Chapter 23 – Other NEPA Considerations

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Contents

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Chapter 23 Other NEPA Considerations

23.1 Irreversible and Irretrievable Commitment of Resources

The National Environmental Policy Act (NEPA) requires that an environmental impact statement (EIS) include a discussion of the irreversible and irretrievable commitments of resources that may be involved should an action be implemented. An irreversible commitment of resources is the permanent loss of a resource that cannot be replaced (or restored over a long period of time). An irretrievable commitment of resources is a loss of production or use of natural resources. The operational components of some of the action alternatives would result in irretrievable impacts on power resources, as discussed in Section 18.2.1. Alternative 1 would increase the annual energy use of the CVP 12% for the long-term average and 15% for dry and critically dry years. The increase in annual generation (1% long-term average, 3% dry and critically dry years) would be much less than increases of annual energy use (12% long-term average, 15% dry and critically dry years) under Alternative 1, resulting in slight reductions in annual net generation (4% long-term average, 2% dry and critically dry years). These would represent irreversible and irretrievable commitments of power resources for Alternatives 1.

For the SWP, Alternative 1 would increase the annual energy use of the SWP 25% for the long-term average and 47% for dry and critically dry years compared to the No Action Alternative. Under Alternative 1 for the long-term average and dry and critically dry years, the increase in annual generation (10% and 43%, respectively) would be less than increases of annual energy use (25% and 47%, respectively), resulting in reductions in annual net generation (42% long-term average, 72% dry and critically dry years). Alternative 2 phases would slightly increase (2% to 3%) annual long-term average energy use; and slightly increase annual energy use (1% to 3%) or have no change in dry and critically dry years. Under Alternative 2 phases there would be slight increases or decreases in annual generation (<1% to 1%) or there would be no change for both year types, resulting in slight decreases (4% to 6%) in annual net generation for Alternative 2 phases compared to the No Action Alternative. Alternative 4 would slightly increase average energy use for the annual long-term average (4%), and for dry and critically dry years (6%). Under Alternative 4 there would be slight increases (1% long-term average, 2% dry and critically dry years) in annual generation, resulting in a decrease (7%) in annual net generation for the long-term average and a decrease (10%) in net generation for dry and critically dry years. These would represent irreversible and irretrievable commitments of power resources for Alternatives 1, 2, and 4.

The operational components of some of the action alternatives would result in irretrievable impacts on water supply, given changes in releases from reservoirs, as described in greater detail in Appendix W, Geology and Soils Technical Appendix in the context of potential changes in soil erosion (see Tables W.2-1, W.2-2, W.2-3, W.2-4, and W.2-5). Table 23.2-1 presents a summary of changes in reservoir releases.

Table 23.2-1. Summary of Changes in Reservoir Releases (Dry Period and Wet Period)

Release Location	Alternative 1	Alternative 2	Alternative 3	Alternative 4
Trinity River	-3% to -2%	-9% to 1%	-8% to 6%	-9 to 2%
Sacramento River	-3% to 1%	2% to 5%	3% to 4%	0% to 1%
American River	-43% to 0%	-31% to 0%	-20% to 0%	-14% to -1%
Stanislaus River	7% to 13%	3% to 6%	4% to 10%	3% to 7%
San Joaquin River	-2% to 0%	0%	0% to 5%	0%

23.2 Relationship between Short-Term Uses and Long-Term Productivity

NEPA requires that an EIS consider "the relationship between short-term uses of man's environment and the maintenance and enhancement of long-term productivity." 40 Code of Federal Regulations 1502.16(a)(3).

In the short and long term, the action alternatives are expected to use power resources to operate the Central Valley Project (CVP) and State Water Project (SWP). Power consumption and power generation are considered both short- and long-term. As discussed in Section 23.1, there would be a net loss of power generation for Alternatives 1 and 4 for the CVP. There would be a loss in net generation for the SWP for Alternatives 1, 2, and 4.

The action alternatives will have varying effects on water deliveries, as shown in Table 23.2-2 and described in more detail in Appendix H, Water Supply. Increases in water supply shown in Table 23.2-2 could increase economic productivity, and vice versa. Additionally, as described in greater detail in Chapter 12, these changes in operations would also result in impacts to biological resources, ranging from adverse to beneficial depending on alternative, species, and water year type.

