

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

Authorization for Installation of Temporary Aboveground Pipeline near Milepost 72.89R of the San Luis Canal

CEC-13-025

Prepared by:


Rain Healer
Natural Resources Specialist
South-Central California Area Office

Date: 04/18/2013

Concurred by:


Jennifer Lewis
Wildlife Biologist
South-Central California Area Office

Date: 04/18/2013

Concurred by:


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

Date: 04/18/2013

Approved by:


Michael Jackson
Area Manager
South-Central California Area Office

Date: 4/18/2013



Background

An existing underground pipeline that provided Central Valley Project (CVP) water pursuant to San Luis Water District's CVP contract from a turnout off the San Luis Canal at milepost (MP) 72.89R to an existing commercial nursery has failed. The owner has replaced approximately 10,000 feet of the pipeline within their right-of-way (ROW) and has requested access to Bureau of Reclamation (Reclamation) ROW in order to reconnect to their existing turnout and re-establish their CVP water supply.

Purpose and Need for Action

The owner would like to permanently replace the failed pipeline within Reclamation ROW; however, since failure of the pipeline, the nursery has not received water and needs to re-establish the water supply in order to save the plants within the nursery and avoid losses pending completion of the permanent project. Reclamation will be completing additional environmental analysis for the permanent project.

The purpose of the Proposed Action is to allow access to Reclamation ROW in order to install a temporary aboveground pipeline to reconnect the nursery's existing pipeline to the turnout at MP 72.89R to save plants within the nursery while the more permanent pipeline replacement project is completed.

Proposed Action

Reclamation would authorize access to its ROW for aboveground placement of approximately 650-feet of 3-inch polyvinyl chloride pipeline (see Figure 1). The aboveground pipeline would connect an existing underground pipeline located outside Reclamation ROW to an existing turnout off the San Luis Canal at MP 72.89R in order to re-establish the nursery's existing CVP water supply. There would be no ground disturbance or modification of facilities for this project. The temporary pipeline would remain in place until the more permanent pipeline project was completed. Placement of the aboveground pipeline would occur as soon as authorization for placement is granted.

Environmental Commitments

The project proponent shall implement the following environmental protection measures:

Resource	Protection Measure
Biological Resources	Just prior and during installation of the temporary aboveground pipeline, the following Avoidance Measures shall be implemented to avoid impacts to kit fox or burrowing animals, including burrowing owl (as is consistent with the Biological Opinion issued by the U.S. Fish and Wildlife Service in 2005). 1. Areas of ground subject to having pipeline positioned on it shall be surveyed for burrowing animals and birds no more than 30 days prior to start of the project. These areas must be avoided.

Resource	Protection Measure
	2. If unable to avoid laying pipeline on burrows, must have Reclamation wildlife biologist written approval prior to initiating the Project. 3. Nighttime activities should be minimized to the extent possible to avoid impacts to kit fox.

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



Figure 1 Proposed Action Area

Exclusion Category

516 DM 14.5 paragraph D (10): *Issuance of permits, licenses, easements, and crossing agreements which provide right-of-way over Bureau lands where the 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 | ☒ | 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 | ☐ |

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|--|----|-------------------------------------|-----------|--------------------------|-----|--------------------------|
| 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 within the project file.



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825-1898

IN REPLY
REFER TO:
MP-153
ENV-3.00

VIA ELECTRONIC MAIL ONLY

April 18, 2013
MEMORANDUM

To: Healer Rain
Natural Resource Specialist
South-Central California Area Office
Resource Management Division

From: Mark. A. Carper
Archaeologist – Division of Environmental Affairs

Subject: 13-SCAO-151: Temporary Aboveground Pipeline near Milepost 72.89R of the San Luis Canal (CEC-13-025)

This proposed undertaking is for Reclamation to authorize the access to its ROW for the placement of a temporary aboveground pipeline. This is the type of undertaking that does not have the potential to cause effects to historic properties, should such properties be present, pursuant to the NHPA Section 106 regulations codified at 36 CFR § 800.3(a)(1). Reclamation has no further obligations under NHPA Section 106, pursuant to 36 CFR § 800.3(a)(1).

The pipeline would consist of approximately 650-feet of 3-inch polyvinyl chloride aboveground pipe. The pipeline will connect to an existing underground pipeline located outside Reclamation ROW to an existing turnout off the San Luis Canal at MP 72.89R. The purpose of the project is to re-establish a nursery's existing CVP water supply. The proposed undertaking is near the City of Los Banos, CA in Merced County.

After reviewing CEC-13-025, dated April 2013, I concur with item #8 which states that this action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places.

This memorandum is intended to convey the completion of the NHPA Section 106 process for this undertaking. Please retain a copy in the administrative record for this action. Should changes be made to this project, additional NHPA Section 106 review, possibly including consultation with the State Historic Preservation Officer, may be necessary. Thank you for providing the opportunity to comment.

Mark

Mark A. Carper, M.A., Archaeologist
U.S. Bureau of Reclamation, Mid-Pacific Region, MP-153

2800 Cottage Way, Sacramento, CA 95825
Phone: 916-978-5552 Email: mcarper@usbr.gov

CC: Cultural Resources Branch (MP-153), Anastasia Leigh – Regional Environmental Officer (MP-150)



Healer, Rain <rhealer@usbr.gov>

CEC-13-025 for Review - URGENT

RIVERA, PATRICIA <privera@usbr.gov>

Thu, Apr 18, 2013 at 11:04 AM

To: "Healer, Rain" <rhealer@usbr.gov>

Cc: Kristi Seabrook <kseabrook@usbr.gov>, "Williams, Mary D (Diane)" <marywilliams@usbr.gov>

Rain,

I reviewed the proposed action to authorize access to its right-of-way (ROW) for above-ground placement of approximately 650-feet of 3-inch polyvinyl chloride pipeline. The above-ground pipeline would connect an existing underground pipeline located outside Reclamation ROW to an existing turnout off the San Luis Canal at milepost 72.89R in order to re-establish the nursery's existing Central Valley Project water supply. There would be no ground disturbance or modification of facilities for this project. The temporary pipeline would remain in place until the more permanent pipeline project was completed. Placement of the above-ground pipeline would occur as soon as authorization for placement is granted.

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

Patricia Rivera

Native American Affairs Program Manager

Bureau of Reclamation, Mid-Pacific Region

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Native American Affairs Program Manager
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