

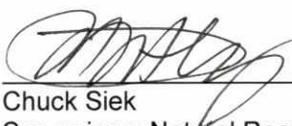
RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

Temporary Water Service Contracts with the Non-Central Valley Project Contractors on the east side of the San Joaquin Valley

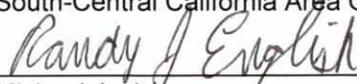
CEC 13-062

Prepared by: *for*  _____ Date: 1/28/2014
Chuck Siek
Supervisory 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:  *for* _____ Date: 1/28/14
Lisa Carlson
Wildlife Biologist
South-Central California Area Office

Approved by: *for*  _____ Date: 2/3/14
Michael Jackson
Area Manager
South-Central California Area Office

Background

The Bureau of Reclamation (Reclamation) has executed annual contracts with the Non-Central Valley Project Contractors (NCVPC) on the east side of the San Joaquin Valley to utilize unstorable flood flows for over five years.

Purpose and Need for Action

The purpose of the Proposed Action is to approve, execute, and administer contracts for temporary water service. This contract action allows the NCVPC the ability to utilize the surplus water that is not storable for project purposes or infrequent and otherwise unstoreble flood flows of short duration.

Proposed Action

Reclamation proposes to execute these temporary water service contracts for unstorable flood flows with NCVPC during Contract Year 2014. Temporary supplies of unstorable flood flows pursuant to Section 215 of the Reclamation Reform Act may be made available to those eligible NCVPC within the Friant Place of Use, that have access to water deliveries via the Friant-Kern Canal, Madera Canal, and/or Millerton Lake, hereinafter referred to as the Friant Division Facilities. The priority for the provision of temporary water is specified by the Friant Operational Guidelines.

The availability of this temporary surplus water would be at Reclamation's discretion and dependent on storage capacity in the reservoir and other operational considerations. The quantity of water would be based on reservoir operations, hydrologic conditions, and Friant operating guidelines.

This temporary surplus water may be used for irrigation or municipal/industrial purposes and must be used within the eligible contractor's water service boundary within the Friant permitted place of use. No banking, transferring or exchanging of temporary surplus water are covered under this Categorical Exclusion.

The following list includes potential recipients for Contract Year 2014 temporary flood flows.

Potential Temporary Unstorable Flood Flow Recipients in 2014

NCVPC and their sub-entities (Sub-entities Include State Water Project and CVP Contractors)	
Buena Vista Water Storage District	⁴ Kings River Conservation District Consolidated Irrigation District
Cawelo Water District**	Lakeside Irrigation District
Corcoran Irrigation District	Liberty Water District
Hermosa Water Company	North Kern Water Storage District
¹ Kaweah Delta Water Conservation District	Root Creek Water District
² Kern County Water Agency	Rosedale-Rio Bravo Water Storage District
Kern Delta Water District	Semitropic Water Storage District
³ Kern Water Bank Authority	Tulare Lake Basin Water Storage District

Sub-entities not within the Places of Use for the Friant Division and are excluded from this action

¹Kaweah Delta Water Conservation District*

Corcoran Irrigation District
Lakeside Irrigation District

Kings County Water District

²Kern County Water Agency

Kern Delta Water District
Rosedale-Rio Bravo Water Storage

Henry Miller Water District**
Buena Vista Water Storage District

³Kern Water Bank Authority

Kern County Water Agency
Westside Mutual Water Company**

Semitropic Water Storage District

⁴Kings River Conservation District

Alta Irrigation District
Clark’s Fork Reclamation District No. 2069
Consolidated Irrigation District
Corcoran Irrigation District
Empire West Side Irrigation District
Fresno Irrigation District
James Irrigation District
Kings County Water District
Kings River Water District
Laguna Irrigation District
Lakeside Irrigation Water District
Liberty Water District
Mid-Valley Water District
Raisin City Water District
Riverdale Irrigation District
Salyer Water District
Stratford Irrigation District
Tranquillity Irrigation District

