

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

Washoe Tribe Monitoring Wells

MP-CEC-12-01

Prepared by:

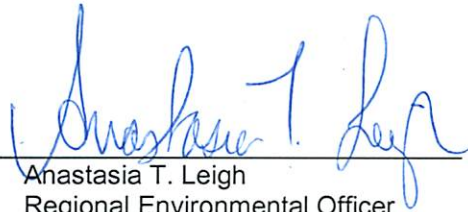


Date:

7/20/2012

Russell Grimes
Supervisory Natural Resources Specialist
Mid Pacific Regional Office
Environmental Affairs Division

Approved by:



Date:

7/20/2012

Anastasia T. Leigh
Regional Environmental Officer
Mid Pacific Regional Office
Environmental Affairs Division



U.S. Department of the Interior
Bureau of Reclamation
Mid Pacific Region

July 2012

Proposed Action

The U.S. Bureau of Reclamation (Reclamation) Mid-Pacific Region Geology Branch is planning to drill and install up to six monitoring wells (MW) and abandon three existing monitoring wells near Gardnerville, NV on land owned by the Washoe Tribe of Nevada and California (Tribe). The Geology Branch has been requested to perform the geologic drilling by Reclamation's Project Manager, Patricia Rivera in support of the Native American Affairs Program. Work is scheduled to begin in August 2012 and to continue through October 2012.

The site, known as Stewart Ranch, is located about five miles north of Gardnerville, as shown on Figure 1. Existing MW's (MW-7, -8, and -9 represented by closed red circles), proposed MW's (MW-12-10 through MW-12-15 represented by open blue circles) and access routes (black dashed lines) are also shown on Figure 1. All drilling activities and accompanying well installation and abandonment activities will be performed by Reclamation employees and will be in compliance with pertinent federal and state regulations and standards.

One drill rig, a backhoe or small excavator, a water truck and appropriate support vehicles (pickup trucks) will be used to complete the geologic investigations. All equipment will occupy an approximate 100' x 50' area while work is being performed. Each of the proposed MW's will be completed within close proximity (within 100 feet) to existing MW's. Proposed drill holes are not located near utilities, subsurface drainage/distribution systems, nor cultivated lands. All efforts will be made not to impede traffic on farm roads. Below is a full description of the tasks associated with the action.

Exclusion Category

516 DM 14.5 paragraph B (3): Data collection studies that involve test excavations for cultural resources investigations or test pitting, drilling, or seismic investigations for geologic exploration purposes where the impacts will be localized.

Scope of Work

Items included in this scope are as follows:

1. Coordinate site access and preparation activities with personnel from Reclamation, the Washoe Tribe and private landowners.
2. Provide drilling equipment and experienced personnel to supervise drilling
3. Sample and document subsurface geologic conditions
4. Design, install and develop proposed monitoring wells (MW-12-10 to MW-12-15)
5. Abandon (plug) existing MW's identified as MW-7, -8 and -9
6. Provide MW survey data
7. Complete a Field Investigation Summary Report

Site Access Preparation Tasks (Figure 1)

- MW-10 and MW-11: Grass to be mowed prior to access as a fire prevention precaution; abandoned ditch on Settlemeyer property (private landowner) will require filling. This ditch is near level with the surrounding upland habitat, and does not contain water, hydric soils, or wetland obligate plant species. Soil piled next to the ditch will be placed in the

ditch with a small excavator and left in place after work is completed. Approximately 60 square feet will be cleared of dry brush and vegetation to provide a work area.

- MW-12 and MW-13: Existing culvert near gate requires additional soil cover to allow for equipment crossing. All necessary soil would be obtained adjacent to the crossing from upland habitat; access route may require mowing prior to access for fire prevention. Approximately 60 square feet will be cleared of dry brush and vegetation to provide a work area.
- MW-14 and MW-15: Some mowing for fire prevention may be required between wells MW-12 and MW-13, but no additional grading is anticipated for this action. Approximately 60 square feet will be cleared of dry brush and vegetation to provide a work area.

Drilling and Sampling

Drill holes will be advanced to depths ranging from 50 to 100 feet below ground surface (b.g.s.) at each location. Figure 1 shows the locations of proposed drill holes. A Central Mining Equipment 850 (CME 850) or equivalent drill rig will be used to drill all holes. The CME 850 is a truck (or track) mounted rig weighing approximately 35,000 pounds. Drilling and sampling will be completed using a hollow stem flight auger dry core (FADC) system with 7-7/8-inch outside diameter by 3-3/4 inch inside diameter by 5-ft. long hollow stem flight augers, and a 3-1/2-inch o.d. by 3.0-inch inside diameter by 5.0-ft. long split tube sampler.

