

RECLAMATION

Managing Water in the West

Draft FINDING OF NO SIGNIFICANT IMPACT

San Joaquin River Exchange Contractors Water Authority Return of Transferred Water

FONSI-18-016



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-18-016

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Introduction

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Bureau of Reclamation (Reclamation) has released this draft Finding of No Significant Impact (FONSI) which is supported by Reclamation's Environmental Assessment (EA)-18-016, *San Joaquin River Exchange Contractors Water Authority Return of Transferred Water*, hereby incorporated by reference, for public review. No final decision shall be made on the FONSI until public review has been completed and comments, if any, considered.

Background

The Bureau of Reclamation (Reclamation) and the San Joaquin River Exchange Contractors Water Authority (Exchange Contractors) prepared a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) on a proposed long-term program to annually transfer and/or exchange up to 150,000 acre-feet (AF) of water developed by the Exchange Contractors (Reclamation 2013). Under the program, the Exchange Contractors transfer water to San Joaquin Valley wildlife refuges as well as to Friant Division Central Valley Project (CVP) contractors, San Luis Unit CVP contractors, and/or State Water Project (SWP) contractors located west and south of the Sacramento/San Joaquin River Delta (Delta) for existing agricultural and municipal and industrial (M&I) purposes. Water for the proposed transfers and/or exchanges are developed through conservation measures as well as crop idling or land fallowing (annual maximum of 100,000 AF of conserved water and a maximum of 50,000 AF from temporary land fallowing). The EIS/EIR analyzed potential direct, indirect, and cumulative impacts to the following resources: surface water resources (Chapter 4), groundwater resources (Chapter 5), biological resources (Chapter 6), land use and agricultural (Chapter 7), socioeconomics (Chapter 8), Environmental Justice (Chapter 9), Indian Trust Assets (Chapter 10), air quality (Chapter 11), and climate change/greenhouse gases (Chapter 12). The EIS/EIR identified no potentially significant impacts or substantial adverse effects to physical and biological resources from implementing the preferred alternative, and no mitigation was required. However, the Exchange Contractors and Reclamation continue to monitor both surface and groundwater resources to avoid development of substantial adverse effects and meet existing environmental commitments. A Record of Decision (ROD) was signed by Reclamation on July 30, 2013. The program covered 25 consecutive years beginning March 1, 2014, through February 28, 2039. The EIS/EIR and ROD is hereby incorporated by reference. In order to better manage available water supplies, especially during drought conditions, the Exchange Contractors have requested authorization to return water from Reclamation-approved water banks that is transferred and/or exchanged under the program. As this was not covered in the EIS/EIR, additional environmental review is needed in order to address the potential effects of returning water from Reclamation-acknowledged banks to the Exchange Contractors.

Alternatives Considered

No Action

Under the No Action Alternative, the existing long-term transfer program would continue, however, Reclamation would not approve the annual return of up to 20,000 AF of previously transferred and/or future banked CVP water from Reclamation-acknowledged water banks over a 9 year period. The Exchange Contractors would not be able to use available water previously transferred or future banked CVP water for recharge or irrigation purposes within their service area or to transfer to other contractors under the long-term transfer program.

Proposed Action

Under the Proposed Action, Reclamation would approve the annual return of up to 20,000 AF of either previously transferred CVP and/or future banked CVP water from Reclamation-acknowledged water banks over a 9 year period (through December 2026).

Environmental Commitments

The Exchange Contractors shall implement the environmental protection measures listed in Table 1 of EA-18-016 to reduce environmental consequences associated with the Proposed Action. Environmental consequences for resource areas assume the measures specified would be fully implemented.

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).