

# RECLAMATION

*Managing Water in the West*

**Draft FINDING OF NO SIGNIFICANT IMPACT**

## **Transfer of Up To 2,500 Acre-Feet of Tulare Irrigation District's Central Valley Project Water to Wutchumna Water Company**

**FONSI-18-029**



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

**July 2018**

## **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-18-029**

**Transfer of Up To 2,500 Acre-Feet of  
Tulare Irrigation District's Central Valley  
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Company**

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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)-18-029, *Transfer of Up To 2,500 Acre-Feet of Tulare Irrigation District's Central Valley Project Water to Wutchumna Water Company*, 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

Tulare Irrigation District (Tulare) is a Central Valley Project (CVP) contractor located within the central San Joaquin Valley, south of Fresno, California (Figure 1). Tulare was organized September 21, 1889 with a coverage area of 32,500 acres. The so-called "Kaweah Lands" were annexed in January of 1948 and Tulare now encompasses about 70,000 acres. The entire district lies within Tulare County and provides surface water to approximately 230 farms. The Mediterranean-like climate – including hot, dry, and sunny summers and mild, moist winters – in combination with the alluvial soils and flat or gently sloping terrain makes the southern San Joaquin Valley desirable for farming and ranching. Tulare County exports millions of dollars of agricultural commodities annually.

The Wutchumna Water Company (Wutchumna) is a California Corporation with pre-1914 appropriative water rights to Kaweah River waters. Wutchumna has diverted, on average, about 60,000 acre-feet per year from the Kaweah River since the 1800's. Tulare maintains a stockholder agreement with Wutchumna, receiving approximately 25% of this Kaweah River water.

In efforts to ensure delivery of late-season irrigation waters, Tulare has requested approval of the Bureau of Reclamation (Reclamation) for a transfer of up to 2,500 acre-feet of CVP water to Wutchumna and, in turn, receive up to 2,500 acre-feet of Wutchumna's Kaweah River water supply. Because Tulare already takes delivery of Kaweah River water, currently-existing facilities can be operated to convey the transferred water through non-CVP facilities. The transferred water will be used to irrigate permanent crops.

## Alternatives Considered

### No Action

Under the No Action Alternative, Reclamation would not approve the one-time transfer of up to 2,500 acre-feet of Tulare CVP water supply to Wutchumna for late-season irrigation demands

during the 2018 contract year. Reclamation would continue to deliver CVP water to Tulare in accordance with the existing contract.

### **Proposed Action**

Reclamation proposes to approve the one-time transfer of up to 2,500 acre-feet of CVP water from Tulare to Wutchumna for late-season irrigation deliveries. This transfer will occur within existing facilities and will not require any construction activities. In return, up to 2,500 acre-feet of Wutchumna's Kaweah River water will be redirected to Tulare using existing in-district water delivery infrastructure. Tulare already has its own rights and facilities to take Kaweah River water. The water delivered to Wutchumna will be used on existing farmland that would normally receive Kaweah River water and/or groundwater. This transfer facilitates irrigation demands on permanent crops – primarily citrus – during the end of the 2018 irrigation season. Without this transfer, there is a potential for loss of crops among the Wutchumna land owners.

### **Environmental Commitments**

Tulare and the Wutchumna shall implement the environmental protection measures listed in Table 1 of EA-18-029 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).