

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

Mercy Springs Water District - Pipeline Structure

CEC-12-034

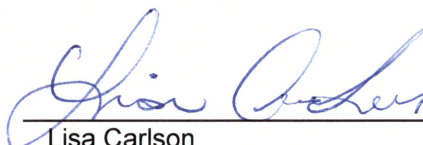
Prepared by:



Date: 12-21-12

Ben Lawrence
Natural Resources Specialist
South-Central California Area Office

Concurred by:



Date: 12/21/12

Lisa Carlson
Wildlife Biologist
South-Central California Area Office

Concurred by:



Date: 12/21/12

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

Approved by:



Date: 1/15/13

Michael Jackson
Area Manager
South-Central California Area Office

Background: Mercy Springs Water District (Mercy Springs) is a Central Valley Project contractor with a water service contract (Contract 14-06-200-3365A-LTR1) with the Bureau of Reclamation (Reclamation) for up to 2,842 acre-feet per year (AF/y) from the Sacramento-San Joaquin River Delta.

Under a previously-approved Environmental Assessment-Finding of No Significant Impact (EA/FONSI 12-005), the Bureau of Reclamation (Reclamation) agreed to allow water from the Mercy Springs area to be pumped into and conveyed in the Delta-Mendota Canal (DMC) for use in other areas. The EA/FONSI did not, however, mention the potential environmental impacts from the construction of a pipeline for conveyance of the pumped water to the DMC.

Purpose for Action: The purpose of the proposed action is to approve the construction of a pipeline for the conveyance of water to the DMC by Mercy Springs.

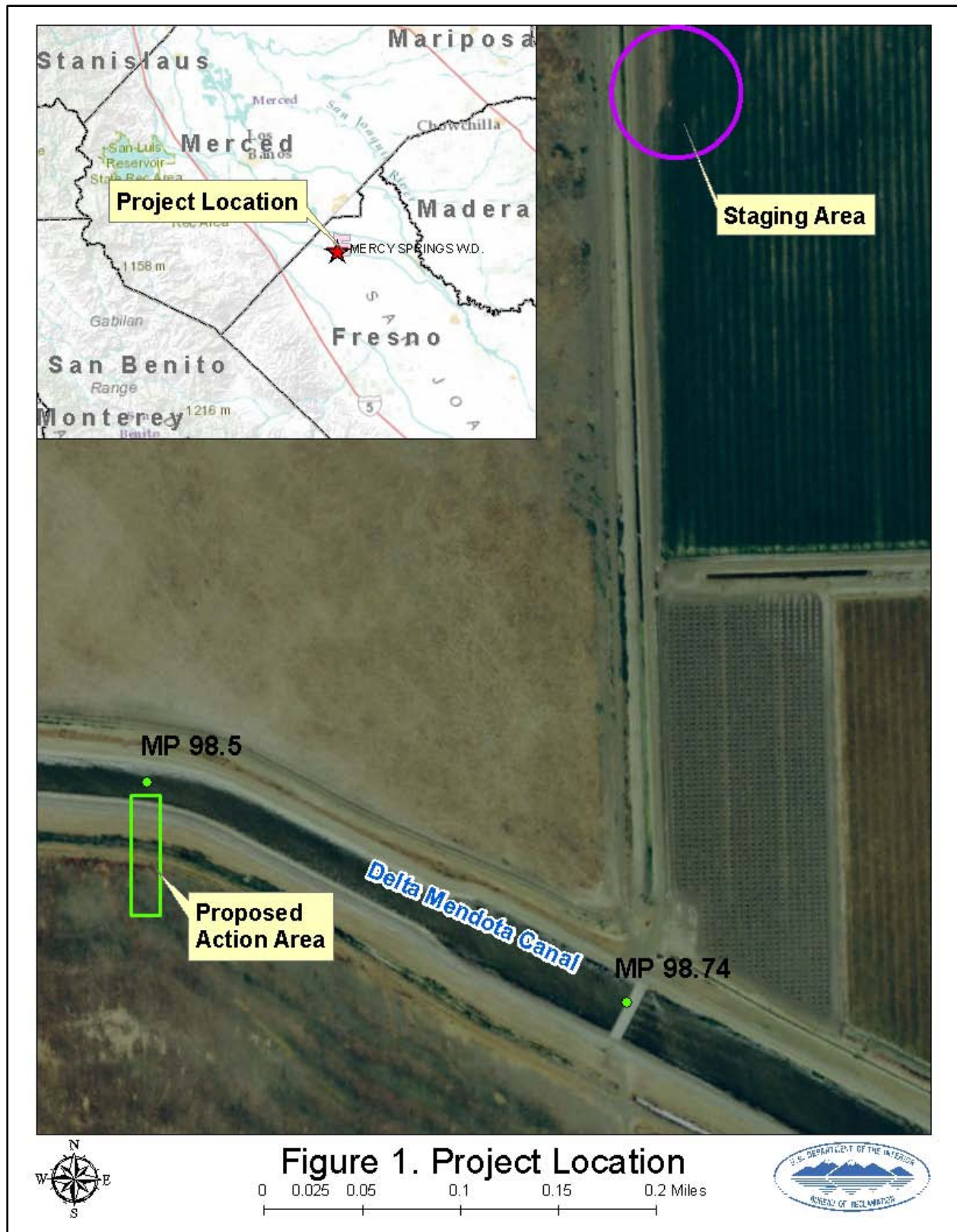
Proposed Action: Reclamation proposes to issue a license to Mercy Springs to construct a new well discharge point on Reclamation's Right of Way (ROW). The proposed project would install a 15" steel pipeline through federal right-of-way so that water may be pumped into the DMC (Figure 1). The pipeline would be located at Mile Post 98.50R on the DMC and would go under the canal bank road and over the DMC concrete lining before discharging into the canal. The total pipeline length will be approximately 300 feet long, including approximately 250 feet within federal right-of-way, and would include a water meter.

