

# RECLAMATION

*Managing Water in the West*

## Categorical Exclusion Checklist

# Casitas Fence Repair

CEC-12-016

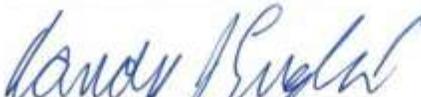
Prepared by:



Chuck Siek  
Supervisory Natural Resources Specialist  
South-Central California Area Office

Date: 6/4/12

Concurred by:



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

Date: 6/4/12

Approved by:



Michael Jackson  
Area Manager  
South-Central California Area Office

Date: 6/4/12



**Background**

Lake Casitas behind Casitas Dam has a capacity of 254,000 acre-feet. The lake stores water for irrigation and municipal use for customers within the Casitas Municipal Water District. The Lake Casitas Open Space Area surrounds the lake. The Open Space Area includes a fence that was installed to prevent livestock from entering the area immediately surrounding the lake. The fence traverses both Bureau of Reclamation (Reclamation) right of way and private property.

The fence needs to be maintained on an annual and sometimes bi-annual basis in order to protect the Open Space Area from intrusions by livestock and other animals. Sections of the fence have been destroyed or are in need of repair due to weather, natural deterioration and fallen trees.

**Purpose and Need for Action**

The purpose of the Proposed Action is to repair and restore the fence to good working condition throughout its length so that it provides adequate exclusion of livestock and other animals from the Open Space in order to protect the water quality of Lake Casitas.

**Proposed Action**

Reclamation proposes to enter into Contract No. 12-LC-20-0103 with the private property owner, Rancho Casitas LLC. The contract would commence on October 1, 2012 and would be terminate on September 30, 2022.

The land owner would be responsible for the maintenance of 5.7 miles of fence (Figure 1). Access by the land owner would be restricted to the immediate vicinity of the shared boundary fence or that area necessary to conduct repair and maintenance of the fence. The land owner would not place any structures or plant any crops on Reclamation right-of-way beyond what is currently permitted. The land owner would not allow contamination of lands, waters or facilities administered by Reclamation from hazardous materials, refuse, sewage effluent, industrial waste, pesticides or any other pollutants.

**Environmental Commitments**

Reclamation shall implement the following environmental protection measures:

Resource	Protection Measure
Biological Resources	<p>Before any ground disturbing activities for the Proposed Action are begun, the person in charge of work at the site shall slowly walk the area that is subject to potential disturbance (including areas where heavy equipment or vehicles may operate) and the adjacent land within 25 feet of all such areas, visually canvassing it for frogs. If any litter, debris, or rocks could obscure a frog, the area shall be inspected. If any frog is observed, its length from snout to vent shall be estimated, general coloration and any distinguishing characteristics (i.e. pattern and distribution of spotting, coloration, particularly at base of hind legs, stripes or mask through eye, etc.) shall be noted and recorded. If possible, photographs shall be taken. If photographs are taken, an identifiable object near the frog and wholly with the frame of the photograph shall be measured with a ruler. Documentation for an observation shall be transmitted to Reclamation environmental staff and no work shall commence until that information is reviewed and notification of permission to proceed is provided by a Reclamation biologist. If the identity of the frog cannot be determined to be a species other than California Red-legged frog, no action may commence and consultation with the U.S. Fish and Wildlife Service would be required.</p>

	Fence repair activities occurring in riparian zones shall be performed between September 1st and March 1 <sup>st</sup> to avoid impacts to nesting least bell's vireo. If it is necessary to make fence repairs in riparian zones during the least Bell's vireo's nesting season (March 1 <sup>st</sup> through September 1 <sup>st</sup> ), prior to the fence repair activities, a qualified biologist shall conduct nest surveys for the least Bell's vireo.
	Before any trees, bushes or woody vegetation are altered or removed from the action area, a qualified biologist shall conduct nest surveys.
	The sections of the fence that cross Coyote creek shall be repaired when the creek is dry to avoid impacts to southern steelhead.
	If any listed species are observed on or near the action area, the project would be rescheduled to avoid all impacts to species. Scheduled operations and maintenance activities will be rescheduled or postponed to avoid impacts to listed species.

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

### **Exclusion Category**

Categorical Exclusion 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.

516 DM 14.5 D (2). Transfer of the operation and maintenance of Federal facilities to water districts, recreation agencies, fish and wildlife agencies, or other entities where the anticipated operation and maintenance activities are agreed to in a contract or a memorandum of agreement, follow approved Reclamation policy, and no major change in operation and maintenance is anticipated.