Tulare Lake Basin Water Storage District
Tulare Lake Reclamation District No. 761
Tulare Ditch Company
Corcoran Irrigation Company
Crescent Canal Company
John Heinlen Mutual Water Company
Last Chance Water Ditch Company
Lemoore Canal and Irrigation District
Liberty Canal Company
Liberty Mill Race Company
Lovelace Water Corporation
Peoples Ditch Company
Reed Ditch Company
Southeast Lake Water Company
Stinson Canal and Irrigation Company
Upper San Jose Water Company

*Kaweah Delta Water Conservation District partial Assignment from Ivanhoe ID– conversion to a CVP Contractor

**Water provided through this action will only be permitted to those lands within the Friant Division place of use

Environmental Commitments

Reclamation shall implement the following environmental protection measures:

Resource	Protection Measure
Biological Resources	No new facilities will be constructed to convey this water.
Biological Resources	Lands that have never been tilled or irrigated shall not be tilled or put into agricultural production using this water.
Biological Resources	Lands that have been fallowed for three consecutive years, or more, shall not be irrigated with this surplus water.

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

Exclusion Category

Categorical Exclusion: 516 DM 14.5 D (4) Approval, execution and implementation of water service contracts for minor amounts of long-term water use or temporary or interim water use where the action does not lead to long-term changes and where the impacts are expected to be localized.

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



IN REPLY
REFER TO:
MP-153
ENV-3.00

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

VIA ELECTRONIC MAIL ONLY

November 01, 2013
MEMORANDUM

To: Chuck Siek
Supervisory Natural Resource Specialist, South-Central California Area Office

From: William E. Soule
Archaeologist, Division of Environmental Affairs

Subject: Section 106 Compliance for: 14-SCAO-021: Temporary Water Service Contracts with Central Valley Project Friant and Cross-Valley Contractors and the Non-Central Valley Project Contractors (NCVPC) on the East Side of the San Joaquin Valley

Reclamation proposes to execute temporary water service contracts for un-storable flood flows with Central Valley Project Friant and Cross-Valley Contractors and the NCVPC during Contract Year 2014. This is the type of undertaking that does not have the potential to cause effects to historic properties, should such historic properties be present, pursuant to the National Historic Preservation Act (NHPA) Section 106 regulations codified at 36 CFR Part 800.3(a)(1).

The purpose of the Proposed Action is to approve, execute, and administer contracts for temporary water service. This contract action allows the Central Valley Project Friant and Cross-Valley Contractors and the NCVPC the ability to utilize the surplus water that is not storable for project purposes or infrequent and otherwise un-storable flood flows of short duration. The availability of this temporary surplus water would be at Reclamation's discretion and dependent on storage capacity in Millerton Lake and other operational considerations. The quantity of water would be based on reservoir operations, hydrologic conditions, and Friant operating guidelines.

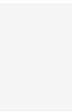
After reviewing the submitted materials, I concur with Item 8 in CEC-13-061 and item 8 in CEC-13-062 which state that this proposed action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by Reclamation. With this determination, Reclamation has no further NHPA Section 106 obligations. 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

RIVERA, PATRICIA



Charles,

I reviewed the two proposed actions and determined that there are no impacts to Indian Trust Assets.

The first proposed action is to execute contracts for temporary supplies of unstorable flood flows, with the Friant and Cross Valley Division CVP contractors during Contract Year 2014 (March 1 through February 28). Temporary supplies of unstorable flood flows may be available to those eligible CVP contractors having access to water deliveries via the Friant-Kern Canal, Madera Canal, and/or Millerton Lake. The priority for the provision of temporary water is specified by the Friant Operational Guidelines.

The second proposed action is to execute temporary water service contracts to Non-CVP contractors (NCVPC) for unstorable flood flows during Contract Year 2014. Temporary supplies of unstorable flood flows pursuant to Section 215 of the Reclamation Reform Act may be made available to those eligible NCVPC within the Friant Place of Use, that have access to water deliveries via the Friant-Kern Canal, Madera Canal, and/or Millerton Lake, hereinafter referred to as the Friant Division Facilities. The priority for the provision of temporary water is specified by the Friant Operational Guidelines.

CVP contractors and Non-CVP contractors. Both actions are limited to 215 water contracts.

Patricia Rivera
Native American Affairs Program Manager
US Bureau of Reclamation
Mid-Pacific Region
2800 Sacramento, California 95825
(916) 978-5194