CATEGORICAL EXCLUSION CHECKLIST
Temporary Contracts for South of the Delta Contractors for Section 215 Water

South-Central California Area Office November 24, 2011

Background: The potential of exceeding capacity of the Central Valley Project (CVP) share of San Luis Reservoir storage, combined with the current availability of pumping capacity at the C.W. (Bill) Jones (Jones) Pumping Plant and sufficient inflows to the Delta, may lead Reclamation to declare the temporary availability of surplus water pursuant to Section 215 of the Reclamation Reform Act of 1982 (96 Stat. 1270; 43 U.S.C. § 390∞) to those CVP contractors who can receive water pumped from Jones Pumping Plant. The contractor(s) receiving the surplus water are responsible for obtaining all necessary agreements and contracts to convey the water. No water will be scheduled or delivered until all such agreements, contracts, and advance payment for surplus water have been completed and submitted to Reclamation.

Reclamation anticipates that surplus water may be made available during the period between February 1, 2012 and February 28, 2013. This water would only be available for use if the Jones Pumping Plant capacity is such that available CVP storage in San Luis Reservoir can be fully utilized. The availability of this surplus water may be limited or terminated early if the Jones Pumping Plant is needed to ensure San Luis excess capacity is met or for other CVP purposes.

Proposed Action: Reclamation proposes to execute Temporary Water Service Contracts for South of the Delta Contractors for Section 215 Water. Priorities for surplus water will be in the following order as directed by Reclamation, Central Valley Operations Office (CVO):

First Priority	
Delta-Mendota Canal	**San Luis Canal**
Banta-Carbona Irrigation District	Pacheco Water District
Byron-Bethany Water District	Panoche Water District
Del Puerto Water District	San Luis Water District (above and below Dos Amigos PP)
Eagle Field Water	Westlands WD (under their IRC and all their assignment contracts)
Mercy Springs Water District	City of Avenal
Oro Loma Water District	City of Coalinga (via Pleasant Valley PP off Coalinga Canal)
Pacheco Water District	City of Huron
Panoche Water District	Dept. of VA
Patterson Water District	Dept. of Fish and Game
San Luis Water District	Dos Palos Powers Authority
The West Side Irrigation District	
West Stanislaus Irrigation District	
The City of Tracy (and partial assignments)	

Second Priority Can take Section 215 water if it is entering Mendota Pool from the DMC
Delta Division-Mendota Pool
Fresno Slough Water District
Tranquillity PUD
James Irrigation District
Laguna Water District
Reclamation District No. 1606

Second Priority (Continued) Can take Section 215 water if it is entering Mendota Pool from the DMC
Coelho Family Trust
Tranquility Irrigation District
Westlands Water District Distribution Districts 1 and 2
San Joaquin River Exchange Contractors
Central California Irrigation District
San Luis Canal Company
Firebaugh Canal Company
Columbia Canal Company
Marvin & Patricia Meyers
Dudley & Indart

Second Priority Can only take Section 215 water if it available in San Luis Reservoir per CVO	
Hollister Conduit off the San Luis Reservoir	**Pacheco Tunnel off the San Luis Reservoir**
San Benito County WSD	Santa Clara Valley Water District

Third Priority Will provide contractor a 215 contract, but they can only take Section 215 water if it can be made available at O'Neill Forebay for the water to move via Articles 3 and 5 of the Cross Valley interim renewal contract per CVO
Cross Valley Canal
County of Fresno
County of Tulare (including their 10 subcontractors listed in their IRC)
Hill's Valley Irrigation District
Kern-Tulare Water District (2 contracts)
Lower Tule River Irrigation District
Pixley Irrigation District
Tri-Valley Water District

Reclamation is making this surplus (§215) water available to CVP Contractors in the Delta Division (DMC, Mendota Pool), West San Joaquin Division (San Luis Canal), Refuges receiving CVP water, the San Felipe Division (Santa Clara and San Benito), and Cross Valley Contractors. Delivery of this water could occur via the following CVP facilities: Jones Pumping Plant, Delta Mendota Canal, O'Neill PGP, San Luis Canal, Coalinga Canal, Pleasant Valley Pumping Plant, Gianelli PGP, Pacheco Pumping Plant, Coyote Pumping Plant, Santa Clara Conduit, and Hollister Conduit. Contractors requiring the use of State Water Project (SWP) facilities are responsible for coordinating SWP conveyance with the Department of Water Resources. Contractors requiring the use of the Cross Valley Canal are responsible for coordinating conveyance of the surplus water with the Kern County Water Agency.

Reclamation will make weekly evaluations to determine if the availability period can be maintained. Reclamation will review the estimated Jones Pumping Plant capacity on a continuing basis, and may revise the daily amount of available surplus water, to ensure that these deliveries do not result in early drawdown of CVP storage in San Luis Reservoir or adversely affect other CVP contractors.

Section 215 Water is only available in the Mendota Pool area when Central Valley Project water is entering the Mendota Pool.

Purpose of Action: The purpose of the Proposed Action is to approve and execute Temporary Water Contracts for South of Delta Contractors. This contract action allows the previously listed contractors the ability to utilize the surplus water that is not storable for project purposes or infrequent and otherwise unmanaged flood flows of short duration.

Exclusion Category: 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 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 actions would involve unresolved conflicts concerning alternative uses of available resources.	No _X_	Uncertain ___	Yes ___

Evaluation of Exemptions to Actions within Categorical Exclusion

1. This action would have significant adverse effects on public health or safety.	No _X_	Uncertain ___	Yes ___
2. This action would have an adverse effect on unique geological features such as wetlands, wild or scenic rivers, refuges, flood plains, rivers placed on the nationwide river inventory, or prime or unique farmlands. (Same as 516 DM 2, Appendix 2, Part 2.2).	No _X_	Uncertain ___	Yes ___
3. This action will have highly controversial environmental effects.	No _X_	Uncertain ___	Yes ___
4. This action will have highly uncertain environmental effects or involve unique or unknown environmental risks.	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 individually insignificant but cumulative significant environmental effects.	No _X_	Uncertain ___	Yes ___
7. This action will affect properties listed or eligible to be listed in the National Register of Historical Places.	No _X_	Uncertain ___	Yes ___
8. This action will adversely affect a 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 minority or low-income populations.	No _X_	Uncertain ___	Yes ___

NEPA Action: Categorical Exclusion _X_ EA ___ EIS___

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

Prepared by:

Chuck Siek _____ Date: _____

South-Central California Area Office

Regional Archeologist concurrence with Item 7:
See attachment.

ITA Designee concurrence with Item 10:
See attachment.

Concur: for S. McDonald

_____ Date: 12/23/11
Wildlife Biologist, South-Central California Area Office

Concur:

_____ Date: 12/14/11
Supervisory Natural Resources Specialist, South-Central California Area Office

Concur:

_____ Date: 12/23/11
Chief, Resources Management Division, South-Central California Area Office

Approved:

acting _____ Date: 12-23-11
Deputy Area Manager, South-Central California Area Office

RECLAMATION
Managing Water in the West

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.

Environmental Document[1]: 11-093

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).

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. This guidance also pertains to Categorical Exclusions when environmental commitments have been identified in order to meet the requirements for exclusion. 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. A comprehensive description of the environmental commitments can be found in the associated environmental document. 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) 487-5138 email at csiek@usbr.gov

[1] Environmental Document types include: Categorical Exclusion, Environmental Assessment/Finding of No Significant Impact and Environmental Impact Statement/Record of Decision

United States Department of the Interior

BUREAU OF RECLAMATION
1243 "N" Street
Fresno, CA 93721

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:
General
ENV 7.00
SCC-424

December 13, 2011

MEMORANDUM

To: Chuck Sick
Natural Resource Specialist

From: Shauna McDonald
Wildlife Biologist

Subject: No-Effect Determination for Temporary Contracts for South of the Delta Contractors for Section 215 Water (CEC-11-093)

Reclamation proposes to execute Temporary Water Service Contracts for South of the Delta Contractors for Section 215 Water. Priorities for surplus water will be in the following order as directed by Reclamation's Central Valley Operations Office (CVO):

First Priority	
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Mercy Springs Water District	City of Avenal
Oro Loma Water District	City of Coalinga (via Pleasant Valley PP off Coalinga Canal)
Pacheco Water District	City of Huron
Panoche Water District	Dept. of VA – Veteran's cemetery (?)
Patterson Water District	Dept. of Fish and Game
San Luis Water District	Dos Palos Powers Authority
The West Side Irrigation District	
West Stanislaus Irrigation District	
The City of Tracy (and partial assignments)	

Second Priority Can take Section 215 water if it is entering Mendota Pool from the Delta-Mendota Canal
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Reclamation will make weekly evaluations to determine if the availability period can be maintained. Reclamation will review the estimated Jones Pumping Plant capacity on a continuing basis, and may revise the daily amount of available surplus water, to ensure that these deliveries do not result in early drawdown of CVP storage in San Luis Reservoir or adversely affect other CVP contractors.

Section 215 Water is only available in the Mendota Pool area when Central Valley Project water is entering the Mendota Pool.

This water would only be available for temporary use and thus is not expected to be used to support any land use change or involve construction of any new facitilities. Therefore, based upon the nature of this action Reclamation has determined there would be No Effect to proposed or listed species or critical habitat under the Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et. seq.).

Siek, Charles R

From: Williams, Scott A
Sent: Wednesday, November 23, 2011 2:32 PM
To: Siek, Charles R
Cc: BOR MPR Cultural Resources Section
Subject: Section 106 Review of review of CEC 11-93

Project No. 12-SCAO-037
Section 106 Review of review of CEC 11-93

Charles Siek:

The proposed undertakings to contract for temporary supplies of unstorable flood flows, *for (*1) *Temporary Contracts for South of the Delta Contractors for Section (CEC 11-93* during Contract Year 2012 has no potential to cause effects to historic properties pursuant to the Section 106 implementing regulations at 36 CFR Part 800.3(a)(1).

Reclamation proposes to execute Temporary Water Service Contracts for South of the Delta Contractors for Section 215 Water. Reclamation is making this surplus (§215) water available to CVP Contractors in the Delta Division (DMC, Mendota Pool), West San Joaquin Division (San Luis Canal), Refuges receiving CVP water, the San Felipe Division (Santa Clara and San Benito), and Cross Valley Contractors. Delivery of this water could occur via the following CVP facilities: Jones Pumping Plant, Delta Mendota Canal, O'Neill PGP, San Luis Canal, Coalinga Canal, Pleasant Valley Pumping Plant, Gianelli PGP, Pacheco Pumping Plant, Coyote Pumping Plant, Santa Clara Conduit, and Hollister Conduit. Contractors requiring the use of State Water Project (SWP) facilities are responsible for coordinating SWP conveyance with the Department of Water Resources. Contractors requiring the use of the Cross Valley Canal are responsible for coordinating conveyance of the surplus water with the Kern County Water Agency.

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Section 215 Water is only available in the Mendota Pool area when Central Valley Project water is entering the Mendota Pool.

After review the CEC 11-093 – titled "*Temporary Contracts for South of the Delta Contractors for Section 215 Water* " dated November 30, 2011, I concur with line 7 of that CEC.

Exclusion Category: 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.

This email memo is intended to convey the conclusion of the Section 106 process for this undertaking. Please retain a copy of this memo with each CEC file. Thank you for providing the opportunity to comment on this action.

Scott A. Williams, M.A. Archaeologist

Siek, Charles R

From: Rivera, Patricia L
Sent: Wednesday, November 23, 2011 12:55 PM
To: Siek, Charles R
Subject: RE: Request for Determinations: Temporary Water Service Contracts for Section 215 Water

Chuck,

I reviewed the proposed action to execute contracts to South of Delta CVP Contractors, Friant CVP Contractors, and Friant Non-CVP Contractors for temporary supplies of unstorable flood flows during Contract Year 2012 (Section 215 Water). Temporary supplies of unstorable flood flows may be available to those eligible contractors. The availability of this temporary surplus water will be at Reclamation's discretion and dependent on storage capacity in the reservoir and other operational considerations. This quantity of water will be based on reservoir operations, hydrologic conditions, and operating guidelines.

- Other Federal Agencies Involved/Cooperating Agencies and Roles: None
- Level of NEPA Anticipated: Categorical Exclusions (attached).
- Project Location on USGS Topo Map and Legal Description, GIS Shape Files if available: Numerous districts are involved over a large area and there is no ground disturbance therefore no mapping is available other then what is in CEC 11-096.
- Supplemental Information
    - No ground disturbance
    - Documentation from Applicant/Proponent: N/A
    - Construction Plans, Specifications: N/A

The proposed action does not have a potential to affect Indian Trust Assets.

Patricia