



— BUREAU OF —
RECLAMATION

Extension of Del Puerto Water District's Warren Act Contract for Conveyance and Storage of Groundwater from Mapes Ranch

**Finding of No Significant Impact
CGB-FONSI-2022-031**

Mission Statements

The U.S. 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

CGB-FONSI-2022-031

**Extension of Del Puerto Water District's Warren
Act Contract for Conveyance and Storage of
Groundwater from Mapes Ranch**

Concurred by: Rain L. Emerson
Environmental Compliance Branch Chief

Concurred by: Lisa Buck
Wildlife Biologist

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

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 attached Environmental Assessment (EA) CGB-EA-2022-031, *Extension of Del Puerto Water District's Warren Act Contract for Conveyance and Storage of Groundwater from Mapes Ranch*, hereby incorporated by reference.

Background

In July 2021, Reclamation completed an EA that analyzed the proposed issuance of a Warren Act contract to Del Puerto Water District (Del Puerto) that would allow the introduction of up to 10,000 acre-feet of groundwater from Mapes Ranch into the Delta-Mendota Canal (DMC) for a period not to exceed one year from the date of approval. Reclamation analyzed the affected environment and determined that the proposal did not have the potential to cause direct, indirect, or cumulative adverse effects to the following resources: air quality, climate change, cultural resources, environmental justice, Indian Sacred Sites, and Indian Trust Assets. Reclamation also determined that, with the implementation of environmental commitments included as part of the proposal, direct, indirect, and cumulative impacts to surface and ground water resources, land use, and biological resources would be less than significant and issued a FONSI on July 1, 2021. The 2021 EA and FONSI are hereby incorporated by reference.

The Warren Act contract described above expires on July 31, 2022 and the District was only able to move approximately 7,000 acre-feet. As such, Del Puerto needs to extend the current Warren Act contract in order to finish conveying the remainder of the 10,000 acre-feet assessed in the 2021 EA and FONSI.

The purpose of the Proposed Action is to provide a short-term (through February 28, 2023) extension to Del Puerto's Warren Act contract in order to allow the water previously analyzed in the 2021 EA and FONSI to be moved to Del Puerto to meet existing demands.

Alternatives Considered

No Action Alternative

Under the No Action Alternative, Reclamation would not extend the period of time for the proposed introduction and conveyance of the remainder of Del Puerto's purchased groundwater into the DMC through February 28, 2023. Del Puerto would not be able to receive already purchased groundwater to meet existing demands.

Proposed Action

Reclamation proposes to extend Del Puerto's existing Warren Act contract to allow the remainder of the purchased groundwater (approximately 3,000 acre-feet) to be introduced and conveyed in the DMC through February 28, 2023. This is the only change from what was covered in the 2021 EA and FONSI and all other conditions and requirements remain the same.

Environmental Commitments

De Puerto shall implement the same environmental protection measures included in the 2021 EA and listed in Section 2.2.1 of the EA prepared to support this FONSI. 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 the 2021 Draft EA. No comments were received. Reclamation provided the public with an opportunity to comment on the EA supporting this FONSI between June 2, 2022 and June 15, 2022. No comments were received.

Findings

With the implementation of the environmental commitments listed in Section 2.2.1 of the EA, Reclamation has determined that there would be “no effect” to proposed or listed species or designated critical habitat under the Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et seq.) and no take of birds protected under the Migratory Bird Treaty Act (16 U.S.C. §703 et seq.) and The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c).

Reclamation has determined that the Proposed Action has no potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1).

In accordance with NEPA, Reclamation considered potential short-term and long-term effects of the Proposed Action, both beneficial and adverse. Following are the reasons why the impacts of the Proposed Action are not significant, with respect to the affected environment and degree of effects of the action (40 CFR 1501.3(b)).