Unrecovered cuttings will be disposed of on site by broadcasting in upland areas adjacent to the wells. Recovered FADC samples will be visually classified in the field and sent to Reclamation's laboratory for physical properties testing, gradation analysis, in-place moisture content, and Atterberg Limit determination. Geologic logs of drill holes will provide a detailed record of the subsurface materials encountered and will include field descriptions of the soils, using the Unified Soil Classification System, and will contain any significant in-place characteristics, laboratory data, groundwater elevation, and details of monitoring well construction.

Well Installation

Using the subsurface geologic conditions obtained from drilling, one or two monitoring wells will be designed for each location. Monitoring well installation will consist of 2-inch outside diameter threaded PVC pipe with 0.02-inch perforations. A sand pack will be placed around the perforated or slotted interval and bentonite grout will be placed to provide seal. Bentonite and/or grout surface seals will be placed according to State of Nevada and Tribe guidelines. Each well will be finished with a 2-ft circular concrete pad and a protective locking metal surface casing.

Existing Well Abandonment

MW-7, MW-8, and MW-9 shall be plugged in accordance with the June 2006 Regulations for Water Well and Related Drilling set forth by the Division of Water Resources, Nevada Department of Conservation and Natural Resources.

Well Surveying

Survey coordinates will be taken at the top of the new monitoring well heads or at the point where water level elevations will be measured. These coordinates will be recorded on the drilling logs which will be included in the Field Investigation Summary Report.

Schedule

Field Drilling Activities

August – September 2012

Field Investigation Summary Report

November – December 2012

Extraordinary Circumstances

Below is an evaluation of the extraordinary circumstances as required in 43 CFR 46.215.

- | | | | | | | |
|---|----|-------------------------------------|-----------|--------------------------|-----|--------------------------|
| 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"/> |

Regional Archeologist concurred with Item 8 (email attached).

ITA Designee concurred with Item 11 (email attached).

Special Considerations

Clean Water Act permits

Wetlands surround much of the area around the wells to be abandoned and installed. The need for a Clean Water Act 404 dredge and fill permit and 401 water quality certification was investigated. Of primary concern was the need to grade or fill certain areas to provide access for the drill rig and accompanying equipment to the work areas. Through a site visit with the project geologist it was determined that no fill would be needed in waters of the U.S. Fill will be necessary in an abandoned ditch, however the ditch is not wet, has no wetland characteristics

(hydric soils or wetland obligate plant species, and is the same general character as the surrounding uplands. Additional soil will be placed over a culvert where erosion has undermined concrete used to provide reinforcement. The erosion has occurred on the road and is not in waters of the U.S. Any soil used to level this access road will be scraped from nearby upland habitat. Therefore, Clean Water Act permits are not necessary for this action.

Endangered Species Act

The following steps were taken to determine if 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)) (extraordinary circumstance #9).

1. Regional staff determined that the project was in a location that could contain habitat for listed species, and requested a species list from the U.S. Fish and Wildlife Service, Nevada Fish and Wildlife Office (Service) on May 24, 2012.
2. On June 4, 2012 Reclamation Natural Resource Specialists Julia Long, Andrea Minor, and Melissa James visited the site to catalogue plant species that occurred on site and may be used by the Carson Wandering Skipper (*Pseudocopaodes eunus obscurus*) (Skipper).
3. The Service responded on June 13, 2012 by providing a species list specific to our project that included the Skipper. The letter included a copy of the Service's Interim Survey Guidelines for the Carson Wandering Skipper (*Pseudocopaodes eunus obscurus*), which included information to aide Reclamation in determining if suitable habitat existed at the project location. Because at least two of the habitat requirements were present as confirmed on the June 4 site visit (Salt Grass and a few individual nectar sources), Reclamation asked the Service to assist in determining the suitability of the habitat.
4. On July 16, 2012 Reclamation natural resource specialists met with the Service at the project location to assess habitat suitability. Present on the site visit were Julia Long, Greg Mongano, Lisa Zaffran, Russell Grimes (for Reclamation), Tara Hess-McGeown (for the Tribe), and Marcy Haworth (for the Service). Marcy Haworth discussed the requisite habitat for the Skipper, and pointed out that one of the key requirements was alkaline soils. Our location lacks this alkaline soil component, and together with the lack of substantial nectar sources, the distribution and density of the vegetative communities, and ongoing land management activities, it was determined that the site did not contain suitable habitat for the Skipper. Given this information, Reclamation made a no effect determination for this species and has concluded the process of determining impacts to ESA listed species.

