

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Partial Assignment from Mercy Springs Water District and Fresno Slough Water District to Angiola Water District

FONSI-16-030



— BUREAU OF —
RECLAMATION

**Interior Region 10 California-Great Basin
California*, Nevada*, Oregon***

***Partial**

South-Central California Area Office

March 2020

Mission Statements

The mission of the Department of the Interior is to conserve and manage the Nation's natural resources and cultural heritage for the benefit and enjoyment of the American people, provide scientific and other information about natural resources and natural hazards to address societal challenges and create opportunities for the American people, and honor the Nation's trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated island communities to help them prosper.

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-16-030

Partial Assignment from Mercy Springs Water District and Fresno Slough Water District to Angiola Water District



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2/21/2020
Date



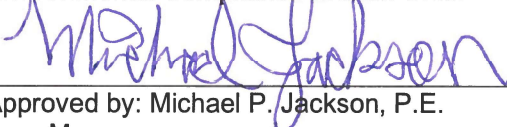
Concurred by: Lisa Buck
Wildlife Biologist

2/24/2020
Date



Concurred by: Rain L. Emerson
Environmental Compliance Branch Chief

02/27/2020
Date



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

3/4/2020
Date

Introduction

In accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, the Bureau of Reclamation (Reclamation) has prepared this Finding of No Significant Impact (FONSI), which is supported by Reclamation's attached Environmental Assessment (EA)-16-030, *Partial Assignment from Mercy Springs Water District and Fresno Slough Water District to Angiola Water District*, hereby incorporated by reference.

Background

In 2012, Reclamation completed EA-12-021 which analyzed the annual transfer up to 1,300 acre-feet per year (AFY) of Mercy Springs Water District's (Mercy Springs) Central Valley Project (CVP) water and up to 4,000 AFY of Fresno Slough Water District's (Fresno Slough) CVP water to Angiola Water District (Angiola) over a 9-year period.

EA-12-021 analyzed the direct, indirect, and cumulative impacts of the proposed transfers on the following resources: air quality, biology, cultural resources, environmental justice, global climate change, Indian Sacred Sites, Indian Trust Assets, land use, socioeconomics, and water resources. Reclamation determined that the proposed annual transfers would not significantly affect the quality of the human environment and a FONSI was signed on August 23, 2012. FONSI/EA-12-021 is hereby incorporated by reference.

Mercy Springs and Fresno Slough have since requested approval from Reclamation to assign a portion of their CVP water contract supplies to Angiola.

Alternatives Considered

No Action Alternative

Under the No Action alternative, Reclamation would not approve the partial assignment of CVP water from Fresno Slough and Mercy Springs to Angiola. The previously approved 9-year annual transfers of CVP water (up to 1,300 AFY of Mercy Springs and up to 4,000 AFY of Fresno Slough) would continue until it expires in 2021.

Proposed Action

Reclamation proposes to issue a partial assignment of 1,300 AFY of Mercy Springs' CVP contract allocation and a full assignment of 4,000 AFY of Fresno Slough's CVP contract allocation to Angiola. The term of the assignments would be the same as the existing water service contracts, through February 28, 2030.

In turn, Reclamation would amend Mercy Springs' CVP water service contract to reflect Mercy Springs' CVP contract quantity to be 1,542 AFY. Reclamation would also amend Fresno

Sough's CVP contract quantity to be 0 AFY. Fresno Slough would continue to retain their pre-1914 water rights water supply of 866 AFY pursuant to the terms of their CVP contract.

As a result of the proposed assignments, CVP water that is currently transferred to Angiola on an annual basis would be delivered to Angiola as scheduled delivery by Angiola rather than Mercy Springs or Fresno Slough. The assigned quantities would be used by Angiola to meet in-district demands and other uses consistent with the existing water service contracts and Reclamation approvals.

Because Angiola can only receive the water from the proposed assignments from the California Aqueduct through Tulare Lake Basin Water Storage District's existing turnouts, delivery of CVP water to Angiola would need to occur as operational exchanges between Reclamation and the California Department of Water Resources (DWR). Under the operational exchange, Mercy Springs' and Fresno Slough's CVP water would be conveyed from the federal share of San Luis Reservoir and made available to DWR. DWR would then deliver an equal amount of water to Angiola under Article 55 of Tulare Lake Basin's State Water Project (SWP) contract.

No new infrastructure, modifications of facilities, or ground disturbing activities would be needed for movement of this water. No native or untilled land (fallow for three years or more) would be cultivated with water involved with these actions.

Comments on the EA

Reclamation provided the public with an opportunity to comment on the Draft EA between October 3, 2019, and November 1, 2019. One comment letter was received. The comment letter and Reclamation's response are included as Appendix A of EA-16-030.

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)).

- 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).