

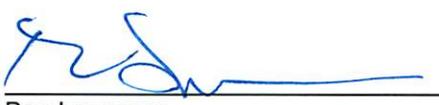
RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

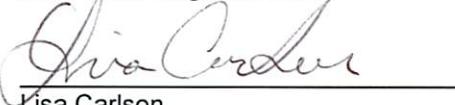
Lateral 7.3 Replacement

CEC-12-067

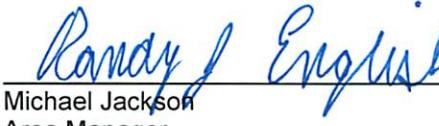
Prepared by:  Date: 5-9-13
Ben Lawrence
Natural Resources Specialist
South-Central California Area Office

Concurred by: See Attachment Date: See Attachment
Archaeologist/Architectural Historian
Mid-Pacific Regional Office

Concurred by: See Attachment Date: See Attachment
Native American Affairs Specialist
Mid-Pacific Regional Office

Concurred by:  Date: 5/10/13
Lisa Carlson
Wildlife Biologist
South-Central California Area Office

Concurred by:  Date: 5/14/13
Chuck Siek
Supervisory Natural Resources Specialist
South-Central California Area Office

Approved by:  Date: 5/22/13
for Michael Jackson
Area Manager
South-Central California Area Office



Background

Lateral 7.3 is located in the City of Antioch in Contra Costa County, California (see Figure 1). The lateral was built in 1952 and is operated by the Contra Costa Water District (CCWD). In recent years the section between the Contra Costa Canal and State Route 4 Bypass has developed numerous leaks. CCWD would like to reduce ongoing maintenance needs by replacing the pipe at a greater depth.