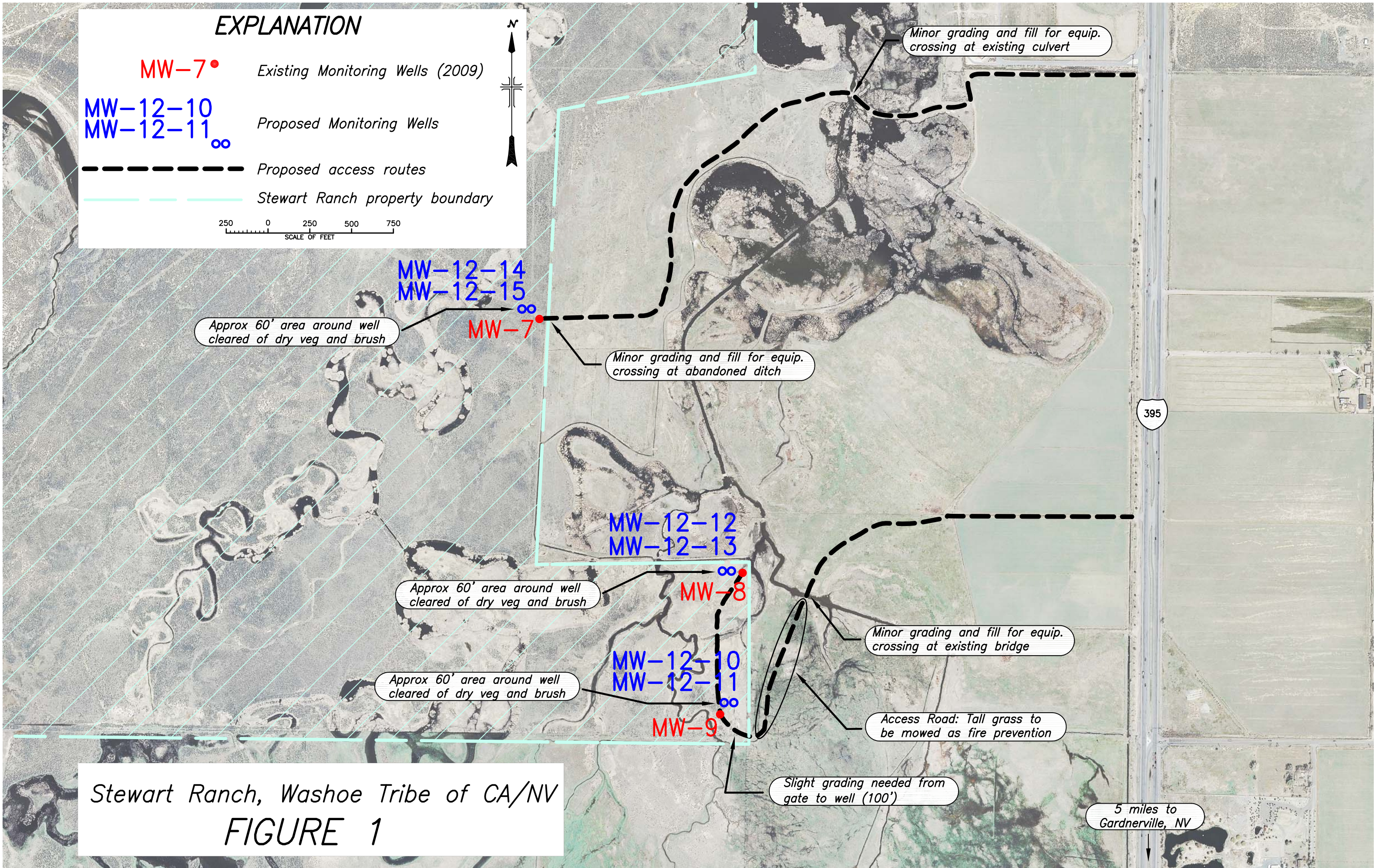
NEPA Action Recommended

☒ CEC – This action is covered by the exclusion category and no extraordinary circumstances exist. The action is excluded from further documentation in an EA or EIS.

☐ Further environmental review is required, and the following document should be prepared.

