

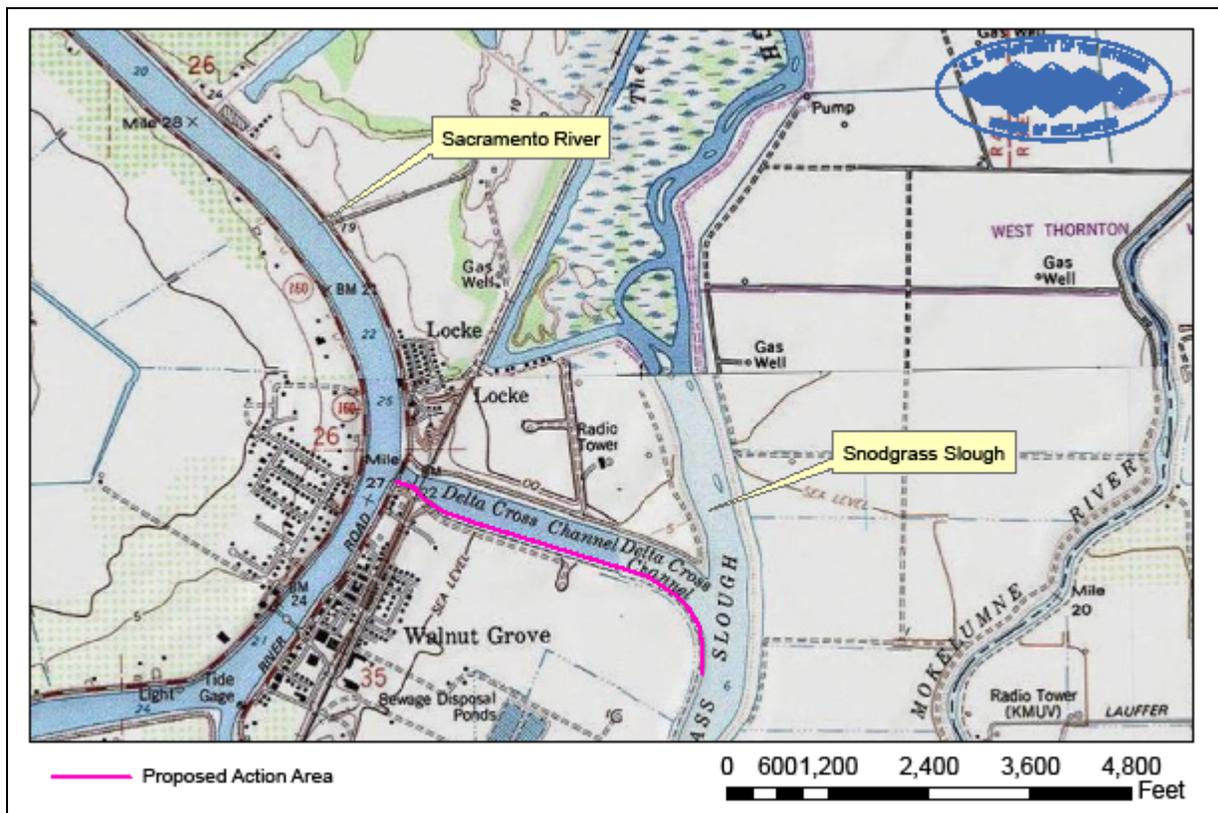
**CATEGORICAL EXCLUSION CHECKLIST**  
***Delta Cross Channel South Levee Vegetation Removal***

South-Central California Area Office

June 30, 2011

**Background:** The Delta Cross Channel (DCC), located in Walnut Grove, California, is a feature of the Bureau of Reclamation's (Reclamation) Central Valley Project (CVP) Delta Division.

The South Levee of the DCC, along with the Snodgrass Slough levee owned and operated by Reclamation District No. 554, provides flood protection for the City of Walnut Grove which is located adjacent to the DCC in Sacramento County within an un-surveyed area of Sections 35 and 36 of Township 5 North, Range 4 East, MDB&M (Figure 1).



**Figure 1. Proposed Action Area**

**Purpose and Need for Action:** The purpose of the Proposed Action is to perform partial clearing of vegetation from the South Levee of the DCC to allow inspection of and to ensure the structural integrity of the levee which provides flood protection for the City of Walnut Grove.

