

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

Temporary Water Service Contracts for the Friant and Cross Valley Division Contractors

CEC 12-089

Prepared by:



Chuck Siek
Supervisory Natural Resources Specialist
South-Central California Area Office

Date: 12/14/12

Concurred by:



Lisa Carlson
Wildlife Biologist
South-Central California Area Office

Date: 12/19/12

Approved by:



Michael Jackson
Area Manager
South-Central California Area Office

Date: 12/19/12



U.S. Department of the Interior
Bureau of Reclamation
South-Central California Area Office

December 2012

Background

The Bureau of Reclamation (Reclamation) has executed annual contracts with Friant and Cross Valley Division Contractors (Figure 1) for over fifteen years to utilize unstorable flood flows.

This water is provided at reduced price for beneficial uses such as percolation and conjunctive use, which would not have been economically feasible under the long-term contract pricing structure.

Purpose and Need for Action

The purpose of the Proposed Action is to allow the beneficial use of unstorable water and additional funding for the repayment of the Friant Project. Contractors need low cost water supplies above their annual crop demand to refill the groundwater aquifer to allow for future conjunctive use in dry years.

Proposed Action

Pursuant to Section 215 of the Reclamation Reform Act, Public Law 97-293, Reclamation proposes to execute contracts for temporary supplies of unstorable flood flows, with the Friant and Cross Valley Division Central Valley Project contractors during Contract Year 2013 (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 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 Friant operating guidelines.

This temporary water may be used for irrigation and municipal and industrial purposes. Temporary water must be used within the eligible contractor's water service boundary identified in their interim and long-term contracts. No banking, transferring or exchanging of temporary surplus water is covered under this Categorical Exclusion.

The following list includes potential recipients for Contract Year 2013 temporary flood flows.

POTENTIAL TEMPORARY FLOOD FLOW RECIPIENTS IN 2013

Friant Division Contractors	
Arvin-Edison Water Storage District	Lewis Creek Water District
Chowchilla Water District	*Kern Tulare Water District
City of Fresno	Lindmore Irrigation District
City of Lindsay	Lindsay-Strathmore Irrigation District
City of Orange Cove	*Lower Tule River Irrigation District
County of Madera	Madera Irrigation District
Delano-Earlimart Irrigation District	Orange Cove Irrigation District
Fresno County Waterworks #18	Porterville Irrigation District
Exeter Irrigation District	Saucelito Irrigation District
Fresno Irrigation District	Shafter-Wasco Irrigation District
Garfield Water District	Southern San Joaquin Municipal Utility District
Gravelly Ford Water District	Stone Corral Irrigation District
International Water District	Tea Pot Dome Water District
Ivanhoe Irrigation District	Terra Bella Irrigation District
Kaweah-Delta Water Conservation District	Tulare Irrigation District

Cross Valley Contractors	
¹ County of Fresno	*Lower Tule River Irrigation District
² County of Tulare	Pixley Irrigation District
Hill's Valley Irrigation District	³ Kern-Tulare Water District
Tri-Valley Water District	

¹County of Fresno includes customer Fresno County Service Area #34

²County of Tulare includes customer Alpaugh ID, Atwell WD, Hills Valley ID, Saucelito ID, Frasinetto Farms LLC, Stone Corral ID, City of Lindsay, Strathmore Public Utility District, Styrotek, Inc., and City of Visalia

³Effective as of January 1, 2009, Rag Gulch Water District assigned to Kern-Tulare Water District

*Lower Tule River Irrigation District and Kern Tulare Water District have both a Friant Division & Cross Valley Canal Contract

