

RECLAMATION

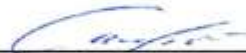
Managing Water in the West

Categorical Exclusion Checklist

Temporary Water Service Contracts for Non-Central Valley Project Contractors on the Eastside of the San Joaquin Valley

CEC 12-090

Prepared by:


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

Date: 1/18/13

Concurred by:


Lisa Carlson
Wildlife Biologist
South-Central California Area Office

Date: 1/18/13

Approved by:


for Michael Jackson
Area Manager
South-Central California Area Office

Date: 1/18/13



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

December 2012

Background

For more than five years the Bureau of Reclamation (Reclamation) has executed annual contracts with non-Central Valley Project contractors (NCVPC) 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 approve, execute, and administer contracts for temporary water service. This contract action allows the NCVPC the ability to utilize the surplus water that is not storable for project purposes or infrequent and otherwise unstoreable flood flows of short duration.

Proposed Action

Reclamation proposes to execute these temporary water service contracts for unstorable flood flows with NCVPC during Contract Year 2013. Temporary supplies of unstorable flood flows pursuant to Section 215 of the Reclamation Reform Act may be made available to those eligible NCVPC within the Friant Place of Use, that have access to water deliveries via the Friant-Kern Canal, Madera Canal, and/or Millerton Lake, hereinafter referred to as the Friant Division Facilities. The priority for the provision of temporary water is specified by the Friant Operational Guidelines.

The availability of this temporary surplus water would be at Reclamation's discretion and dependent on storage capacity in the reservoir and other operational considerations. The quantity of water would be based on reservoir operations, hydrologic conditions, and Friant operating guidelines.

This temporary surplus water may be used for irrigation or municipal/industrial purposes and must be used within the eligible contractor's water service boundary identified in the NCVPC and within the Friant permitted place of use. 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 SURPLUS WATER RECIPIENTS IN 2012

NCVPC and their sub-entities (Includes State Water Project Contractors)	
Buena Vista Water Storage District	⁴ Kings River Conservation District Consolidated Irrigation District
Cawelo Water District**	Lakeside Irrigation District
Corcoran Irrigation District	Liberty Water District
Hermosa Water Company	North Kern Water Storage District
¹ Kaweah Delta Water Conservation District	Root Creek Water District
² Kern County Water Agency	Rosedale-Rio Bravo Water Storage District
Kern Delta Water District	Semitropic Water Storage District
³ Kern Water Bank Authority	Tulare Lake Basin Water Storage District

Sub-entities not within the Places of Use for the Friant Division and are excluded from this action

¹Kaweah Delta Water Conservation District*

Corcoran Irrigation District

Lakeside Irrigation District

²Kern County Water Agency

Kern Delta Water District

Rosedale-Rio Bravo Water Storage

³Kern Water Bank Authority

Kern County Water Agency

Westside Mutual Water Company**

⁴Kings River Conservation District

Alta Irrigation District

Clark's Fork Reclamation District No. 2069

Consolidated Irrigation District

Corcoran Irrigation District

Empire West Side Irrigation District

Fresno Irrigation District

James Irrigation District

Kings County Water District

Kings River Water District

Laguna Irrigation District

Lakeside Irrigation Water District

Liberty Water District

Mid-Valley Water District

Raisin City Water District

Riverdale Irrigation District

Salyer Water District

Stratford Irrigation District

Tranquillity Irrigation District

Kings County Water District

Henry Miller Water District**

Buena Vista Water Storage District

Semitropic Water Storage District

Tulare Lake Basin Water Storage District

Tulare Lake Reclamation District No. 761

Tulare Ditch Company

Corcoran Irrigation Company

Crescent Canal Company

John Heinlen Mutual Water Company

Last Chance Water Ditch Company

Lemoore Canal and Irrigation District

Liberty Canal Company

Liberty Mill Race Company

Lovelace Water Corporation

Peoples Ditch Company

Reed Ditch Company

Southeast Lake Water Company

Stinson Canal and Irrigation Company

Upper San Jose Water Company

*Kaweah Delta Water Conservation District partial Assignment from Ivanhoe ID– conversion to a CVP Contractor

**Partially outside the Place of Use for the Friant Division

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.

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:

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

From: Williams, Scott A
Sent: Thursday, November 29, 2012 8:14 AM
To: Siek, Charles R
Cc: BOR MPR Cultural Resources Section
Subject: CEC 12-090: Temporary Water Service Contracts for Non-CVP Contractors on the Eastside of the San Joaquin Valley

Tracking Number: Your project has been assigned Project No. 13-SCAO-038

Document: CEC 12-090

Project: Temporary Water Service Contracts for Non-Central Valley Project Contractors on the Eastside of the San Joaquin Valley CEC 12-090

Chuck:

The proposed undertaking for Reclamation 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 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 215 contracts for temporary supplies of unstorable flood flows with NCVPC during Contract Year 2013. Temporary supplies of unstorable flood flows pursuant to Section 215 of the Reclamation Reform Act may be made available to those eligible NCVPC within the Friant Place of Use, that have access to water deliveries via the Friant-Kern Canal, Madera Canal, and/or Millerton Lake, hereinafter referred to as the Friant Division Facilities. 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. The quantity of water will be based on reservoir operations, hydrologic conditions, and Friant operating guidelines. This temporary water may be used for irrigation or municipal/industrial purposes and must be used within the eligible contractor's water service boundary identified in the NCVPC. 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 will result 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: Wednesday, November 28, 2012 5:36 PM
To: Siek, Charles R; Robbins, Eleanor J (Ellie); Williams, Mary D (Diane)
Subject: RE: Request for Determinations---ELLIE THIS IS ADMIN

Chuck,

I reviewed the proposed action to execute 215 contracts for temporary supplies of unstorable flood flows with NCVPC during Contract Year 2013. Temporary supplies of unstorable flood flows pursuant to Section 215 of the Reclamation Reform Act may be made available to those eligible NCVPC within the Friant Place of Use, that have access to water deliveries via the Friant-Kern Canal, Madera Canal, and/or Millerton Lake, hereinafter referred to as the Friant Division Facilities. 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. The quantity of water will be based on reservoir operations, hydrologic conditions, and Friant operating guidelines. This temporary water may be used for irrigation or municipal/industrial purposes and must be used within the eligible contractor's water service boundary identified in the NCVPC. No banking, transferring or exchanging of temporary surplus water is covered under this Categorical Exclusion.

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Upper San Jose Water Company

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

Patricia