CATEGORICAL EXCLUSION CHECKLIST

CEC # 743 **Project: Napa County—Lake Berryessa Resorts; Impacts of Trailer Removal**

USBR-CCAO (FOLSOM) OFFICIAL FILE COPY RECEIVED October 11, 2007		
CODE	ACTION	INITIALS & DATE
400		
407		10/11/07
420		

ENV 6.00 **USBR-CCAO (FOLSOM) OFFICIAL FILE COPY**

Project: Trailer removals at Lake Berryessa; Conditions on site disturbance based on team assessments of trailer removal impacts (representative sample).
Date: April 17, 2007
Locations of Resorts:
Markley Cove Resort – 7521 Hwy 128 Napa, CA 94558; T.8N R.2W Section 031 of the Monticello Dam Quadrangle, 7.5 Minute Series Topographic
Pleasure Cove Resort – 6100 Hwy 128 Napa, CA 94558; North End: T.8N R.3W Sec.026 and small portion of Sec.27[1] Lake Berryessa Quadrangle. South End: T.7N R.3W Sections 002 & 035 of the Capell Valley (Wragg Canyon) Quadrangle, 7.5 Minute Series Topographic
Steele Park Resort – 1605 Steele Canyon Rd. Napa, CA 94558; T.8N R.3W Section 028 Lake Berryessa Quadrangle, 7.5 Minute Series Topographic Map
Spanish Flat Resort – 4290 Knoxville Rd. Napa, CA 94558; North End: T.8N R.3W, Section 20. South End: T.8N R.3W, Section 29, Lake Berryessa Quadrangle, 7.5 Series Topographic
Lake Berryessa Marina Resort – 5800 Knoxville Rd. Napa, CA 94558; West Side: T.8N R.4W, Section 000, Chiles Valley Quadrangle. East Side: T.9N R.3W Sec.000 (un-surveyed: NW of Sec.7 in T8NR3W), Lake Berryessa Quadrangle, 7.5 Series Topographic
Putah Creek Resort – 7600 Knoxville Rd. Napa, CA 94558; North End: T.9N R.4W Section 000 of Walter Springs Quadrangle. South End: T.9N R.4W Section 000 of Chiles Valley Quadrangle (un-surveyed: East of Sec.16), 7.5 Series Topographic
Ranch Monticello Resort – 6590 Knoxville Rd. Napa, CA 94558; T.9N R.4W Section 000 (un-surveyed: (On Lake, East of border between Sec.31 and 30) 122°15'19.08"W, 38°35'18.44"N of the Chiles Valley Quadrangle, 7.5 Series Topographic
Nature of Action: Reclamation's action is to approve "Project Request and Approval Forms" for the removal of all existing trailers and associated appurtenances within existing and developed sites at Lake Berryessa resorts according to the conditions set forth in this CEC (also see policy memo dated September 27, 2007).

Conditions: The following are conditions of site disturbance and/or best management practices (BMPs) that would apply to the permanent removal of trailers at the Lake Berryessa resorts.

- All permittees/concession contractors must comply with state, federal, and local laws and regulations; including, but not limited to those laws and regulations related to hazardous waste removal and any other health and safety hazard or concern.

[1] A very small portion of Sec.27 included the area formerly occupied and known as "the Outback", but is now vacant of trailers.