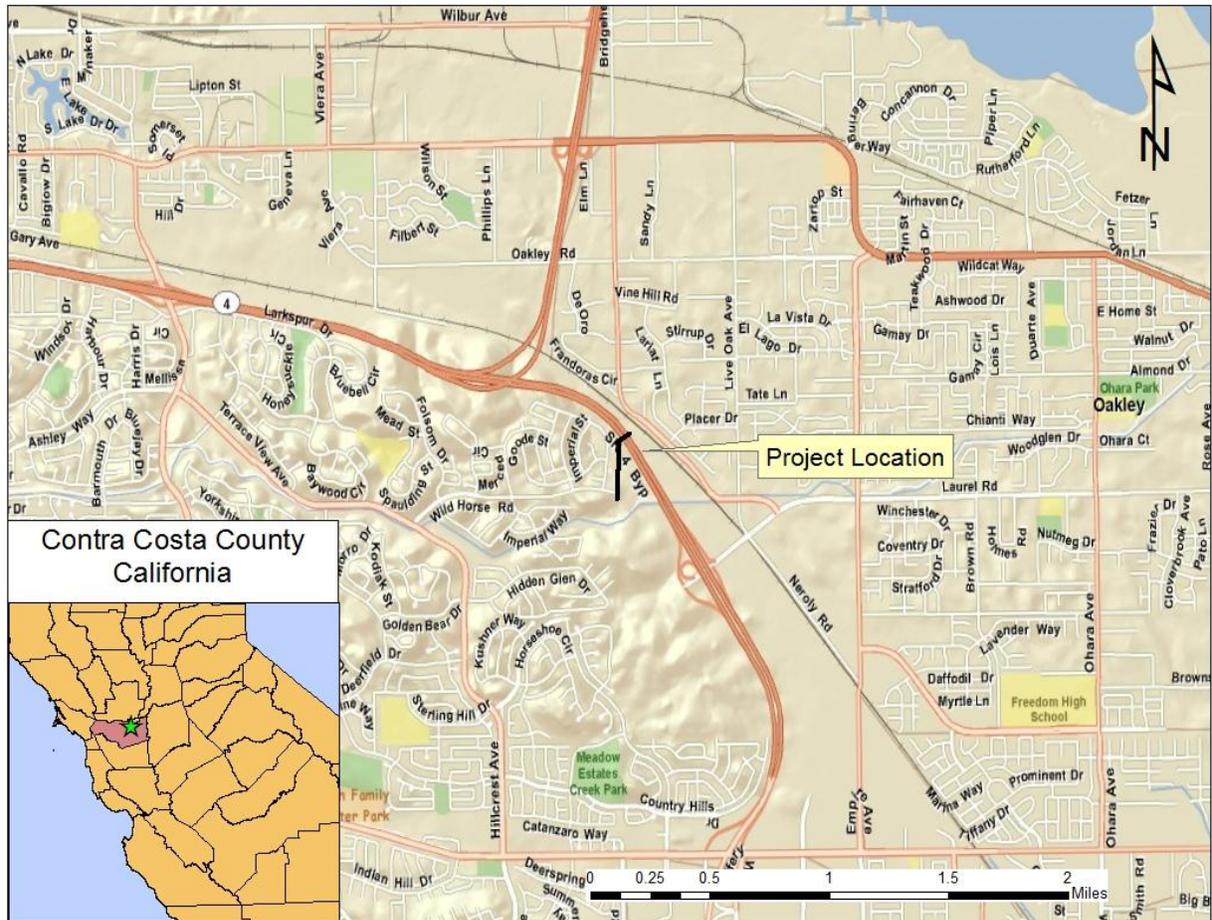


Figure 1 Project Location

The proposed work would need to be conducted in Bureau of Reclamation (Reclamation) right of way and a temporary construction easement from the City of Antioch would be required. An earlier project approved by Reclamation as Categorical Exclusion Checklist (CEC) 07-088 lowered and replaced the portion of Lateral 7.3 where it crossed under Wild Horse Road, a distance of 60 feet. CCWD would like to continue replacement from the northern terminus of the previous project to where the lateral passes under the State Route 4 Bypass.

Purpose and Need for Action

There is a need to reduce maintenance problems and risk of water loss in this portion of the water delivery system. The purpose of Reclamation's proposed action is to allow CCWD to improve and upgrade Lateral 7.3.

Proposed Action

Reclamation proposes to allow CCWD to install approximately 1150 feet of new PVC pipe at Lateral 7.3. The proposed project would replace the existing lateral from the previous project's terminus on the north side of Wild Horse Road to the State Route 4 Bypass. The existing 21- and 24-inch reinforced concrete pipe would be replaced with new 24-inch PVC pipe parallel to the existing line, five feet to the west (See Figure 2).



Figure 2 Lateral Replacement (Conceptual)

The new line would be placed in a trench 4 feet wide by 6 feet deep, requiring excavation of approximately 1050 cubic yards of soil. Roughly 950 cubic yards of soil would be used to backfill the trench, and the remaining material would be hauled away for proper disposal.

Construction is expected to take up to 30 continuous work days to complete. Equipment to be used would include a tracked excavator or medium backhoe, compactors, frontloaders, dump

trucks and pickups. Work would be conducted by CCWD crews using materials supplied by the district.

CCWD originally requested that an MP-620 construction permit be issued. However, Reclamation has determined that a permit is not required under the terms of the CCWD/Reclamation Operations and Maintenance (O&M) Agreement. Reclamation is only evaluating site-specific actions under the O&M Agreement.

Environmental Commitments

CCWD shall implement the following environmental protection measures:

| Resource | Protection Measure |
|-----------------------------|--|
| Biological (Burrowing Owls) | Before any ground-disturbing construction activities for the proposed project begin on the project site, a qualified biologist shall conduct focused surveys for burrowing owls on and within 250 feet of the project construction footprint. Additional surveys shall be conducted if a four-day or longer lapse in project construction activities occurs. Surveys shall be conducted as detailed in the DFG staff report and Burrowing Owl Consortium Guidelines to avoid direct take. |
| Biological (Burrowing Owls) | If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings will be submitted to Reclamation at least five days before construction. |
| Biological (Burrowing Owls) | If occupied burrowing owl burrows are found, prior to initiating construction, impacts will be avoided by establishing a buffer around the burrow of 160 feet during the non-breeding season (September 1 through January 31). During the breeding season (February 1 through August 31), impacts will be avoided by establishing a buffer around the burrow of 250 feet for all project-related construction activities until a qualified biologist confirms that the nest is no longer active. Active nests will be monitored by a qualified biologist to determine when the young have fledged and are feeding on their own. Reclamation will be consulted for clearance before construction activities resume with a non-disturbance buffer. |
| Biological (Burrowing Owls) | If a burrowing owl is observed at the construction site at any time during construction, a temporary non-disturbance barrier shall be created to establish a safe area for the animal until it leaves the construction area of its own volition or until an appropriate buffer distance is established consistent with Reclamation's guidance. Construction sites in areas that are excavated will remain active and disturbed to ensure that it is highly unlikely that the burrowing owl will return to the construction area. |
| Biological | To prevent inadvertent entrapment of wildlife during construction, all excavated, steep-walled holes or trenches more than one foot deep will be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks with a slope of 2:1. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals. If at any time wildlife is found trapped or injured, Reclamation must be contacted immediately. |
| Biological | All construction pipe, culverts or similar structures with a diameter of 4-inches or greater that are stored at the construction site for one or more overnight periods shall be thoroughly inspected for animals before the pipe is subsequently buried, capped or otherwise used or moved in any way. If a federally protected species is discovered inside a pipe that section of pipe should not be moved without approval from a Reclamation biologist. |
| Biological | A litter control program shall be instituted at the project site. All workers shall ensure their food scraps, paper wrappers, food containers, cans, bottles and other trash from the project area are deposited in covered or closed trash containers. The trash containers shall be removed from the project area at the end of each working day. |

Environmental consequences for resource areas assume the measures specified would be fully implemented.