The system is expected to discharge approximately 2,250 gpm. In order to transport the water from its current position to the Delta Mendota Canal (DMC), the pipeline would need to cross the canal road and terminate within the DMC area. Water would be discharged and monitored in accordance with Mercy Springs Water District's Warren Act Contract. No alterations to the DMC would be required.

The construction of the pipeline would commence as soon as a permit is provided and would not interfere with irrigation or other farming activities. The trench would be 18" wide and would be backed filled with native soil. During the construction a backhoe to trench, a boom truck to install the pipe, a concrete truck to pour the concrete and a service truck to service the equipment would be utilized. The excavation of the pipe trench and placement of pipe across the canal road would require a detour route of the canal road for up to three days. Signs and flagmen would be provided. The total construction time for the project will be one week. All work within the DMC ROW would conform to San Luis & Delta-Mendota Water Authority standards.

Although the owner considers this to be a permanent project, only two years of pumping and conveyance have been given environmental approval to date. Any future additional water transfers or conveyance agreements would be subject to additional analysis.

The project may operate year round provided system capacity is available and Warren Act Contract provisions are met.



Environmental Commitments

Reclamation shall implement the following environmental protection measures:

Resource	Protection Measure
Biological	To prevent inadvertent entrapment of wildlife during construction, all excavated, steep-walled holes or trenches will be covered at the close of each working day. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals. If at any time wildlife is found trapped or injured, Reclamation must be contacted immediately.
Biological	No more than 30 days prior to construction, a qualified biologist shall survey the project area for burrowing owls, their burrows and other sign. If any occupied burrows are found, no ground disturbing activities shall occur within 50 m of occupied burrows during the non-breeding season (September 1 through January 31) or within 75 m during the breeding season (February 1 through August 31). All survey information shall be documented and submitted to Reclamation.
Biological	24 hours prior to construction activities, a qualified biologist shall survey the project area for giant garter snakes. Survey of the project area should be repeated if a lapse in construction activity of two weeks or greater has occurred. If a giant garter snake is encountered during construction, activities shall cease until appropriate corrective measures have been completed or it has been determined that the snake will not be harmed. Report any sightings to Reclamation immediately by telephone. All survey information shall be documented and submitted to Reclamation.
Biological	Construction activity shall be conducted between May 1 and October 1. This is the active period for giant garter snakes and direct mortality is lessened, because snakes are expected to actively move and avoid danger (SFWO 1997).
Biological	A preconstruction survey for San Joaquin kit foxes, their dens, and other sign shall be conducted by a qualified biologist no less than 14 and no more than 30 days prior to any activities, and avoidance and minimization measures prior to and during construction activities for San Joaquin kit fox, per the 2011 U.S. Fish and Wildlife Service Standard Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011) would be implemented. All survey information shall be documented and submitted to Reclamation.
Biological	A preconstruction survey for blunt-nosed leopard lizards, their burrows, and other sign shall be conducted by a qualified biologist. If blunt-nosed leopard lizards are discovered in the project area, Reclamation shall be contacted for further guidance. All survey information shall be documented and submitted to Reclamation.
