

# RECLAMATION

*Managing Water in the West*

**FINDING OF NO SIGNIFICANT IMPACT**

## **Contra Costa Water District Cypress Preserve Property Inclusion**

**FONSI-15-049**



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

**September 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-15-049**

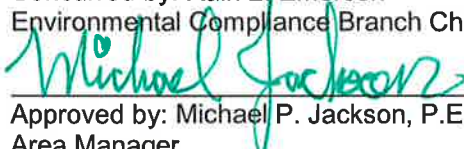
**Contra Costa Water District Cypress  
Preserve Property Inclusion**

  
\_\_\_\_\_  
Prepared by: Jennifer L. Lewis  
Natural Resources Specialist

Sept. 6, 2018  
Date

  
\_\_\_\_\_  
Concurred by: Rain L. Emerson  
Environmental Compliance Branch Chief

09/12/2018  
Date

  
\_\_\_\_\_  
Approved by: Michael P. Jackson, P.E.  
Area Manager

9/12/2018  
Date



# Introduction

In accordance with the National Environmental Policy Act (NEPA) 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)-15-049, *Contra Costa Water District Cypress Preserve Property Inclusion*, hereby incorporated by reference.

## Background

Contra Costa Water District (Contra Costa WD) has a long-term water service contract with Reclamation for up to 195,000 acre-feet per year of Central Valley Project (CVP) water for municipal and industrial (M&I) use.

The Cypress Preserve Property is a 1,243.6-acre proposed mixed-use residential development that would be located in Oakley, California. CVP water from Contra Costa WD was identified as the only reliable source of water. As provided for in their CVP water service contract, Contra Costa WD has requested approval from Reclamation for the inclusion of the Cypress Preserve Property into their CVP service area for receipt of CVP water supplies.

## Alternatives Considered

### No Action

Under the No Action Alternative, Reclamation would not approve the inclusion of Cypress Preserve Property into Contra Costa WD's CVP service area and CVP water would not be provided to the proposed development.

### Proposed Action

Under the Proposed Action, Reclamation would approve the inclusion of the Cypress Preserve Property into Contra Costa WD's CVP service area. This inclusion would allow Contra Costa WD to deliver CVP water to the proposed Cypress Preserve Property for M&I purposes. In addition to the Cypress Preserve Property inclusion, the development of the property will require various land use authorizations by either Reclamation or Contra Costa WD for access.

### *Permitting for the Proposed Action*

The developer shall comply with all terms and conditions of the Clean Water Act Section 401 Water Quality Certification (See Appendix A of EA-15-049), National Pollutant Discharge Elimination System General Permit, and Clean Water Act Section 404 Regional General Permit.

### *Environmental Commitments*

The developer shall implement the environmental protection measures listed in Table 2 of EA-15-049 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 EA-15-049 between October 5, 2017 and November 5, 2017. No comments were received.

## 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).