Table 23.2-2. Summary of Changes in Water Deliveries

Region	Alternative 1	Alternative 2	Alternative 3	Alternative 4
Trinity, Sacramento, Clear Creek, American River	**Reduce** – CVP Refuge Level 2 **Increase** – Other Contracts	**Reduce** – CVP Refuge Level 2, CVP Agriculture, CVP Settlement Contractors **No Change** – CVP M&I, SWP M&I	**Reduce** - CVP Settlement Contractors, CVP Refuge Level 2, CVP M&I, CVP Agriculture **No Change** –SWP M&I	**Reduce** – CVP Settlement Contractors, Agriculture **No Change** – CVP Refuge Level 2, CVP M&I, SWP M&I
Stanislaus	**Increase** – All	**Reduce** – CVP Agriculture **Increase** – CVP Exchange Contractors, CVP Refuge Level 2 **No Change** – CVP M&I, SWP Agriculture	**Reduce** – CVP Exchange, CVP Refuge Level 2, CVP M&I, CVP Agriculture, SWP Agriculture	**No Change** - All
Bay-Delta	**Increase** – All	**Reduce** – CVP M&I, CVP Agriculture **Increase** – SWP M&I	**Reduce** – CVP M&I, CVP Agriculture, SWP M&I	**No Change** – CVP M&I, CVP Agriculture **Increase** – SWP M&I
Central Coast	**Increase** – All	**Increase** – All	**Reduce** - All	**Increase** - All
Tulare Lake	**No Change** – CVP Refuge Level 2 **Increase** – Other Contracts	**No Change** – CVP refuge level 2 **Increase** – All Other Contract Types	**Reduce** – CVP Refuge Level 2, CVP Agriculture, SWP M&I, SWP Agriculture	**Reduce** – CVP Agriculture **No Change** – CVP Refuge Level 2, **Improve** – SWP M&I, SWP ag
Lahontan	**Increase** – All	**Increase** – All	**Reduce** - All	**Increase** - All

23.3 Growth-Inducing Impacts

NEPA requires that an EIS consider indirect effects of a project, which can be the result of growth inducement. This Project would not directly induce growth through the construction of infrastructure, housing, or commercial development.

As indicated in Table 23.2-1, some alternatives in some regions would increase water supplies, and inadequate water supplies can be a barrier to growth. However, these increased deliveries are to portions of the CVP and SWP where deliveries have been severely constrained in recent years. Therefore, the action alternatives would not increase deliveries above existing contract amounts and are not expected to reasonably and foreseeably indirectly result in growth-inducing impacts.

23.4 Consultation and Coordination

The Bureau of Reclamation (Reclamation) and the Department of Water Resources (DWR) have been coordinating CVP and SWP operations pursuant to the 1986 "Agreement Between the United States and State of California for the Coordinated Operations Agreement of the CVP and SWP," as amended in 2018. DWR is an applicant under the Interagency Cooperation regulations at 50 CFR § 402.02. Reclamation has worked to coordinate with many different parties that may have an interest in the development of this EIS. Reclamation has been meeting with stakeholders and interested parties since consultation was reinitiated on September 30, 2021. (See Chapter 23, Attachment 1.)

23.4.1 Interested Party Meetings

Reclamation has been conducting monthly interested party meetings to coordinate with water users, Tribes, cooperating agencies, state and local governments, public utilities districts, non-governmental organizations, among others to provide engagement opportunities that include providing information and receiving input on matters relevant to the long-term operation process.

23.4.2 Water Infrastructure Improvements for the Nation Act

Reclamation has been conducting quarterly public meetings consistent with the Water Infrastructure Improvements for the Nation (WIIN) Act, to provide for the conservation and development of water and related resources.

23.4.3 Tribal Consultation

Reclamation continues to coordinate with interested Tribes on CVP operations. Reclamation is separately and concurrently coordinating with the Hoopa Valley Tribe and the Yurok Tribe as joint leads (40 CFR part 1501) on Trinity River-specific considerations to develop potential Trinity River-specific alternatives for an updated operation for releases to the Trinity River and diversions from the Trinity River Basin to the Central Valley.

23.4.4 Resource Agencies

Reclamation has been coordinating regularly with the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife on the information related to biological resources that will be included in the EIS. Moreover, Alternative 2 was developed in coordination with these agencies.

23.4.5 Public Water Agencies

Reclamation has been coordinating with Public Water Agencies and collecting feedback during monthly interested party meetings.