516 DM 14.5 C (2). Minor acquisition of land and rights-of-way or easements.

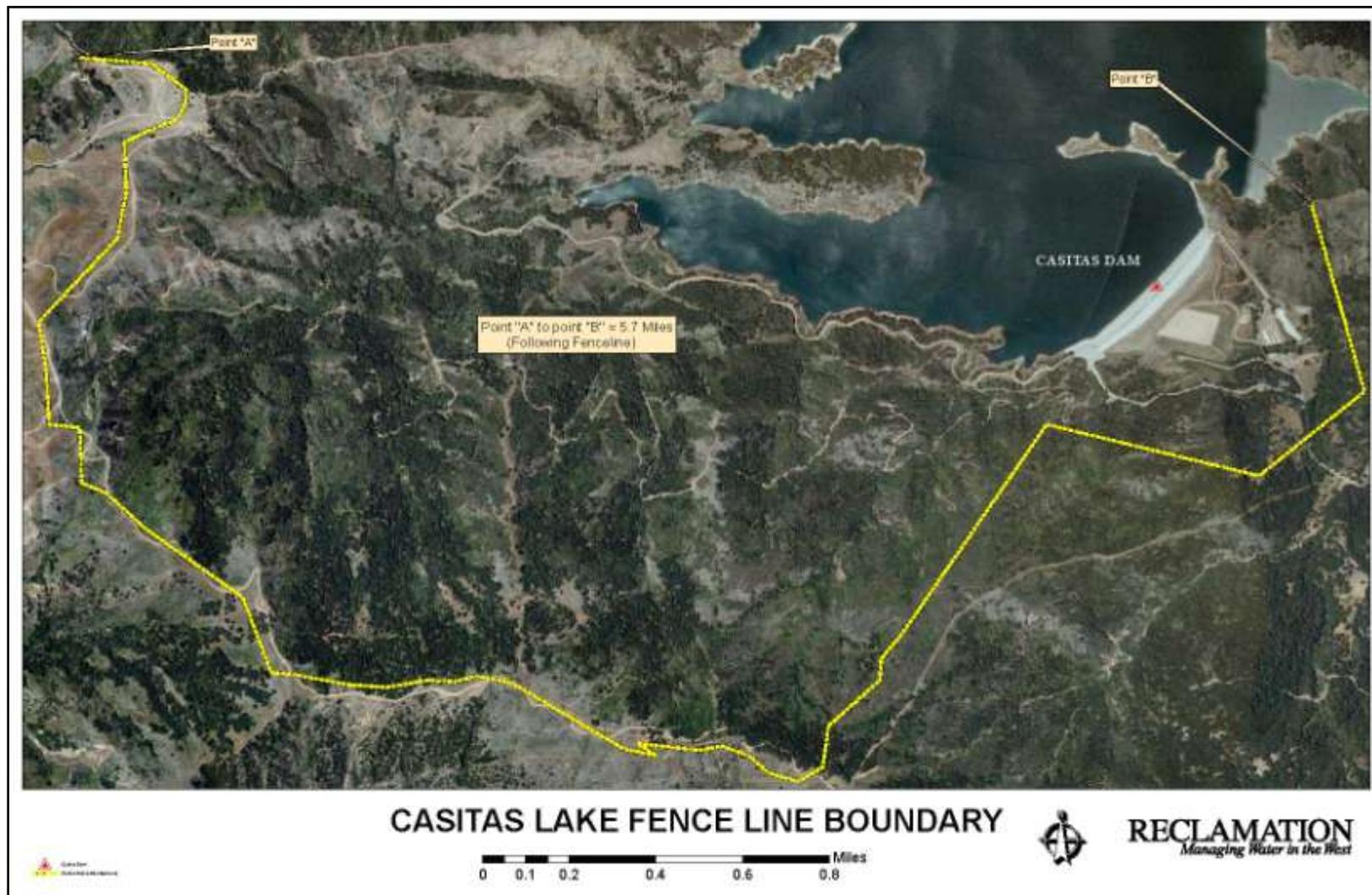


Figure 1. Proposed Project Area

**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  Uncertain  Yes
11. This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993). No  Uncertain  Yes
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  Uncertain  Yes
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  Uncertain  Yes
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  Uncertain  Yes

Regional Archeologist concurred with Item 8. Their determination has been placed within the project file.

Area Office Biologist concurred with Item 9. Their determination has been placed within the project file.

ITA Designee concurred with Item 11. Their determination has been placed within the project file.