1. The Proposed Action will not significantly affect public health or safety (40 CFR 1501.3(b)(2)(iii)).
2. The Proposed Action will not violate federal, state, tribal, or local law protecting the environment (40 CFR 1501.3(b)(2)(iv)).
3. The Proposed Action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum – July 2, 1993).
4. Implementing the Proposed Action will not disproportionately affect minorities or low-income populations and communities (EO 12898 – February 11, 1994).

5. The Proposed Action will not limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007 – May 24, 1996 and 512 DM 3 – June 5, 1998).



— BUREAU OF —
RECLAMATION

Extension of Del Puerto Water District's Warren Act Contract for Conveyance and Storage of Groundwater from Mapes Ranch

CGB-EA-2022-031

Final Environmental Assessment

Mission Statements

The U.S. 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.

Contents

	Page
1 Introduction	1
1.1 Background.....	1
1.2 Purpose and Need for the Proposed Action.....	1
2 Alternatives Including Proposed Action	2
2.1 No Action Alternative.....	2
2.2 Proposed Action.....	2
2.2.1 Environmental Commitments.....	2
2.2.1.1 Water Resources	2
2.2.1.2 Biological Resources.....	3
2.2.1.3 General Resources.....	3
3 Affected Environment and Environmental Consequences	3
3.1 Air Quality.....	3
3.2 Biological Resources	4
3.3 Climate Change.....	4
3.4 Cultural Resources	4
3.5 Environmental Justice	4
3.6 Indian Sacred Sites	4
3.7 Indian Trust Assets	5
3.8 Water Resources.....	5
3.9 Cumulative Impacts	5
4 Consultation and Coordination	6
4.1 Agencies and Persons Consulted.....	6
4.2 Public Involvement.....	6
5 References	6

1 Introduction

The Bureau of Reclamation (Reclamation) provided the public with an opportunity to comment on the Draft Environmental Assessment (EA) between June 2, 2022 and June 15, 2022. No comments were received. Changes between this Final EA and the Draft EA, which are not minor editorial changes, are indicated by vertical lines in the left margin of this document.

1.1 Background

In July 2021, Reclamation completed an EA that analyzed the proposed issuance of a Warren Act contract to Del Puerto Water District (Del Puerto) that would allow the introduction of up to 10,000 acre-feet of groundwater from Mapes Ranch into the Delta-Mendota Canal (DMC) for a period not to exceed one year from the date of approval. Reclamation analyzed the affected environment and determined that the proposal did not have the potential to cause direct, indirect, or cumulative adverse effects to the following resources: air quality, climate change, cultural resources, environmental justice, Indian Sacred Sites, and Indian Trust Assets. Reclamation also determined that, with the implementation of environmental commitments included as part of the proposal, direct, indirect, and cumulative impacts to surface and ground water resources, land use, and biological resources would be less than significant and issued a Finding of No Significant Impact (FONSI) on July 1, 2021 (Reclamation 2021). The 2021 EA and FONSI are hereby incorporated by reference.

1.2 Purpose and Need for the Proposed Action

The State of California is currently experiencing unprecedented water management challenges due to severe drought in recent years and is currently operating under drought emergency declarations ([State drought response \(ca.gov\)](#)).

On February 23, 2022¹, due to a third year of drought, Reclamation declared a 0 percent allocation for south of Delta Central Valley Project (CVP) agricultural contractors. As a result, Del Puerto has a need to find alternative sources of water to fulfill demands. The Warren Act contract described above expires on July 31, 2022 and the District was only able to move approximately 7,000 acre-feet. As such, Del Puerto needs to extend the current Warren Act contract in order to finish conveying the remainder of the 10,000 acre-feet assessed in the 2021 EA and FONSI.

The purpose of the Proposed Action is to provide a short-term (through February 28, 2023) extension to Del Puerto's Warren Act contract in order to allow the water previously analyzed in the 2021 EA and FONSI to be moved to Del Puerto to meet existing demands.

¹ [Reclamation outlines initial 2022 water allocations for Central Valley Project contractors \(usbr.gov\)](#)

2 Alternatives Including Proposed Action

2.1 No Action Alternative

Under the No Action Alternative, Reclamation would not extend the period of time for the proposed introduction and conveyance of the remainder of Del Puerto's purchased groundwater into the DMC through February 28, 2023. Del Puerto would not be able to receive already purchased groundwater to meet existing demands.