Biological	If any listed species are observed in the project area, Reclamation will be notified and the project will be rescheduled or postponed to avoid all impacts to species. Any scheduled operations and maintenance activities will also be rescheduled or postponed to avoid impacts to listed species.
Biological	Pipes and culverts shall be searched for listed species prior to being moved or sealed to ensure that an animal has not been trapped.
Biological	A litter control program shall be instituted at the project site. All workers shall ensure their food scraps, paper wrappers, food containers, cans, bottles, and other trash from the project area are deposited in covered or closed trash containers. The trash containers shall be removed from the project area at the end of each working day.
Biological	No firearms (except for Federal, State, or local law enforcement officers and security personnel) or canine or feline pets shall be permitted on construction sites to avoid harassment or killing or injuring of listed species.

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

Exclusion Category: 516 DM 14.5 D (10). Issuance of permits, licenses, easements, and crossing agreements which provide right-of-way over Bureau lands where action does not allow for or lead to a major public or private action.

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 | <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"/> |

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|--|----|-------------------------------------|-----------|--------------------------|-----|--------------------------|
| 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. 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.

Reply in Reference to: **BUR120917C**

Reference to: BUR120917C

Classification	ENV 300
Project	214
Control No.	12063750
Folder I.D.	1195038-2
Date Input & Initials	10/10/2012 JS

3. Pursuant to 36 CFR Part 800.5(b), I **concur** with "*No Adverse Effect*" as the proposed undertaking will not alter the function and alignment of the DMC and because it is consistent with the canal's use as a contemporary water delivery system.

Be advised you may have additional future responsibilities for Section 106 in the event of conditions such as a change in the project scope or an unanticipated discovery. Thank you for including historic properties and my comments as part of your project planning. Please direct questions to Jeff Brooke of my staff at (916) 445-7003/jbrooke@parks.ca.gov.

Sincerely,

Susan H Stratton for

Jenan Sanders
Acting State Historic Preservation Officer

Oliveira, Danielle M

From: Rivera, Patricia L
Sent: Friday, May 04, 2012 12:24 PM
To: Oliveira, Danielle M
Subject: RE: ITA Request for CEC-12-034

Danielle,

I reviewed the proposed action to issue a license to Mercy Springs to construct a new well discharge on Reclamations Right of Way (ROW). The proposed project would install a 15" steel pipeline through federal right-of-way so that water may be pumped into the DMC (Figure 1). The pipeline would be located at Mile Post 98.50R on the DMC and would go under the canal bank road and over the DMC concrete lining before discharging into the canal. The total pipeline length will be approximately 300 feet long, including approximately 250 feet within federal right-of-way, and would include a water meter. No alterations to the DMC would be required.

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The owner considers this to be a permanent project. The project may operate year round provided system capacity is available and Warren Act Contract provisions are met. Equipment necessary would include a backhoe for trenching, boom truck for pipe installation, concrete truck to pour concrete and a service truck to service the equipment.

The proposed action does not have a potential to affect Indian Trust Assets. The nearest ITA is a Public Domain Allotment approximately 55 miles NE of the project site.

Patricia Rivera
Native American Affairs Program Manager
Bureau of Reclamation
Mid-Pacific Region
Sacramento, California 95825
(916) 978-5194 (Office)
(916) 978-5290 (Fax)

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