- Concession contractors are to instruct all permittees that minimal disturbance to sites is acceptable upon removal of trailers. Minimal disturbance is characterized by the following:
  - No removal of vegetation, erosion control devices, retaining walls, or other permanently affixed structures that would cause more than minimal disturbance to the ground (e.g., trailer pads, driveways, etc.).
  - Pylons and other support structures, as well as decks will be removed at the concrete foundation, not the ground level unless the removal can be accomplished with no more than minimal ground disturbance (i.e., no excavation).
  - Fences that are posted into the ground are to be severed at ground level.
  - Hazardous material on site and/or hazardous waste will be removed according to local, state and Federal law and regulations.
  - Trailers and appurtenances (shed, fencing, awnings, stairs, boat carports, side building, and decks) will be removed with hand tools or by mechanical methods that create no more than minimal ground disturbance, provided it is appropriate to the situation (e.g., low impact construction equipment may be necessary to remove trailers to avoid health and safety issues).
  - Tree removal may occur only if absolutely necessary and in accordance with Reclamation guidelines and approval.
  - Remove nails, hooks, wires, cables or other items attached to trees.
  - Site rehabilitation (e.g., slope stabilization) to be performed only if necessary to stabilize the site.
  - Implementation of erosion and sedimentation control Best Management Practices must be used at all times before, during, and after demolition.
  - Refrigeration and air conditioning units are to be removed and handled with care during the trailer removal process. Hazardous materials from refrigeration and air conditioning units are to be contained and disposed of according to local, state and federal regulations.
  - Propane tanks will be disposed of according to local, state and federal regulations.
  - All utility connections will be secured, capped, or otherwise protected from accidental electrical shock, discharge, or release.
- The Park Manager and designated staff at Lake Berryessa will have the responsibility to ensure that conditions of trailer removal are implemented as specified.
- If on-site environmental review by Lake Berryessa staff prior to or during trailer removal reveals conditions that were not identified in the representative sample through the team assessments these differences will be documented, and, if necessary, the team will reconvene to determine an appropriate course of action.
- All health and safety issues are to be addressed immediately and the appropriate authorities notified.
- Rehabilitation of trailer sites for permanent reuse is not covered under this CEC.
- This document does not cover interim use by concessionaires/permittees.
- Construction activities will include BMPs for erosion and sediment control adjacent to water to avoid impact to waters of Lake Berryessa and waters of the United States.

Exclusion Category: C3. Minor construction activities associated with authorized projects which correct unsatisfactory environmental conditions or which merely augment or supplement, or are enclosed within the existing facilities.

CATEGORICAL EXCLUSION CHECKLIST

CEC # 743 **Project: Napa County—Lake Berryessa Resorts; Impacts of Trailer Removal**

Evaluation of Criteria for Categorical Exclusion

1. This action or group of actions would have a significant effect on the quality of the human environment.	No	X	Uncertain		Yes	
2. This action or group of would involve unresolved conflicts concerning alternative uses of available resources.	No	X	Uncertain		Yes	

Evaluation of Exceptions to Actions within Categorical Exclusion

1. This action would have significant adverse affects on public health or safety.	No	X	Uncertain		Yes	
2. This action would affect unique geographical features as: wetlands, wild or scenic rivers, refuges, floodplains, etc.	No	X	Uncertain		Yes	
3. The action will have highly controversial environmental effects.	No	X	Uncertain		Yes	
4. The action will have highly uncertain environmental effects or involve unique or unknown environmental risk.	No	X	Uncertain		Yes	
5. This action will establish a precedent for future actions.	No	X	Uncertain		Yes	
6. This action is related to other actions with individual insignificant but cumulatively significant environmental effects.	No	X	Uncertain		Yes	
7. This action will affect properties listed or eligible for listing in the National Register of Historic Places.	No	X	Uncertain		Yes	
8. This action will adversely affect species listed or proposed to be listed as Endangered or Threatened.	No	X	Uncertain		Yes	
9. This action threatens to violate Federal, State, local or tribal law or requirements imposed for protection of the environment.	No	X	Uncertain		Yes	
10. This action will affect Indian Trust Assets.	No	X	Uncertain		Yes	
11. This action will disproportionately affect	No	X	Uncertain		Yes	

minority or low-income populations. _____ _____ _____

NEPA Action: Categorical Exclusion

Comments: Reclamation has determined that the proposed action is appropriate for Categorical Exclusion under the National Environmental Policy Act of 1969 (42 United States Code [U.S.C.] 4321, et seq.) based on the following information:
The removal of all existing trailers and associated appurtenances within existing and developed sites at Lake Berryessa resorts involves only minor construction activities on previously disturbed land and there will be no impacts to waters of the United States.