Exclusion Category

516 DM 14.5 paragraph C (3): *Minor construction activities associated with authorized projects which correct unsatisfactory environmental conditions or which merely augment or supplement, or are enclosed within existing facilities.*

Evaluation of Criteria for Categorical Exclusion:

- | | | | |
|---|---|---------------------------------------|---------------------------------|
| 1. This action would have a significant effect on the quality of the human environment (40 CFR 1502.3). | No <input checked="" type="checkbox"/> | Uncertain <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 2. This action would have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA Section 102(2)(E) and 43 CFR 46.215(c)). | No <input checked="" type="checkbox"/> | Uncertain <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 3. This action would have significant impacts on public health or safety (43 CFR 46.215(a)). | No <input checked="" type="checkbox"/> | Uncertain <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 4. This action would have significant impacts on such natural resources and unique geographical characteristics as 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 (EO 11990); flood plains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas (43 CFR 46.215 (b)). | No <input checked="" type="checkbox"/> | Uncertain <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 5. This action would have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks (43 CFR 46.215(d)). | No <input checked="" type="checkbox"/> | Uncertain <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 6. This action would establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects (43 CFR 46.215 (e)). | No <input checked="" type="checkbox"/> | Uncertain <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 7. This action would have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects (43 CFR 46.215 (f)). | No <input checked="" type="checkbox"/> | Uncertain <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 8. This action would have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by Reclamation (LND 02-01) (43 CFR 46.215 (g)). | No <input checked="" type="checkbox"/> | Uncertain <input type="checkbox"/> | Yes <input type="checkbox"/> |

- | | | | |
|--|---|---------------------------------------|---------------------------------|
| 9. This action would have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated critical habitat for these species (43 CFR 46.215 (h)). | No <input checked="" type="checkbox"/> | Uncertain <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 10. This action would violate a Federal, tribal, State, or local law or requirement imposed for protection of the environment (43 CFR 46.215 (i)). | No <input checked="" type="checkbox"/> | Uncertain <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 11. This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993). | No <input checked="" type="checkbox"/> | Uncertain <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 12. This action would have a disproportionately high and adverse effect on low income or minority populations (EO 12898) (43 CFR 46.215 (j)). | No <input checked="" type="checkbox"/> | Uncertain <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 13. This action would 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, 43 CFR 46.215 (k), and 512 DM 3)). | No <input checked="" type="checkbox"/> | Uncertain <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 14. This action would contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act, EO 13112, and 43 CFR 46.215 (l)). | No <input checked="" type="checkbox"/> | Uncertain <input type="checkbox"/> | Yes <input type="checkbox"/> |

Attachment A Cultural Resources Determination



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825-1898

IN REPLY
REFER TO:
MP-153
ENV-3.00

VIA ELECTRONIC MAIL ONLY

May 9, 2013
MEMORANDUM

To: Benjamin Lawrence
Natural Resources Specialist – South Central California Area Office

From: Adam Nickels /S/
Archaeologist – MP- Regional Office - Division of Environmental Affairs

Subject: Section 106 Clearance for Lateral 7.3 Replacement and Improvements, Contra Costa Water District (12-SCAO-279, CEC #12-067)

This proposed undertaking to issue a construction permit to the Contra Costa Water District (CCWD) for the purpose of making improvements to Lateral 7.3 off the Contra Costa Canal has no potential to cause effects to historic properties pursuant to 36 CFR § 800.3(a)(1).

CCWD has requested a construction permit to excavate within the disturbed right of way of the piped Lateral 7.3. CCWD is proposing to install a new pipeline adjacent the existing Lateral 7.3. The area is heavily disturbed and includes other municipal and petrochemical pipelines adjacent the project area. A records search indicated several cultural resources investigations have occurred in the area with no presence of cultural resources within or adjacent the pipeline area. Reclamation issued a no potential to cause effect determination in 2007 on Lateral 7.3 for a similar lateral pipeline improvement under SCCAO CEC 07-088.

After reviewing CEC-12-067 dated September of 2012, and documenting the previous work and level of disturbance within the project area context, I concur with item 8 which states that this action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places.

This memorandum is intended to convey the completion of the NHPA Section 106 process for this undertaking. Please retain a copy in the administrative record for this action. Should changes be made to this project, additional NHPA Section 106 review, possibly including consultation with the State Historic Preservation Officer, may be necessary. Thank you for providing the opportunity to comment.

CC: Cultural Resources Branch (MP-153), Anastasia Leigh – Regional Environmental Officer (MP-150)

Attachment B Indian Trust Assets Determination

From: [Rivera, Patricia L](#)
To: [Lawrence, Benjamin T](#)
Cc: [Feng, Warren W.](#)
Subject: RE: Draft CEC: SCCAO CEC 12-067, Replacement of Lateral 7.3
Date: Thursday, September 13, 2012 3:56:24 PM

Ben,

I reviewed the proposed action wherein Reclamation will issue an MP-620 permit to allow Contra Costa Water District to install approximately 1150 feet of new PVC pipe at Lateral 7.3 west of Oakley. The proposed project would replace the existing Lateral from the previous project's terminus on the north side of Wild Horse Road to the State Route 4 Bypass.

The proposed action does not have a potential to affect Indian Trust Assets. The nearest ITA is Lytton Rancheria approximately 32 miles wsw of the project location.

Patricia