**Proposed Action:** Reclamation proposes to remove vegetation and trash along the landside and waterside of the DCC's South Levee extending from the edge of County Road E13 (River Road in Figure 1) to the end of Reclamation's property line approximately 5,000 feet to the east (Figure 1).

Vegetation on the waterside and landside of the South Levee would be removed by mowing or cutting and disposed offsite. Vegetation removal on the waterside would be subject to the following conditions:

- No elderberry bushes, nor vegetation within 100 feet from elderberry bushes, would be removed.
- No trees would be removed below 20 feet from the crest of the levee.
- Limbing of any trees below 20 feet from the crest of the levee would be done up to 4-feet above the ground only on the landward/upslope side (side closest to the levee and away from the water).
- Isolated trees between the crest of the levee and 20 feet below the crest would not be removed if greater than 4-inches in diameter at breast height.
- Limbing of trees between the crest of the levee and 20 feet below the crest would be done up to 4-feet from the ground in all directions.
- Herbaceous vegetation and shrubs (i.e., fennel, blackberries, roses, etc.) would be removed from the crest of the levee down to within 10 feet of the waterline if they are less than 8-feet tall.
- All trees and vegetation cut would be cut 6 inches above the ground and no roots would be removed.

On the landside, all trees and vegetation would be cut 6 inches above the ground and no roots would be removed. Removal limits would extend from the field ditch located at the toe of the levee to the levee crest.

Vegetation removal is expected to begin as early as mid-October 2011 and be completed by December 15, 2011. Staging would occur on the dirt access road of the levee. No equipment that could crush burrows would be used on either sideslopes of the levee. Use of this equipment would be limited to the existing levee road along the crest of the levee and the service road on the landside toe of the levee. No ground disturbance that would result in soil erosion is anticipated.

**Exclusion Category:** 516 DM 14.5 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.  | No <u>X</u> | Uncertain ____ | Yes |
| 2. This action would have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources. | No <u>X</u> | Uncertain ____ | Yes |

### Evaluation of Exemptions to Actions within Categorical Exclusion

- |  |             |                |     |
|--|-------------|----------------|-----|
| 1. This action would have significant adverse effects on public health or safety.  | No <u>X</u> | Uncertain ____ | Yes |
| 2. 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; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas. | No <u>X</u> | Uncertain ____ | Yes |
| 3. This action would have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.   | No <u>X</u> | Uncertain ____ | Yes |
| 4. This action would establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.   | No <u>X</u> | Uncertain ____ | Yes |

5. This action would have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. No X Uncertain \_\_\_\_ Yes
6. This action would have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau (in coordination with a Reclamation cultural resources professional). No X Uncertain \_\_\_\_ Yes
7. 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. No X Uncertain \_\_\_\_ Yes
8. This action would violate a Federal, State, local, or tribal law or requirement imposed for protection of the environment. No X Uncertain \_\_\_\_ Yes
9. This action would affect Indian Trust Assets (ITA) (To be completed by Reclamation official responsible for ITA). No X Uncertain \_\_\_\_ Yes
10. This action would have a disproportionately high and adverse effect on low income or minority populations. No X Uncertain \_\_\_\_ Yes
11. 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. No X Uncertain \_\_\_\_ Yes

12. 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. No X Uncertain \_\_\_\_ Yes

**NEPA Action:** Categorical Exclusion X

**Environmental commitments, explanation, and/or remarks:**

- Yes     No    Environmental commitments are required and attached.
- San Joaquin Kit Fox Avoidance and Minimization Measures
  - Giant Garter Snake Avoidance and Minimization Measures
  - California Tiger Salamander Avoidance and Minimization Measures
  - California Red-Legged Frog Avoidance and Minimization Measures
  - Other: Commitments are written into the Proposed Action above.

Prepared by:

Rain Healer

Date: June 16, 2011

South-Central California Area Office

Regional Archeologist concurrence with Item 7:  
See attachment.

ITA Designee concurrence with Item 10:  
See attachment.