Further, Reclamation has reviewed the proposed action and determined that there is no effect to Federally listed species or critical habitat. See the attached NEPA strategy memo that indicates the NEPA analysis for the Lake Berryessa trailer removals was included in the EIS dated 10/2005.

Unanticipated damage from, or illegal removals of trailers prior to site specific approval will require reassessment of the site to ensure implementation of appropriate mitigation measures.

A consultation with the State Historic Preservation Office has concluded that there are no affects to cultural resources under Section 106 of the National Historic Preservation Act.

Preparer: _____ **Date:** 10/11/07
Bonnie Van Pelt, Natural Resource Specialist, 407

Concur: Janet Rogers **Date:** 10/11/07
Janet Rogers, Park Manager, 420

Concur: (see attached programmatic concurrence) **Date:** _____
Regional Archeologist Concurrence with Item 7

Concur: (see attached programmatic concurrence) **Date:** _____
Regional ITA Concurrence with Item 10

Approved: _____ **Date:** 10/11/07
Robert Schroeder, Resources Manager, CC-400

Policy on NEPA Compliance Strategy:

Site Specific Impacts for Trailer Removal at Lake Berryessa

Prepared on April 17, 2007; revised on June 5, 2007 and on September 27, 2007

Policy on NEPA Compliance Strategy:

Review of Site Specific Impacts for Trailer Removals at Lake Berryessa

Background

Lake Berryessa is the operating reservoir for Reclamation's Solano Project (Project). The Project was authorized by the Secretary of the Interior (Secretary) on November 11, 1948, under terms of the Reclamation Project Act of 1939, for purposes of irrigation and municipal and industrial (M&I) water supply along with incidental flood control benefits. Monticello Dam was completed in 1957. The Project provides flood control protection for the City of Winters and other downstream communities and delivers close to 200,000 acre-feet to farmlands, cities, and industries annually.

Recreation was not a purpose of the Project as originally authorized; nonetheless, public visitation began almost immediately. Reclamation therefore entered into an agreement with Napa County (County) to manage recreation at the lake. Between 1958 and 1959, the County awarded seven concession contracts on 1,700 acres of land and water for a term of 30 years each to develop and manage designated areas along the lakeshore for recreation purposes. The seven designated areas were: Markley Cove, Pleasure Cove (originally named Wragg Canyon Cove), Steele Park, Spanish Flat, Lake Berryessa Marina, Rancho Monticello, and Putah Creek.

Public Law 93-483, dated October 27, 1974, authorized Reclamation to manage recreation activities at the lake and construct several new Government-operated facilities. The recreation management agreement with the County was terminated in 1975 and all seven long-term contracts were transferred to Reclamation. The Secretary eventually renewed the existing concession contracts for two successive 10-year periods each under authority of Public Law 96-375, dated October 3, 1980. There is no authority to renew the existing concession contracts beyond their cumulative 50-year terms now permanently expiring in 2008 and 2009.

In compliance with the National Environmental Policy Act of 1969 (NEPA), Reclamation published a Final Environmental Impact Statement (FEIS) in October 2005, that included a programmatic evaluation of trailer removal, and in June of 2006, subsequently issued the Record of Decision (ROD) for the Future Recreation Use and Operations at Lake Berryessa, referred to as the Visitor Service Plan (VSP), mandating the removal of all long-term privately owned trailers from Federal property at Lake Berryessa. The ROD anticipates as little soil and surface disturbance as possible in the overall trailer removal. In addition, the ROD also indicated that site rehabilitation should be analyzed as part of the future site use plans. This would not preclude appropriate shore stabilization on a case-by-case basis as deemed necessary.