Environmental Commitments

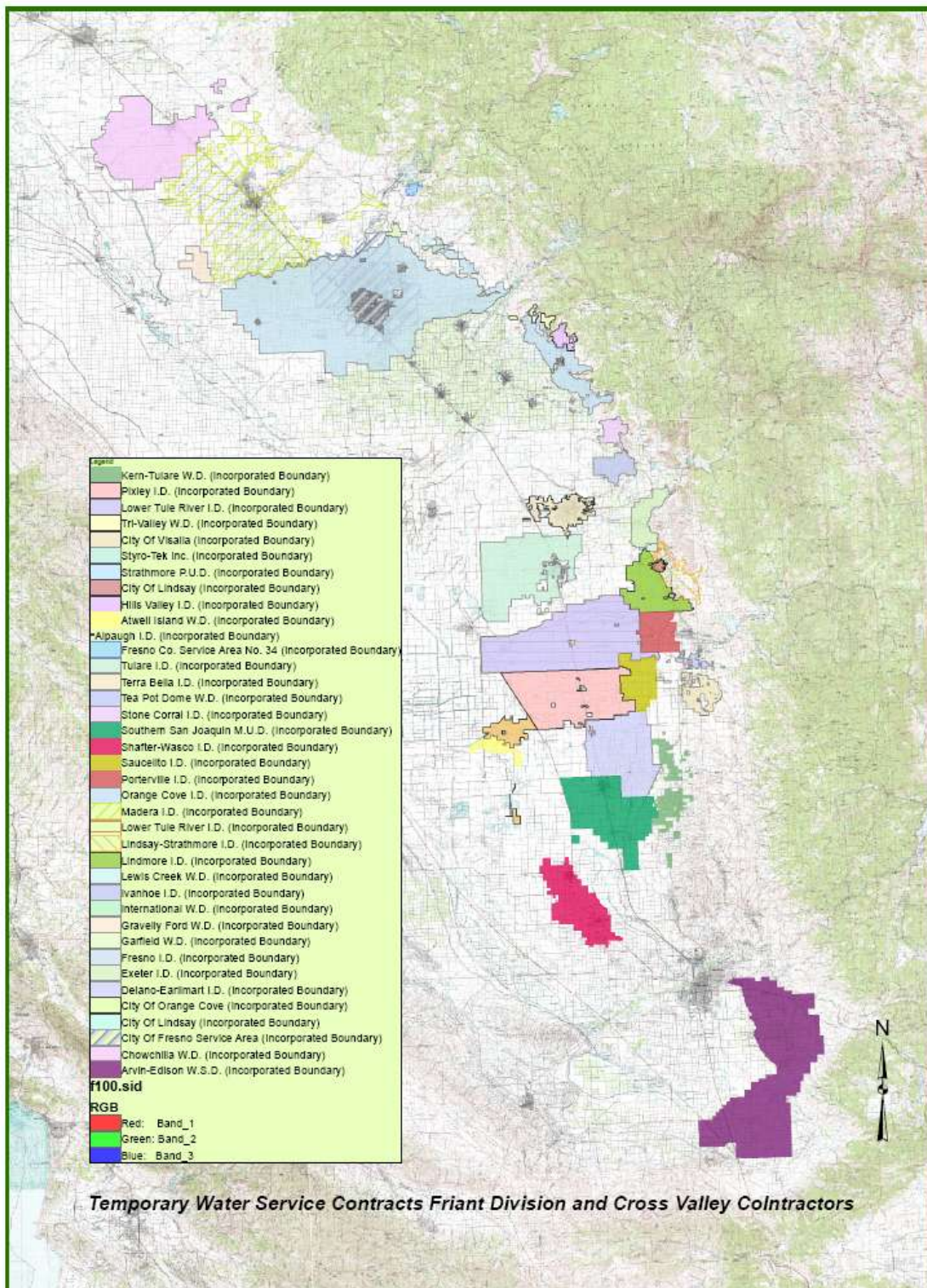
Reclamation shall implement the following environmental protection measures:

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 be surveyed for federally protected species prior to irrigation with this surplus water.
Biological Resources	If threatened or endangered species are found on the land, the land shall not be irrigated with this surplus water until Section 7 of the FESA has been completed.

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:

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|---|----|-------------------------------------|-----------|--------------------------|-----|--------------------------|
| 1. This action would have a significant effect on the quality of the human environment (40 CFR 1502.3). | No | ☒ | Uncertain | ☐ | Yes | ☐ |
| 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 | ☒ | Uncertain | ☐ | Yes | ☐ |
| 3. This action would have significant impacts on public health or safety (43 CFR 46.215(a)). | No | ☒ | Uncertain | ☐ | Yes | ☐ |
| 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 | ☒ | Uncertain | ☐ | Yes | ☐ |
| 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 | ☒ | Uncertain | ☐ | Yes | ☐ |
| 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 | ☒ | Uncertain | ☐ | Yes | ☐ |
| 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 | ☒ | Uncertain | ☐ | Yes | ☐ |
| 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 | ☒ | Uncertain | ☐ | Yes | ☐ |
| 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 | ☒ | Uncertain | ☐ | Yes | ☐ |

- | | | | | | | |
|--|----|-------------------------------------|-----------|--------------------------|-----|--------------------------|
| 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 | ☒ | Uncertain | ☐ | Yes | ☐ |
| 11. This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993). | No | ☒ | Uncertain | ☐ | Yes | ☐ |
| 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 | ☒ | Uncertain | ☐ | Yes | ☐ |
| 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 | ☒ | Uncertain | ☐ | Yes | ☐ |
| 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 | ☒ | Uncertain | ☐ | Yes | ☐ |

Regional Archeologist concurred with Item 8. Their determination has been attached.

