

RECLAMATION

Managing Water in the West

Finding of No Significant Impact

One Year Water Rental from Skyline Farms for Salmon Flow Augmentation

PN-FONSI 10-04



**U.S. Department of Interior
Bureau of Reclamation
Pacific Northwest Region
Snake River Area Office**

April 2010

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ONE YEAR WATER RENTAL FROM SKYLINE FARMS FOR SALMON FLOW AUGMENTATION

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Introduction

The Bureau of Reclamation (Reclamation) is required by National Marine Fisheries Service's 2008 Biological Opinion on the operation of the Federal Columbia River Power System and the Snake River Water Rights Act of 2004 (P.L. 108-447) to provide 427,000 acre-feet of flow augmentation to benefit salmon and steelhead stocks listed under the Endangered Species Act. Reclamation has provided this water most years since 1993 to meet requirements of previous biological opinions issued by NOAA Fisheries. The sources of flow augmentation water include uncontracted storage in Reclamation reservoirs, annual water rentals, powerhead space and natural flow water rights acquired permanently by Reclamation.

In 1996 Reclamation issued a draft environmental assessment (EA) for public review on a proposal to permanently acquire natural flow water rights in the Malheur and Snake Rivers from Skyline Farms near Ontario, Oregon (Reclamation 1996). The proposal was to acquire water rights to 4419.5 acres of agricultural land with a total water right of 17,649 acre-feet, which represented about 60 percent of Skyline Farms' irrigated land. Most of the farmland involved was to be planted to dry-land grains after the purchase, with some land left fallow. Reclamation reached a Finding of No Significant Impact for the Skyline Farms water right acquisition on January 31, 1997 (Reclamation 1997). Reclamation has used the natural flow rights acquired from Skyline Farms for flow augmentation since 1997.

The runoff forecast in the Snake River Basin for 2010 is very dry, and it appears Reclamation may fall short of its 427, 000 acre feet obligation for flow augmentation from sources used in past years. Reclamation has recently been approached by Skyline Farms about a one-year rental of a portion of their remaining natural flow water rights to help alleviate the flow augmentation shortage in 2010. Reclamation must act quickly on the decision whether to rent the water rights since Skyline Farms has to commit very soon to planting with either irrigated or dry-land crops on the farmland involved.

Reclamation entered into a similar one-year lease with Skyline Farms in 2002 for natural flow rights for 3,200 acres of their irrigated land.

Proposed Action

The proposed action is for Reclamation to rent for the 2010 water year, water rights on 3,581.17 acres of Skyline Farms land at a rate of 2.5 acre-feet per acre. The remaining approximately 3,000 acres would continue to be irrigated in 2010. The natural flow rented would not be diverted from the Snake River and would be counted towards Reclamation's flow augmentation to benefit listed salmon and steelhead.

Summary of Impacts

Reclamation believes the issues and the analysis of environmental impacts in the 1997 EA for purchase of Skyline Farms water rights are still applicable today. While the proposed action adds additional acreage and water to that analyzed in the 1997 EA, the 1997 EA evaluated impacts of a permanent acquisition of water rights versus a one-year rental proposed currently. Reclamation believes the analysis in the 1997 EA is adequate to determine whether a Finding of No Significant Impact is appropriate or an Environmental Impact Statement should be prepared for the proposed action. The 1997 EA is hereby incorporated as the basis for this finding.

Summary Impacts - The discussion below is taken directly from the 1997 FONSI :

Reclamation's proposed permanent acquisition of the Skyline Farms natural flow rights would not cause environmental conditions to change from those that have been present since Bonneville Power Administration (BPA) first leased Skyline water in 1994 to improve salmon flows in the Lower Snake River. At that time, Skyline Farms was a marginal farming operation, and it was not possible to economically farm the full 8,000 acres. Accordingly, water rights not needed for a reduced farming effort was leased by BPA and allowed to stay instream for salmon. Under this arrangement, some of the land continued to be irrigated, with the remaining left fallow or planted to dryland wheat.

Reclamation's proposed water purchase would not preclude the continuance of a core irrigated farming operation at Skyline of about 3,150 acres. Implementation of Reclamation's proposed action also would not impact upon existing conditions relative to land uses, vegetation or wetlands, resident wildlife populations, socioeconomic factors around the project area, or cultural resources. Climate, air quality, geology, mineral resources, noise, topography, recreation, esthetics, and hazardous/toxic wastes would not be affected. Leaving up to 18,413 acre-feet of water instream during the irrigation season would improve flows for resident fish populations in the lower Malheur and Snake Rivers and help meet Reclamation's objective to provide 427 kaf of water from the Snake basin for seasonal salmon flows. Water left instream could potentially provide some additional hydropower generation at 11 downstream dams operated by IPC and the Corps of Engineers.

The current proposed action for the acquisition of natural flow rights to 3,581.17 acres yielding 8,953 acre feet of water, would have similar impacts as those above, except that they would not be long term. With the proposed water rights rental in 2010, a core area of irrigated land will remain, and irrigation would resume as normal after water year 2010. As in the 1997 action,

there would be no effects to cultural resources, Indian trust assets, or any known sacred sites. There also would be no disproportionate effects to minority or low-income populations.

Cumulative Effects – Cumulative are the incremental effects of the proposed action when added to those of past, present or recently foreseeable future actions. The proposed action would be additive to the effects of the permanent acquisition of natural flow water rights from Skyline Farms in 1997. The proposed action's additive effect would be very minor due to its duration of only a single year and the planting of dry-land grain crops on affected farmland for that year.

Although Reclamation has an ongoing need to secure water for flow augmentation into the future, and similar one-year water rentals could occur during very dry years, there are no definite plans for future water rentals at Skyline Farms, and evaluating the effects of any future water rental would be speculative.

Significant Comments on the 1996 Draft EA

Reclamation sent the Draft EA to approximately 80 parties and received five comment letters. These included comments from Oregon Water Watch concerning protecting flow augmentation from downstream withdrawal and Idaho Power's shaping of natural flows to benefit listed anadromous fish. There were also comments from one party objecting to Reclamation purchasing water in direct competition with private parties, and another that was concerned about agricultural land being taken out of production.

Finding

Based on the environmental effects of a similar, though long-term action evaluated in the 1996 Draft EA, the 1997 FONSI approved for that action, and the lack of significant cumulative effects, Reclamation has determined that the proposed one-year rental of natural flow water rights from Skyline Farms would not have a significant impact on the human environment or natural resources in the area.

Recommended:



Area Office Environmental Specialist



Date

Approved:



Area Manager, Snake River Area Office



Date