

## Environmental Commitment Program

This form must accompany all Federal discretionary action approvals that require compliance with the National Environmental Policy Act and other applicable environmental laws.

**Approval document<sup>1</sup>:** Central Valley Project Cross Valley Contractors Interim Renewal Contracts and Article 5 Exchanges, 2012-2014.

**Environmental Document<sup>2</sup>:** EA/FONSI 11-011

On January 14, 2011 the President's Council on Environmental Quality (CEQ) issued guidance for Federal agencies to implement, monitor and evaluate environmental commitments identified in Environmental Assessments and Environmental Impact Statements completed for compliance with the National Environmental Policy Act (NEPA). This guidance also pertains to Categorical Exclusions when environmental commitments have been identified in order to meet the requirements for exclusion.

The Bureau of Reclamation's NEPA Handbook provides guidance on the establishment of an Environmental Commitment Program (ECP) to meet the CEQ guidance. The ECP is a system designed to implement, monitor and evaluate the environmental commitments identified in the NEPA document. These commitments fall under one or more of the following categories:

**1. Commitments where no construction or ground disturbance is involved**

These commitments are typically associated with water transfers, exchanges, Warren Act contracts and similar actions.

Required  Not Required

**2. Commitments where construction or ground disturbance is involved**

These commitments are typically associated with short-term construction impacts resulting from modifications to Federal facilities or modifications to non-Federal facilities where there is a Federal nexus such as Federal funds or approvals.

Required  Not Required

**3. Long-term commitments**

These commitments are typically associated with larger construction or ground disturbing activities where impacts to resources such as wetlands, special status species habitat or water quality may occur that require long-term mitigation and monitoring.

Required  Not Required

**Note:** If the "Not Required" boxes are checked on all three commitment categories, no further action is required. If any of the required boxes are checked please refer to the following Environmental Commitment table for a summary of the commitments required for environmental compliance. Please direct any questions or comments regarding the Environmental Commitment Program to:

Chuck Siek, Supervisory Natural Resources Specialist  
Department of Interior, Bureau of Reclamation  
1243 "N" Street, Fresno, CA 93721  
(559) 487-5738 email at [csiek@usbr.gov](mailto:csiek@usbr.gov)

<sup>1</sup> Approval document types include but are not limited to: contracts and agreements, permits, licenses and grants.

<sup>2</sup> Environmental Document types include: Categorical Exclusion, Environmental Assessment/Finding of No Significant Impact and Environmental Impact Statement/Record of Decision



## Environmental Commitment Table

South-Central California Area Office

<b>Environmental Document: EA/FONSI 11-011</b> [Assigned Natural Resource Specialist & contact info: Chuck Siek (559) 487-5138, csiek@usbr.gov] [Assigned Biologist & contact info; Shauna McDonald: (559) 487-5202, smcdonald@usbr.gov ]								
Resource	Commitment Category <sup>3</sup>	Summary of Environmental Commitments <sup>4</sup>	Timeframe for Implementation <sup>5</sup>	Verification of Compliance <sup>6</sup>		[Proponent] Point of Contact <sup>7</sup> <u>The Project Manager is responsible for proponent POC information.</u>	Verification of Compliance (Authorizing Official)	
				Initials	Date		Initials	Date
General	1	<ul style="list-style-type: none"> <li>No new construction or modification of existing facilities is to occur in order to complete the Proposed Action;</li> <li>All exchanges must comply with all applicable Federal, state and local laws, regulations, permits and policies; and</li> <li>The exchanges would occur within existing facilities. Exchanges requiring additional construction to convey this water are not within the scope of this EA and would undergo separate environmental review.</li> </ul>	Life of IRC					
Water Resources	1	<ul style="list-style-type: none"> <li>Water supplies would be used in compliance with the applicable water rights permits and conform to the applicable purpose and place-of-use of the associated water rights permit; and</li> <li>No changes in the point of diversion or places-of-use without prior approvals from the State Water Resources Control Board, Reclamation, and/or DWR as applicable.</li> </ul>	Life of IRC					
Biological Resources	1	As delineated by a memo from Reclamation to the Service dated February 9, 2012, all conservation measures and non-discretionary terms and conditions described in the biological opinion on long-term contract renewal of the Friant and CVC Contracts (Friant-Cross Valley Opinion, Service File No., 01-F-0027) apply to the Proposed Action for the period of March 1, 2012 through February 28, 2014, or until long-term contracts for the CVC are executed, whichever comes first. Therefore, all conservation measures and non-discretionary terms and conditions of the Friant-Cross Valley Opinion of 2001 relevant to Cross Valley contracts are incorporated by reference into this consultation. In addition, the following commitments for Article 5 Exchanges are included as part of the Proposed Action:	Life of IRC					

<sup>3</sup>List category numbers checked on first page

<sup>4</sup> Summarize environmental commitments from environmental document completed for action

<sup>5</sup> List when environmental commitments must start/end

<sup>6</sup> Verification by Reclamation that all environmental commitments have been implemented and a summary report has been completed as required

<sup>7</sup> Proponent point of contact may be the individual responsible for a specific commitment or the Authorizing Official responsible for overall environmental compliance



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Resource	Commitment Category <sup>3</sup>	Summary of Environmental Commitments <sup>4</sup>	Timeframe for Implementation <sup>5</sup>	Verification of Compliance <sup>6</sup>		[Proponent] Point of Contact <sup>7</sup> The Project Manager is responsible for proponent POC information.	Verification of Compliance (Authorizing Official)	
				Initials	Date		Initials	Date
		<p>1. No native or untilled land (fallow for three consecutive years or more) may be cultivated with this water;</p> <p>2. Exchanges must not alter the quality of water, or the hydrological regime of natural waterways or natural watercourses such as rivers, streams, creeks, lakes, ponds, pools, or wetlands, etc., in a way that may have a detrimental effect on fish or wildlife or their habitats;</p> <p>3. Reclamation will review each exchange proposal for compliance with the above conditions prior to approval and execution of the action, and determination that the action is consistent with the environmental commitments stated above;</p> <p>4. Any exchange involving a district/entity other than AEWSD will require an approval letter from the Contracting Officer, which will include all environmental commitments and which would be signed by an authorized official for the exchanger and exchangee. An example of such and approval letter is provided in Appendix D. In addition, Reclamation has agreed to modify their approval letter to include the following language as item #12 in the list of conditions (in e-mail from Rena Ballew to Shauna McDonald, 1.31.2012):</p> <p style="text-align: center;"><i>The Endangered Species Notice to Delta Water Service Contractors noted that some types of surface disturbing activities would require consultation with the U.S. Fish and Wildlife Service. The intent is that irrigation activities must not affect the presence of threatened or endangered species and the previously untilled land must not be tilled and put into agricultural production using Project water. The water will not be applied to grassland or shrubland which has never been plowed or irrigated. If the land has been fallow for three consecutive years or more it must be inspected for endangered species.</i></p> <p>5. Each approval letter will include an Environmental Compliance Program form to track compliance with environmental commitments.</p>						