Concur:

*Mad M. Dandy*

Date: 07/12/2011

Wildlife Biologist, South-Central California Area Office

Concur:

*[Signature]*

Date: 7/13/11

Supervisory Natural Resources Specialist, South-Central California Area Office

Concur:

*Dandy / English*

Date: 7/18/11

Chief, Resources Management Division, South-Central California Area Office

Approved:

*Rama Myers*

Date: 7/19/2011

Deputy Area Manager, South-Central California Area Office



IN REPLY REFER TO:

# United States Department of the Interior

BUREAU OF RECLAMATION  
1243 "N" Street  
Fresno, CA 93727



June 9, 2011

## MEMORANDUM

To: Rain Healer

From: Ned Gruenhagen, Ph.D.  
Wildlife Biologist, Endangered Species Act Branch

Subject: No-Effect Determination for Delta Cross Channel South Levee Vegetation Removal (CEC-11- 045)

Reclamation proposes to remove terrestrial vegetation and trash along the landside and waterside of the Delta Cross Channel's (DCC) South Levee, extending from a point beginning at the eastern edge of County Road E13 (River Road bordering the eastern side of the Sacramento River), north of the town of Walnut Grove, and immediately south of the offshoot of the Sacramento River to the Delta Cross Channel (DCC), to the end of Reclamation's property line along this levee, approximately 5,000 feet east of County Road E13.

The California Natural Diversity Database (CNDDDB 2011) was searched to identify records of species listed under the Endangered Species Act (16 U.S.C. §1531 et. seq.) that could occur in the Action Area. Designated critical habitat in the proposed Action Area was identified with the aid of the CNDDDB (2011) and websites of the Sacramento Fish and Wildlife Service Office (<http://www.fws.gov/sacramento/es/>; accessed July 11, 2011, and the National Marine Fisheries Service, <http://swr.nmfs.noaa.gov/> accessed July 11, 2011). Familiarity with habitats and local flora and fauna developed from observations made during field visits to the DCC and vicinity also were utilized to identify species that could potentially occur in the Action Area.

Several listed fish species could inhabit the DCC, including Delta smelt (*Hypomesus transpacificus*), Sacramento River winter run chinook (*Onchorhynchus tshawytscha*), Central Valley spring-run chinook (*O. tshawytscha*), Central Valley steelhead (*O. mykiss*), and the southern distinct population segment of North American green sturgeon (*Acipenser medirostris*). In addition to these species, non-piscivore species that could occur in the area include the Valley elderberry longhorn beetle (VELB; *Desmocerus dimorphus californicus*) and giant garter snake (GGS; *Thamnophis gigas*). The DCC is designated critical habitat for all the listed fish species, excepting Sacramento River winter run chinook. No other critical habitat is present in the Action Area.

No work would occur in the DCC waterway. Measures provided in the Categorical Exclusion Checklist (CEC) and in the Statement of Work for Contracting, when implemented, would ensure that the Proposed Action would not affect listed species or critical habitat.

No erosion would occur to degrade water quality, vegetation providing shading of the DCC waterway would be preserved, and potential sources of woody organic input to the DCC would not be removed. Consequently, listed fish species and their critical habitat would not be affected.

Because GGS would have entered hibernacula before the work would begin (i.e. from mid October through December), heavy equipment is limited to roadways and no equipment that could crush burrows is permitted on levee side slopes. Additionally, no elderberry shrubs or vegetation within 100 feet of them would be removed. Therefore GGS and VELB would not be affected.

With the implementation of the avoidance measures, Reclamation has determined that there would be No Effect from the Proposed Action to listed species or designated critical habitat protected under the Endangered Species Act (16 U.S.C. §1531 et. seq.).

Additionally, there would be no take of migratory birds protected under the Migratory Bird treaty Act (MBTA; 16 U.S.C. 16 §703- 712). The selected removal of vegetation on < 5 acres along the DCC levee south levee would be done outside the breeding season of migratory birds. Nesting birds would not be affected and direct take of species protected under MBTA would not occur. The federal candidate species, western yellow-billed cuckoo (*Coccyzus Americana*) needs large blocks of riparian habitat for breeding (using home ranges over 25 acres) and overwinters in from Columbia and Venezuela, south to northern Argentina (see references in [http://www.fws.gov/sacramento/es/animal\\_spp\\_acct/acctbird.htm](http://www.fws.gov/sacramento/es/animal_spp_acct/acctbird.htm); accessed July 12, 2011) and therefore would not be affected by the proposed action.

#### Reference

CNDDDB (California Natural Diversity Database) 2011. California Department of Fish and Game, Wildlife and Habitat Data Analysis Branch. Sacramento, CA.

## Healer, Rain L

---

**From:** Nickels, Adam M  
**Sent:** Tuesday, November 16, 2010 1:53 PM  
**To:** Healer, Rain L  
**Subject:** RE: EA-10-077 Delta Cross Channel South Levee Vegetation Clearing  
**Attachments:** CR for EA.docx; image005.png; image006.jpg

Project No. 11-SCAO-032

Rain:

The proposed undertaking to conduct vegetation removal activities alongside the southern banks of the Delta Cross Channel has no potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1).

The action will involve the mechanical removal of vegetation from the DCC. Removed vegetation may leave behind holes that will need to be finned. This will involve the use of fill material and potential rip-rap that will be placed on top of the canal's southern banks effectively resulting in the placement of compact fill on compact fill and rip-rap on rip-rap. Attached is some cultural resources language for the EA. Please use this information in the final EA.

This email concludes the Section 106 process for this undertaking.

Sincerely,

**Adam M. Nickels** - Archaeologist - M.S.  
Phone: 916.978.5053 - Fax: 916978.5055 - [www.usbr.gov](http://www.usbr.gov)

---

 Mid-Pacific Regional Office MP-153 2800 Cottage Way - Sacramento, California 95825



---

**From:** Healer, Rain L  
**Sent:** Friday, November 12, 2010 2:18 PM  
**To:** Barnes, Amy J; Bruce, Brandee E; Nickels, Adam M; Overly, Stephen A; Perry, Laureen (Laurie) M  
**Subject:** EA-10-077 Delta Cross Channel South Levee Vegetation Clearing

I have attached the project description for EA-10-077 *Vegetation Removal on the South Levee of the Delta Cross Channel* for your review.

Cost authority: A50-1910-8808-322-20-0-0

Rain L. Healer  
Natural Resource Specialist  
Bureau of Reclamation  
1243 N Street, SCC 413  
Fresno, CA 93721  
(559) 487-5196  
[rhealer@usbr.gov](mailto:rhealer@usbr.gov)

## Healer, Rain L

---

**From:** Rivera, Patricia L  
**Sent:** Monday, November 15, 2010 1:43 PM  
**To:** Healer, Rain L  
**Subject:** RE: EA-10-077 Delta Cross Channel

Rain,

I reviewed the proposed action and find there are no potential affects to Indian Trust Assets. The nearest ITA is Jackson Rancheria approximately 42 miles ENE of the project location.

Patricia

-----  
Rain,

I am in Yreka this week at FWS Office so my review was performed but a short response provided to save time and costs. Hope this is okay for this action and for the use of the FWS computer.

Patricia



IN REPLY REFER TO:

# United States Department of the Interior

BUREAU OF RECLAMATION  
1243 "N" Street  
Fresno, CA 93727



December 1, 2011

## MEMORANDUM

To: Rain Healer

From: Ned Gruenhagen, Ph.D.  
Wildlife Biologist, Endangered Species Act Branch

Subject: Note to File – Amendment to CE 11-045 with Supporting Information for No-Effect Determination for Delta Cross Channel South Levee Vegetation Removal

Reclamation proposes to remove terrestrial vegetation and trash along the landside and waterside of the Delta Cross Channel's (DCC) South Levee, extending from a point beginning at the eastern edge of County Road E13 (River Road bordering the eastern side of the Sacramento River), north of the town of Walnut Grove, and immediately south of the offshoot of the Sacramento River to the Delta Cross Channel (DCC), to the end of Reclamation's property line along this levee, approximately 5,000 feet east of County Road E13.

Initially, the work was to be completed between October and mid December. The work now will be completed between December and the end of January, 2012.

The consequences of this change would have no effect on listed species.