2.2 Proposed Action

Reclamation proposes to extend Del Puerto's existing Warren Act contract to allow the remainder of the purchased groundwater (approximately 3,000 acre-feet) to be introduced and conveyed in the DMC through February 28, 2023. This is the only change from what was covered in the 2021 EA and FONSI and all other conditions and requirements remain the same.

2.2.1 Environmental Commitments

De Puerto shall implement the same environmental protection measures included in the 2021 EA. These measures include:

2.2.1.1 Water Resources

- Subsidence, water level, and water quality monitoring will be implemented as described in Appendix A of the 2021 EA.
- Third-party licensed consultant will provide the depth to groundwater in every well before pumping commences and once a month until pumping ceases.
- Third-party licensed consultant will test the water quality at the point of delivery into the Tuolumne River to ensure that all deliveries are of acceptable water quality for introduction to the Delta-Mendota Canal. Blended groundwater from the wells will be tested to confirm that arsenic levels are below the 10 µg/L maximum contaminant level threshold prior to introduction into the river, consistent with the monitoring plan. Testing will occur at the time of initial introduction and once a month until pumping ceases.
- Del Puerto is contractually responsible for acquiring any applicable permitting required for discharging groundwater (if any) into the Tuolumne and San Joaquin River to protect beneficial uses.
- Mapes Ranch will reduce or curtail pumping for the Proposed Action should adverse impacts to the groundwater, the groundwater aquifer or to receiving water quality become apparent.
- Del Puerto will monitor river flows upstream of West Stanislaus's pumping plant and downstream of the point of introduction at existing monitoring stations to determine that the groundwater is available in the San Joaquin River at West Stanislaus to pump. This monitoring will ensure that West Stanislaus is pumping only the introduced groundwater for Del Puerto.
- Transfer of groundwater must comply with local groundwater ordinances.

2.2.1.2 Biological Resources

- No native or untilled land (fallow for three consecutive years or more) will be cultivated with this water.
- Water would not be used to place untilled or new lands into production, nor to convert undeveloped land to other uses.
- The Proposed Action cannot alter the flow regime of natural waterways or natural watercourses such as rivers, streams, creeks, ponds, pools, wetlands, etc., to avoid detrimental effects to fish or wildlife or their habitats.
- The Proposed Action shall not change the land use patterns of the cultivated or fallowed fields that do have some value to listed species or birds protected by the Migratory Bird Treaty Act.

2.2.1.3 General Resources

- The water shall be used for beneficial purposes and in accordance with Federal Reclamation law and guidelines, as applicable.
- Use of the water shall comply with all federal, state, local, and tribal law, and requirements imposed for protection of the environment and Indian Trust Assets.
- No land conversions may occur as a result of the Proposed Action.
- No new construction or modification of existing facilities may occur in order to complete the Proposed Action.

Environmental consequences for resource areas assume the measures specified would be fully implemented. Copies of all reports and monitoring data collected for the Proposed Action shall be submitted to Reclamation.

3 Affected Environment and Environmental Consequences

The Affected Environment is the same as described in the 2021 EA. As the 2021 EA has been incorporated by reference the Affected Environment is not repeated here.

3.1 Air Quality

The extension of the term of the Warren Act contract for an additional eight months would not have any impacts to air quality. As noted in the 2021 EA, groundwater would be moved either via gravity or electric pumps which would not produce emissions that impact air quality. The generating power plant that produces the electricity to operate the electric pumps does produce emissions that impact air quality; however, the generating power plant is required to operate under permits issued by the air quality control district. As the Proposed Action would not change the emissions generated at the generating power plant, no additional impacts to air quality would occur and a conformity analysis is not required pursuant to the Clean Air Act.