NEPA Strategy

Due to the anticipated removal of approximately 1100 trailers at Lake Berryessa over the next year or two, a process is necessary to organize the site specific NEPA review. Thus, the following articulates a strategy for assessing the impacts associated with the removal of trailers and associated structures through a stepwise procedure:

(1) Each concession contractor will be provided with instructions on trailer removals to ensure that removals occur according to Reclamation guidelines;

(2) Reclamation will conduct an environmental review of a representative sample of sites which spans the degree of impacts expected in the trailer removal process. Anticipated difficulty in trailer removal will be a prime factor under the team's consideration. The team will use the representative sample to assess all appropriate resources that may be affected;

(3) Conditions of trailer removal and/or best management practices will be documented under a site specific, common criteria Categorical Exclusion Checklist (common criteria CEC).

(4) Just after trailer removal, an environmental review of each site impacted will be conducted by a Natural Resource Specialist who is on site at Lake Berryessa. If this on-site review reveals conditions that were not identified in the representative sample through the team assessments these differences will be documented, and, if necessary, the team will reconvene to determine an appropriate course of action. Site disturbance that exceeds what was anticipated in the representative sample site assessments would require an individual environmental review and possibly a separate CEC or Environmental Assessment.

Best management practices and conditions on CEC as per the representative sample assessed during the team site visits

General description: Trailer removal impacts were assessed by an interdisciplinary team in March and April of 2007. Trailer removal impacts are based on the assumption that while some equipment may be used to remove a portion of the trailers (to avoid health and safety issues), it is expected that hand tools and/or the use of low impact construction equipment (e.g., mobile crane) will be used to remove the majority of the trailers on-site. The concession contractors will be notified of the following conditions of trailer removal and will educate the trailer occupants accordingly.

- No removal of vegetation, erosion control devices, retaining walls, or other permanently affixed structures that would cause more than minimal disturbance to the ground (e.g., trailer pads, driveways, etc.).
- Pylons and other support structures, as well as decks will be removed at the concrete foundation, not the ground level unless the removal can be accomplished with no more than minimal ground disturbance (i.e., no excavation).
- Fences that are posted into the ground are to be severed at ground level.
- Hazardous material on site and/or hazardous waste will be removed according to local, state and Federal law and regulations.
- Trailers and appurtenances (shed, fencing, awnings, stairs, and decks) will be removed with hand tools, or by mechanical methods that create no more than minimal ground disturbance, provided it is appropriate to the situation (e.g., low impact construction equipment may be necessary to remove trailers to avoid health and safety issues).

- Tree removal may occur only if absolutely necessary and in accordance with Reclamation guidelines and approval.
- Remove nails, hooks, wires, cables or other items attached to trees.
- Site rehabilitation (e.g., slope stabilization) to be performed only if necessary to stabilize the site.
- Construction activities will include the use of Best Management Practices for Erosion and Sediment Control Adjacent to Water at all times before, during, and after demolition.
- Refrigeration and air conditioning units are to be removed and handled with care during the trailer removal process. Hazardous materials from refrigeration and air conditioning units are to be contained and disposed of according to local, state and federal regulations.
- Propane tanks will be disposed of according to local, state and federal regulations.
- All utility connections will be secured, capped, or otherwise protected from accidental electrical shock, discharge, or release.

Unanticipated damage from, or removals of trailers without prior approval to site specific permits will require reassessment of the site to ensure implementation of appropriate mitigation measures and documentation of the impacts.

On September 24, 2007, cultural resources completed their "Area of Potential Effects (APE)" consultation with the CA State Historic Preservation Officer (SHPO) under Section 106 of the National Historic Preservation Act (36 CFR Part 800), for individual trailer sites within the seven concession areas at Lake Berryessa. The SHPO concurred with Reclamation's delineation of the APE, identification efforts, and its finding that no historic properties would be affected by the removal of the trailers from Reclamation land pursuant to 36 CFR part 800.4(d)(1).

The CEC that contains the site-specific recommendations and conditions for trailer removal based on the interdisciplinary team's representative sample is attached and is referred to as the Common Criteria CEC for Trailer Removals at Lake Berryessa.

Attachments: