# CATEGORICAL EXCLUSION CHECKLIST
## *Friant Fishwater Release Hydroelectric Project*

South-Central California Area Office March 26, 2011

**Background:** The Orange Cove Irrigation District (OCID) and Friant Power Authority (Authority) are joint licensees for the Friant Fishwater Release Hydroelectric Project. The proposed project would construct a new hydroelectric powerhouse located at the toe of Friant Dam, a Bureau of Reclamation (Reclamation) facility on the San Joaquin River in Fresno County, California (Figure 1).

In 2006, a settlement was reached between the U.S. Departments of the Interior and Commerce, the Natural Resources Defense Council, and the Friant Water Users Authority, to increase flow in the San Joaquin River, in order to provide sufficient fish habitat below Friant Dam. The settlement resulted in the San Joaquin River Restoration Program. The settlement agreement flows exceed the electrical generation capacity of the existing powerhouses at the dam and therefore OCID and the Authority are seeking to increase the current hydroelectric capacity at the site by building a powerhouse with a larger capacity.

On June 6, 2011, the Federal Energy Regulatory Commission (Commission) issued a Notice of Availability for an Environmental Assessment (EA) for the new powerhouse. As the EA was completed in accordance with the National Environmental Policy Act of 1969, as amended, and the Commission's regulations (18 CFR Part 380), Reclamation incorporates the Commission's EA by reference in the issuance of this Categorical Exclusion.

**Purpose and Need for Action:** The proposed project is located in the Western Electricity Coordinating Council region of the North American Electric Reliability Corporation (NERC). Summer peak demand and annual energy use for a portion of the region are projected to grow at an annual compound rate of about 1.0 percent over the 10-year period from 2010 through 2019 (NERC 2010). NERC also forecasts that about 9000 megawatts (MW) of capacity will be added over the 10-year planning period.

The future adequacy of the generation supply in the region will depend on how many of the planned projects are actually constructed. The power from the proposed powerhouse would be useful in meeting a small portion of the regional need for power.

**Proposed Action:** Reclamation proposes to issue a construction permit and easement to OCID and the Authority for the proposes of constructing a new 7.0-MW powerhouse, located at the toe of the Friant Dam, to increase the total electrical generating capacity resulting from the increased flows associated with the San Joaquin River Restoration Program. The construction permit would be valid throughout the construction phase of the proposed project, the easement would be valid indefinitely.

The new powerhouse would share a common penstock connection to an outlet pipe through the Friant Dam, and would be controlled from a common control room at the Friant-Kern Powerhouse. The new powerhouse would be a separate structure isolated

from the existing River Outlet Powerhouse, and would include a single vertical turbine and synchronous generator.

**Exclusion Category:** 516 DM 14.5 D. Operation and Maintenance Activities. (13) Follow-on actions such as access agreements, contractual arrangements, and operational procedures for hydropower facilities which are on or appurtenant to Bureau facilities or lands which are permitted or licensed by the Federal Energy Regulatory Commission (FERC), when FERC has accomplished compliance with NEPA (including actions to be taken by the Bureau) and when the Bureau's environmental concerns have been accommodated in accordance with the Bureau/FERC Memorandum of Understanding of June 22, 1981.

516 DM 14.5 D. (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.

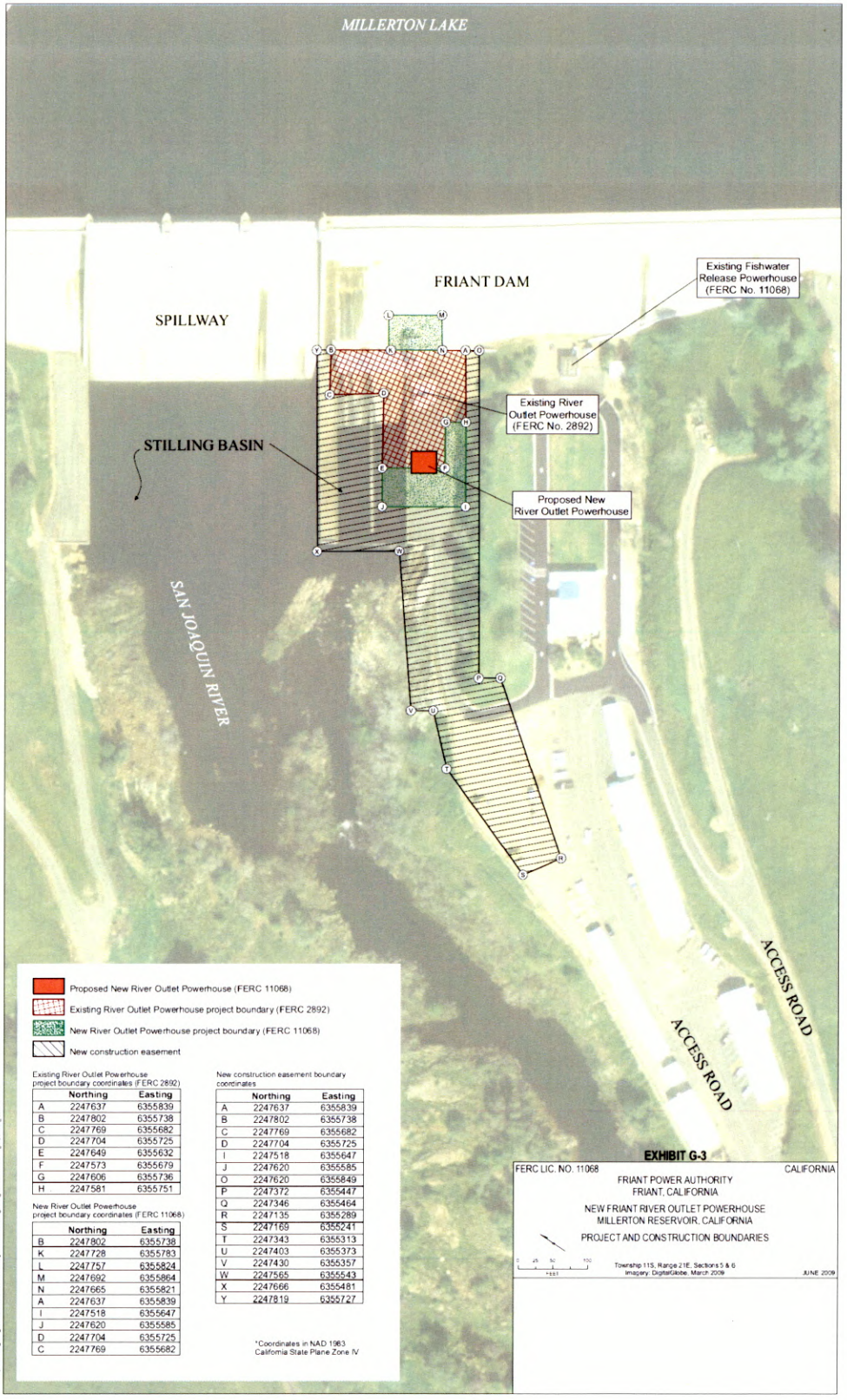


**Figure 1 new hydroelectric powerhouse**

**Evaluation of Criteria for Categorical Exclusion**

| | | | |
|---|---|---|---|
| 1. This action would have a significant effect on the quality of the human environment. | No _X_ | Uncertain ___ | Yes |
| 2. This action would have highly controversial environmental effects or 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 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; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas. | No _X_ | Uncertain ___ | Yes |
| 3. This action would have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. | No _X_ | Uncertain ___ | Yes |
| 4. This action would establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. | No _X_ | Uncertain ___ | Yes |

| | | | |
|---|---|---|---|
| 5. This action would have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. | No _X_ | Uncertain ___ | Yes |
| 6. This action would have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau (in coordination with a Reclamation cultural resources professional). | No _X_ | Uncertain ___ | Yes |
| 7. 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. | No _X_ | Uncertain ___ | Yes |
| 8. This action would violate a Federal, State, local, or tribal law or requirement imposed for protection of the environment. | No _X_ | Uncertain ___ | Yes |
| 9. This action would affect Indian Trust Assets (ITA) (To be completed by Reclamation official responsible for ITA). | No _X_ | Uncertain ___ | Yes |
| 10. This action would have a disproportionately high and adverse effect on low income or minority populations. | No _X_ | Uncertain ___ | Yes |
| 11. 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. | No _X_ | Uncertain ___ | Yes |

| | | | |
|---|---|---|---|
| 12. 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. | No _X_ | Uncertain ___ | Yes |

**Environmental commitments, explanation, and/or remarks:**

☒Yes ☐No Environmental commitments summary:

1. the licensee shall implement a water quality monitoring program;
2. the licensee's proposed powerhouse shall incorporate automatic water bypass and water control facilities to ensure that stream flow is not interrupted should the powerhouse go offline;
3. the proposed powerhouse shall utilize an advanced hydrodynamic turbine and conduit design that provides improved fish passage survivability characteristics;
4. the licensee shall comply with the State Water Resources Control Board Transmittal of Water Quality Certification for the New Friant River Outlet Powerhouse, (Federal Energy Regulatory Commission Project No. 11068) dated June 3, 2011.

See Attached Environmental Commitment Program for details.

Prepared by:

Chuck Siek Date: March 26, 2012

South-Central California Area Office

Regional Archeologist concurred with Item 6. Their determination has been placed within the project file.

Area Office Biologist concurred with Item 7. Their determination has been placed within the project file.

ITA Designee concurred with Item 9. Their determination has been placed within the project file.

Concur:

Jennifer L. Lewis Date: April 10, 2012

Wildlife Biologist, South-Central California Area Office

Concur:

Date: 4/10/12

Supervisory Natural Resources Specialist, South-Central California Area Office

Approved:

Randy J. English Date: 4/13/12

Chief, Resources Management Division, 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]: 09-095 Friant Fishwater Release Hydroelectric Project**
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. Reclamation would continue to require compliance with all commitments imposed by existing environmental documents, such as Biological Opinions and Programmatic Agreements. 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

RECLAMATION
*Managing Water in the West*

**Environmental Commitment Table** **South-Central California Area Office**
**Environmental Document: 09-095 Friant Fishwater Release Hydroelectric Project**

| Assigned Natural Resource Specialist: Chuck Siek (559) 487-5138 csiek@usbr.gov<br>Assigned Biologist: (559) Jennifer Lewis 487-5197 jlewis@usbr.gov | | | | | | To be completed by [proponent] | | |
|---|---|---|---|---|---|---|---|---|
| Resource | Commitment Category[2] | Summary of Environmental Commitments[3] | Timeframe for Implementation[4] | Verification of Compliance[5] | | [Proponent] Point of Contact[6] The Project Manager is responsible for proponent POC information. | Verification of Compliance (Authorizing Official) | |
| | | | | Initials | Date | | Initials | Date |
| Water Resources | 2 & 3 | As required in the State Water Resources Control Board Transmittal of Water Quality Certification for the New Friant River Outlet Powerhouse, (Federal Energy Regulatory Commission Project No. 11068) dated June 3, 2011, the project proponents shall comply with all:<br>1). Construction Conditions<br>2). Water Quality Conditions<br>3). Required Plans, Monitoring and Reporting Conditions<br>4). Notification Conditions<br>5). General Conditions | Life of Project | | | Friant Power Authority: Attention: General Manager 18015 Friant Road, Friant, CA 93626 (559) 822-2751 | | |
| Water Resources and Biological Resources | 2 & 3 | As stated in 10.0 Conclusion and Staff Recommended Measures of the Federal Energy Regulatory Commission Environmental Assessment Capacity-Related License Amendment Fishwater Release Hydroelectric Project (Project No. 11068-014):<br>1). the licensee should implement a water quality monitoring program;<br>2). the licensee's proposed powerhouse should incorporate automatic water bypass and water control facilities to ensure that stream flow is not interrupted should the powerhouse go offline.<br>3). The proposed powerhouse should utilize an advanced hydrodynamic turbine and conduit design that provides improved fish passage survivability characteristics. | Life of Project | | | Friant Power Authority: Attention: General Manager 18015 Friant Road, Friant, CA 93626 (559) 822-2751 | | |

[2]List category numbers checked on first page
[3] Summarize environmental commitments from environmental document completed for action
[4] List when environmental commitments must start/end
[5] Verification by Reclamation that all environmental commitments have been implemented and a summary report has been completed as required
[6] Proponent point of contact may be the individual responsible for a specific commitment or the Authorizing Official responsible for overall environmental compliance

| Assigned Natural Resource Specialist: Chuck Siek (559) 487-5138 csiek@usbr.gov<br>Assigned Biologist: (559) Jennifer Lewis 487-5197 jlewis@usbr.gov | | | | | | To be completed by [proponent] | | |
|---|---|---|---|---|---|---|---|---|
| Resource | Commitment Category[2] | Summary of Environmental Commitments[3] | Timeframe for Implementation[4] | Verification of Compliance[5] | | [Proponent] Point of Contact[6] The Project Manager is responsible for proponent POC information. | Verification of Compliance (Authorizing Official) | |
| | | | | Initials | Date | | Initials | Date |
| Biological Resources | 2 & 3 | Operations of the project shall be incidental and subordinate to authorized operations of Friant Dam and Millerton Reservoir to be undertaken by Secretary of the Interior, acting through Reclamation, including, without limitation, operations reasonably determined to be required to fully comply with Stipulation of Settlement in *Natural Resources Defense Council et. al., v. Kirk Rodgers et. al.* (Settlement) and its obligation in the San Joaquin River Restoration Settlement Act (Public Law 111-11, Title X Subtitle A, Part I). In the event the Secretary, or his designee, reasonably determines that passage of water through powerhouse conflicts with the Secretary's authority or obligations described above, or is not consistent with any other statute or water right governing operations of Friant Dam, including but not limited to Public Law 111-11 Title X Subtitle A, Part I. (or any agreement reasonably required to carry out the foregoing obligation) the Secretary shall not be held liable to OCID, Friant Power Authority, their customers or landowners, for value of lost generation caused by a bypass of power project reasonably required to address any such conflict. | Life of Project | | | Friant Power Authority: Attention: General Manager 18015 Friant Road, Friant, CA 93626 (559) 822-2751 | | |

**DOCUMENT ROUTING RECORD** **SCCAO**

**Document Type: Categorical Exclusion** **March 29, 2012**
**Document Log Number: 09-095**
**Document Title: Friant Fishwater Release Hydroelectric Project**

| Priority | |
|---|---|
| Lands priority request | High Priority |
| | Medium Priority |
| | Low Priority |

| | | | | |
|---|---|---|---|---|
| To: | Wildlife Biologist | SCC 424 JL | J Lewis | 4.13.12 |
| | Resource Management Division Chief | SCC 400 RE | R English | 4/13/12 |
| | ~~(Acting) Deputy Area Manager~~ | ~~SCC 102~~ | | |
| | Supervisory Natural Resources Specialist | SCC 411 | C Siek | 4/13/12 |

From: Chuck Siek

Subject: Review and signing of Environmental Document or Categorical Exclusion

Please review the attached document and route it according to the order on the list. When your review is finished, please date and initial this document routing record, and sign the document signature block if your name is listed. However, if you have comments or questions please contact Chuck Siek. When everyone has signed the document please return it to Chuck.

Thank you.

Ready for Central Files _____

Copies to: MP-3730 (1 copy)

Project Proponents: Project Manager to provide project proponent with information on access to SCCAO Environmental Document webpage.

Route electronic copies of all environmental documents to
Doug Kinesmith, Carolyn Bragg and Maggie James.

Revised_11_1_11_CRS