3.2 Biological Resources

The change in term for an additional eight months would not have any additional impacts to biological resources beyond those analyzed in the 2021 EA. With the implementation of the environmental commitments included in Section 2.2.1, and based upon the nature of this Action, Reclamation has determined there would be No Effect to proposed or listed species or critical habitat under the Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et seq.), and there would be no take of birds protected under the Migratory Bird Treaty Act (16 U.S.C. §703 et seq.).

3.3 Climate Change

The Proposed Action does not include construction of new facilities or modification to existing facilities. While pumping would be necessary to introduce and convey groundwater to the DMC, no additional electrical production beyond baseline conditions would occur. In addition, the generating power plant that produces electricity for the electric pumps operates under permits that are regulated for greenhouse gas emissions. As such, there would be no additional impacts to global climate change by extending the term of the Warren Act contract for an additional eight months beyond those already analyzed in the 2021 EA.

3.4 Cultural Resources

There would be no impacts to cultural resources as a result of implementing the Proposed Action as the Proposed Action would facilitate the flow of water through existing facilities to existing users. No new construction or ground disturbing activities would occur as part of the Proposed Action. Reclamation has determined that these activities have no potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1).

3.5 Environmental Justice

Executive Order 12898 requires each federal agency to identify and address disproportionately high and adverse human health or environmental effects, including social and economic effects of its program, policies, and activities on minority populations and low-income populations. The Proposed Action would not cause dislocation, changes in employment, or increase flood, drought, or disease nor would it disproportionately impact economically disadvantaged or minority populations.

3.6 Indian Sacred Sites

Executive Order 13007 (May 24, 1996) requires that federal agencies accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoids adversely affecting

the physical integrity of such sacred sites. The Proposed Action would not limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or affect the physical integrity of such sacred sites. There would be no impacts to Indian sacred sites as a result of the Proposed Action.

3.7 Indian Trust Assets

Indian Trust Assets are legal interests in assets that are held in trust by the United States for federally recognized Indian tribes or individuals. There are no Indian reservations, rancherias or allotments in the Proposed Action area. The nearest Indian Trust Asset is a public domain allotment about 49 miles to the south. The Proposed Action does not have a potential to affect Indian Trust Assets.

3.8 Water Resources

The additional eight months would not have any additional impacts to water resources beyond those analyzed in the 2021 EA. Surface water, groundwater, and water quality impacts would be unchanged.

The Proposed Action would not affect CVP or State Water Project operations and would not change existing diversion points from the Delta under Reclamation's or the California Department of Water Resource's water rights permits. The Proposed Action would not interfere with Reclamation's obligations to deliver water to other contractors, wetland habitat areas, or for other environmental purposes. Transfers would utilize existing facilities and 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 in the Proposed Action.

3.9 Cumulative Impacts

Reclamation has made the determination that the effects of the Proposed Action evaluated in this EA, combined with other reasonably foreseeable projects, would not result in cumulative impacts to any of the resources described above. CVP and State Water Project operations would not be impacted as they would be coordinated and consistent with existing requirements. Water quality, surface water, and groundwater impacts would be unchanged from what was previously analyzed in the 2021 EA as this is just an extension of time allowing for the completion of the previously analyzed project.

4 Consultation and Coordination

4.1 Agencies and Persons Consulted

Reclamation consulted with San Luis & Delta-Mendota Water Authority, Del Puerto, and West Stanislaus Irrigation District on the previous proposal and will continue to do so for the extension.

4.2 Public Involvement

Reclamation provided the public with an opportunity to comment on the 2021 Draft EA. No comments were received. Reclamation provided the public with an opportunity to comment on this EA between June 2, 2022 and June 15, 2022. No comments were received.

5 References

Bureau of Reclamation (Reclamation). 2021. Finding of No Significant Impact and Final Environmental Assessment for the Warren Act Contract for Conveyance and Storage of Groundwater from Mapes Ranch to Del Puerto Water District (CGB-EA-2021-035). California-Great Basin Region, South-Central California Area Office. Fresno CA. Website: https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=49805.