☐ EA

☐ EIS



Grimes, Russell (Russ) W

From: Leigh, Anastasia T
Sent: Wednesday, July 18, 2012 1:11 PM
To: Grimes, Russell (Russ) W
Cc: Nickels, Adam M
Subject: FW: Washo Sampling Wells (12-LBAO-113)
Attachments: 12-LBAO-113 THPO Section 106 Concurrence Form signed 04-24-12.jpg

From: Barnes, Amy J
Sent: Wednesday, April 25, 2012 10:49 AM
To: Mongano, Gregory S; Zaffran, Lisa L; Rivera, Patricia L; Laframboise, Tamara J
Cc: BOR MPR Cultural Resources Section
Subject: Washo Sampling Wells (12-LBAO-113)

Tracking #12-LBAO-113

Project: Washoe Sampling Wells

Location: Douglas County; Genoa, NV 7.5' USGS topographic quadrangle
sec. 36, T. 14 N., R. 19 E., Mount Diablo Meridian

The proposed action to cap three existing water monitoring wells that were drilled by Reclamation in 2009 on Washoe tribal lands for the purpose of monitoring ground water contamination and to re-drill up to two wells in each location was determined to be the type of activity that had the potential to cause effects to historic properties. Reclamation reviewed its 2009 consultation effort with the Washoe Tribal Historic Preservation Officer, which was for the drilling of 12 water monitoring wells located on Washoe tribal lands. After reviewing the 2009 consultation effort, the location of the new wells is within the area of potential effects (APE) of that consultation effort. The activities associated with drilling the water monitoring wells within the 2009 APE are consistent with the proposed action, and Reclamation is not seeking to modify the APE delineation from 2009. Additionally, a recent site inspection by Reclamation Archaeologist Ms. Amy Barnes on April 10, 2012 confirmed that there has been no change in the presence of cultural resources at those locations. Based on these factors, Reclamation contends that re-drilling the three wells is within the parameters of the 2009 consultation effort, which is sufficient to demonstrate Reclamation's efforts to comply with Section 106 and its implementing regulations at 36 CFR §800. Reclamation confirmed this finding with the Mr. Darrel Cruz, Washoe Tribal Historic Preservation Officer.

All proposed actions will be within Washoe tribal lands. If any potential grading material is needed, it will be from existing disturbed contexts such as roads or the 2009 APE. The 2009 APE includes and a 150-foot diameter area around each existing well head.

This email memo is intended to convey the conclusion of the Section 106 process for this undertaking. Please retain a copy of this memo and the attached correspondence with the project administrative record.

Amy J. Barnes, Archaeologist M.A.
U.S. Bureau of Reclamation
Mid-Pacific Region, MP-153
2800 Cottage Way
Sacramento, CA 95825

**Tribal Historic Preservation Officer
Section 106 Review Form**

Project: National Historic Preservation Act (NHPA) Section 106 Compliance for Replacing Three Sampling Wells on Washoe Tribal Land, Douglas County, Nevada
(Tracking #12-LBAO-113)

Agency: Bureau of Reclamation, Mid-Pacific Region
2800 Cottage Way
Sacramento, CA 95825

Reclamation determined that the proposed project to replace three existing sampling wells that monitor ground water contamination on Washoe tribal lands north of Minden, Douglas County, Nevada has previously been reviewed through the Section 106 process in consultation with the Washoe Tribal Historic Preservation Officer under project 09-LBAO-243. In the event of an inadvertent discovery related to this project, Reclamation shall follow the Post Review Discovery section of the Section 106 implementing regulations at 36 CFR §800.13.



Darrel Cruz
Tribal Historic Preservation Officer

4-24-12
Date

Grimes, Russell (Russ) W

From: Rivera, Patricia L
Sent: Thursday, July 19, 2012 10:54 AM
To: Grimes, Russell (Russ) W
Subject: RE: ITA request
Attachments: image003.jpg

Russ,

I reviewed the proposed action where the U.S. Bureau of Reclamation (Reclamation) Mid-Pacific Geology Branch is planning to drill and install up to six monitoring wells (MW) and abandon three existing monitoring wells near Gardnerville, NV on land owned by the Washoe Tribe of Nevada and California (Tribe). Reclamation's Mid-Pacific Geology Branch has been requested to perform the geologic drilling by Reclamation's Project Manager, Patricia Rivera. Work is scheduled to begin in August 2012 and to continue through September 2012.

The proposed action does not have a potential to affect Indian Trust Assets. The nearest ITA is the Washoe Tribe and the project is on Washoe Tribal land.

Patricia

From: Grimes, Russell (Russ) W
Sent: Thursday, July 19, 2012 11:53 AM
To: Rivera, Patricia L
Subject: ITA request

Hi Patricia. Please see the attached form requesting concurrence that the Washoe Wells Project will not impact ITA. Since you are the project manager I did not include the Cost Authority or Cost Center.

Thanks for your help.

Russ

Russell W. Grimes
Chief, Environmental Compliance and Conservation Branch
(916) 978-5051 office
(916) 243-9404 cell

