

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Ivanhoe Irrigation District 5 Year Warren Act Agreement for up to 6,500 Acre-Feet of Kaweah River Water in the Friant-Kern Canal

FONSI-17-044



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

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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-17-044

**Ivanhoe Irrigation District 5 Year Warren
Act Agreement for up to 6,500 Acre-Feet
of Kaweah River Water in the Friant-Kern
Canal**

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Introduction

In accordance with section 102(2)(c) of the National Environmental Policy Act of 1969, as amended, the Bureau of Reclamation (Reclamation) prepared this Finding of No Significant Impact (FONSI) which is supported by Reclamation's Environmental Assessment (EA)-17-044, *Ivanhoe Irrigation District 5 Year Warren Act Agreement for up to 6,500 Acre-Feet of Kaweah River Water in the Friant-Kern Canal*, hereby incorporated by reference.

Background

Ivanhoe Irrigation District (Ivanhoe) is located in Tulare County and is a Friant Division Repayment Contractor with a Class 1 contract supply of up to 6,500 acre-feet (AF) and a Class 2 contract supply of up to 500 AF. Ivanhoe wants to supplement its available water supply with Kaweah River water when Central Valley Project (CVP) water allocations are reduced or not made available.

In 2014, Reclamation analyzed a 5-year Warren Act Agreement for conveyance of non-CVP water in federal facilities in EA/FONSI 14-037 (Reclamation 2014). Based on specific environmental commitments, Reclamation determined that the proposed Agreements would not significantly affect the quality of the human environment and a FONSI was issued on August 4, 2014. Both the EA and FONSI (Reclamation 2014) are hereby incorporated by reference. In EA 14-057 the participating contractors pursued a range of supplemental water supplies, such as transfers, pumped groundwater and other surface water sources. Seven of the districts purchased a total of 8,250 AF of non-CVP Kaweah River water from the Wutchumna Mutual Water Company, which they delivered for agricultural use by way of the Friant-Kern Canal. These Agreements expire on February 28, 2019.

In addition to the existing Agreement, Ivanhoe is requesting an additional 5-year Agreement to have up to 6,500 AF of non-CVP Kaweah River water obtained from Wutchumna Water Company, Longs Ditch Company, Foothill Ditch Company, Hamilton Ditch Company, and Hawkeye Ditch Company (collectively referred to as Company), annually conveyed in the Friant-Kern Canal. This Kaweah River water is separate from the 8,250 acre-foot block that the seven contractors purchased in 2014.

Alternatives Considered

No Action

Under the No Action Alternative, Reclamation would not approve a 5-year Agreement with Ivanhoe for the introduction and conveyance in the Friant-Kern Canal of up to 6,500 AF annually of non-CVP Kaweah River water purchased from the Company. Ivanhoe would have

to take delivery of this water via non-Federal conveyance routes. The current existing Agreement would continue through February 28, 2019.

Proposed Action

Reclamation would approve a 5-year Agreement with Ivanhoe to receive up to 6,500 AF annually of non-CVP Kaweah River Water.

The Kaweah River water would be introduced into the Friant-Kern Canal using Lindsay-Strathmore Irrigation District's turnout at Milepost (MP) 69.13. There are three Friant Division Repayment contractors downstream of MP 69.13 which have Kaweah River water Agreements that could partake in this Proposed Action. They are Lindsay-Strathmore, Exeter Irrigation District, and Terra Bella Irrigation District.

Ivanhoe's delivery points (MP 65.04R, 67.05R, and 68.13R) are upstream of MP 69.13 and so Ivanhoe would enter into transfer agreements with the three Friant Division contractors downstream. This would allow Ivanhoe to transfer the Kaweah River water to them while being transferred a like amount of their Friant Division CVP water from Millerton Reservoir.

The non-CVP water would only be introduced into the Friant-Kern Canal when there is excess capacity available, as determined by Reclamation.

No ground disturbance or modification of existing facilities would be needed in order to convey water under the Proposed Action.

Environmental Commitments

Ivanhoe shall implement the environmental protection measures listed in Table 1 of EA-17-044 to avoid environmental consequences associated with the Proposed Action. Environmental consequences for resource areas assume the measures specified would be fully implemented.

Comments on the EA

Reclamation provided the public with an opportunity to comment on the Draft EA between April 6, 2018 and May 5, 2018. One comment letter was received. The comment letter and Reclamation's response to comments are included in Appendix A of EA-17-044.

Reclamation has considered every comment in the comment letter. No additional information was provided that changed the analysis contained in EA-17-044.

Findings

In accordance with NEPA, Reclamation has 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:

- The proposed action will not significantly affect public health or safety (40 CFR 1508.27(b)(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)).
- There is no potential for the effects to be considered highly controversial (40 CFR 1508.27(b)(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)).
- 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)).
- The proposed action will not have cumulatively significant impacts (40 CFR 1508.27(b)(7)).
- The proposed action will not significantly affect historic properties (40 CFR 1508.27(b)(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)).
- 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)).
- The proposed action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum dated December 15, 1993).
- Implementing the proposed action will not disproportionately affect minorities or low-income populations and communities (EO 12898).
- 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).