ITA Designee concurred with Item 11. Their determination has been attached.

Area Office Biologist concurred with Item 9. Their determination has been placed in the project file.

Tracking Number: Your project has been assigned Project No. 13-SCAO-039
Document: CEC-12-089
Project: Temporary Water Service Contracts for the Friant and Cross Valley Division
Contractors

Chuck:

The proposed undertaking for Reclamation to execute Temporary Water Service Contracts for the Friant and Cross Valley Division Contractors has no potential to cause effects to historic properties pursuant to the Section 106 implementing regulations at 36 CFR Part 800.3(a)(1).

Pursuant to Section 215 of the Reclamation Reform Act Reclamation proposes to execute contracts for temporary supplies of unstorable flood flows, with the Friant and Cross Valley Division Central Valley Project contractors during Contract Year 2013. 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 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 Friant operating guidelines. This temporary water may be used for irrigation and municipal and industrial purposes. Temporary water must be used within the eligible contractor's water service boundary identified in their interim and long-term contracts. No banking, transferring or exchanging of temporary surplus water is covered under this Categorical Exclusion.

There would be no change in land or water use, nor will there be any ground disturbance resulting from the proposed action.

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 the project (CEC) file. Thank you for providing the opportunity to comment on this action.

Sincerely,

Scott A. Williams, M.A. Archaeologist
Bureau of Reclamation, Mid-Pacific Region
2800 Cottage Way, MP-153
Sacramento, CA 95825
916-978-5042

From: Rivera, Patricia L
Sent: Thursday, November 29, 2012 10:09 AM
To: Siek, Charles R
Cc: Robbins, Eleanor J (Ellie)
Subject: ---ELLIE THIS IS ADMIN-Temporary Water Service Contracts for the Friant and Cross Valley Division Contractors

Chuck,

I reviewed the proposed action to execute contracts for temporary supplies of unstorable flood flows, with the Friant and Cross Valley Division Central Valley Project contractors during Contract Year 2013, in accordance with Section 215 of the Reclamation Reform Act, Public Law 97-293. 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.

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*Lower Tule River Irrigation District and Kern Tulare Water District have both a Friant Division & Cross Valley Canal Contract

The purpose of the Proposed Action is to allow the beneficial use of unstorable water and enhance the repayment of the Friant Project. Contractors need low cost water supplies above their annual crop demand to refill the groundwater aquifer to allow for future conjunctive use in dry years.

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

Patricia



IN REPLY REFER TO:

United States Department of the Interior

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



December 10, 2012

MEMORANDUM

To: Chuck Siek
Supervisory Natural Resources Specialist

From: Lisa Carlson
Biological Science Technician

Subject: No-Effect Determination for Temporary Water Service Contracts for the Friant and Cross Valley Division Contractors (12-089)

Pursuant to Section 215 of the Reclamation Reform Act, Public Law 97-293, Reclamation proposes to execute contracts for temporary supplies of unstorable flood flows, with the Friant and Cross Valley Division Central Valley Project contractors during Contract Year 2013. 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.

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The attached list includes potential recipients for Contract Year 2013 temporary flood flows.

To assure compliance with Section 7, the surplus water must be conveyed through existing facilities. No new facilities will be constructed to convey this water. Lands that have never been tilled or irrigated shall not be tilled or put into agricultural production using this water. Lands that have been fallowed for three consecutive years, or more, shall be surveyed for federally protected species prior to irrigation with surplus water. If threatened or endangered species are found on the land, the land shall not be irrigated with this surplus water. With the above limitations and based upon the nature of this action Reclamation has determined there would be No Effect to listed species or designated critical habitat under the Endangered Species Act (16 U.S.C. §1531 et. seq.).

POTENTIAL TEMPORARY FLOOD FLOW RECIPIENTS DURING 2013

Friant Division Contractors	
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Chowchilla Water District	*Kern Tulare Water District
City of Fresno	Lindmore Irrigation District
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