

There were no comments received on the Draft EA. Based on the attached Final EA for the SSWD WAC, which is hereby incorporated by reference, Reclamation finds that the Proposed Action is not a major federal action that would significantly affect the quality of the human environment. Following are the reasons why the impacts of 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 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; floodplains (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. The Proposed Action is not likely to result in effects to the human environment that are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5)).
4. 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)).
5. Effects of the Proposed Action have no potential to be considered highly controversial (40 CFR 1508.27(b)(4)).
6. The Proposed Action will not have significant cumulative impacts to the human environment (40 CFR 1508.27(b)(7)).
7. The Proposed Action has no potential to affect historic properties (40 CFR 1508.27(b)(8)) because no ground disturbing activities or construction activities are included or will result from the execution of a 5-year WAC (see cultural resource memo dated 6-27-2017; Tracking number 17-CCAO-211).
8. The CalSim IIⁱ modeling analysis conducted for the implementation of SSWD's long-term WAC (November 2017) found that there was no effect to Folsom Reservoir operations or cold water pool management. Therefore, Reclamation has concluded no effects to the operation of Folsom Reservoir based on flows or management of the cold water pool and their ability to meet downstream fisheries requirements for Central Valley steelhead, and fall/spring-run Chinook salmon as a result of the 5-year WAC.
9. The EA determined that no new construction would occur as a direct or indirect result of the Proposed Action. In addition, the delivery of water made available to customers within the 5-year WAC service area would in no way influence growth and development within the service area due to the availability of existing alternate sources of water. Based on this result, there would be no effect on terrestrial and riparian special-status species relative to the environmental baseline within the 5-year WAC service area.
10. The Proposed Action will not violate federal, state, tribal or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)).
11. The Proposed Action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum dated December 15, 1993), as there are no tribes possessing legal property interested held in trust by the United States in the water involved with this action, nor is there such a property interest in the lands designated to receive the water proposed in this action.
12. Implementing the Proposed Action will not disproportionately affect minorities or low-income populations and communities (EO 12898).

13. The Proposed Action will not limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007 and 512 DM 3). No sacred sites are known to exist within the proposed 5-year WAC action area.

ⁱ CalSim is the model used to simulate California State Water Project (SWP)/Central Valley Project (CVP) operations. CalSim-II is the latest version of CalSim available for use.