

RECLAMATION

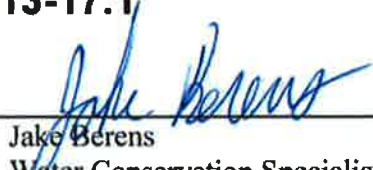
Managing Water in the West

Categorical Exclusion Checklist

Corning Water District, 2013 Annexations/Detachments (Amended)

NCAO-CEC-13-17.1

Prepared by:


Jake Berens
Water Conservation Specialist
Northern California Area Office

Date:

6/11/13

Concurrence by:

See Attachment 3
Patricia Rivera
Native American Affairs Program Manager
Mid-Pacific Regional Office

Date:

June 11, 2013

Concurrence by:

See Attachment 4
William Soule
Cultural Resource Specialist
Mid-Pacific Regional Office

Date:

June 7, 2013


Concurrence by:


Paul Zedonis
Natural Resource Specialist
Northern California Area Office

Date:

6/11/13

Approved by:


for: Brian Person
Area Manager
Northern California Area Office

Date:

6/17/13



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

June 2013

Proposed Action

The Proposed Action is to approve the annexation of approximately 149.53 acres to, and the detachment of approximately 139.15 acres from the Corning Water District (District) Service Area boundary.

A previously approved CEC (dated April 11, 2013 and identified as NCAO-CEC-13-17) incorrectly identified the acreage of the detachment at 118.99. Greater detail is provided in the "Environmental Commitments, Explanations, and /or Remarks" section of this document.

Exclusion Categories

Bureau of Reclamation Categorical Exclusion - 516 DM 6 Appendix 9.D.3, Administration and implementation of project repayment and water service contracts, including approval of organizational or other administrative changes in contracting entities brought about by inclusion or exclusion of lands in these contracts.

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 ☒ 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; and 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; and 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 (email attached).

ITA Designee concurred with Item 11 (email attached).

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

Environmental Commitments, Explanations, and/or Remarks

Annexations

The annexation requests to the District represent two separate owners, Mr. Tapia and Ms. Eula May. The annexation of Mr. Tapia's property to the District includes fourteen contiguous parcels of land representing approximately 139.62 acres of mature olive trees that have been irrigated with ground water for many years with an existing sprinkler system. The groundwater well is experiencing reduced supply. The property has district lands on three sides and is contiguous to the District's 17.7 distribution system. The hookup will require connecting to the District's 42-inch water line on the north side of Chittenden road, boring a hole under Chittenden road to install a pipeline, and attaching the pipeline to the existing irrigation infrastructure. Mr. Tapia has submitted an application to Tehama County Local Agency Formation Commission (LAFCo) that is currently under staff review. The District's Board of Directors motioned to proceed with his annexation request at a special meeting on March 8, 2013. Annexation approval from both the Tehama County LAFCo and the District Board of Directors is pending. The location is 122°13'45.984"W, 39°54'35.571"N, Township 24N, R 3W, Section 29.

The annexation of the Ms. Eula May's property to the District includes two separate parcels totaling approximately 9.91 acres of mature olive trees. These parcels are surrounded by District lands and each contains an existing hookup; therefore, no modifications to the District's distribution system will be required in order to serve these parcels. An annexation request was submitted on these same parcels in May of 2006. However, the owner became ill and was unable to complete the LAFCo process until 2009. The parcel locations are 122°11'28.557"W, 39°56'15.338"N, Township 24N, R 3W, Section 15 and 122°10'58.215"W 39°53'54.282"N, Township 24N, R 3W, Section 34.

Annexation is sought to provide the landowners of the subject properties with a supply of water to be used for irrigation purposes, from existing District facilities. There will be no changes in existing land use as the properties to be annexed have existing olive orchards estimated to be 30-40 years old and no significant changes are required to attach to District facilities. In addition, the subject properties are adjacent to or surrounded by parcels currently within the District's service area boundaries.

Property line delineations are provided on aerial photographs of the properties in question (See Attachment 1). Photographs of the property in question are provided in Attachment 2.

A review of the land classifications for the subject parcels indicates all the lands to receive Project Water have an irrigable status, so reclassification is unnecessary.

Detachment

The detachment request includes a total of approximately 139.15 acres (the previously approved CEC, NCAO-CEC-13-17 dated April 11, 2013, incorrectly identified 118.99 acres. The detachments have been designated by the District as the Hunnicutt Detachment and the Tubbs/Rivera Detachment.

The Hunnicutt Detachment request totals 119.22 (the previously approved CEC, NCAO-CEC-13-17 dated April 11, 2013, incorrectly identified 99.6 acres, which was incorrect because it did not include the non-irrigable portion of the property). This property currently uses groundwater to irrigate horse pasture. The owner has not used District water for many years. The Tehama County LAFCo approved this detachment on May 13, 2009. The location is 122°13'17.393"W, 39°55'33.372"N, Township 24N, R 3W, Section 10.

Tubbs/Rivera Detachment request totals 19.93 acres. This detachment includes two parcels with separate owners. One LAFCo application was filed for the two owners. The property is dry grazing land that never has been irrigated. The Tehama County LAFCo approved Resolution No. 3-2006 on May 10, 2006 to detach these parcels. The location is 122°11'21.273"W, 39°52'8.071"N, Township 23N, R 3W, Section 20.

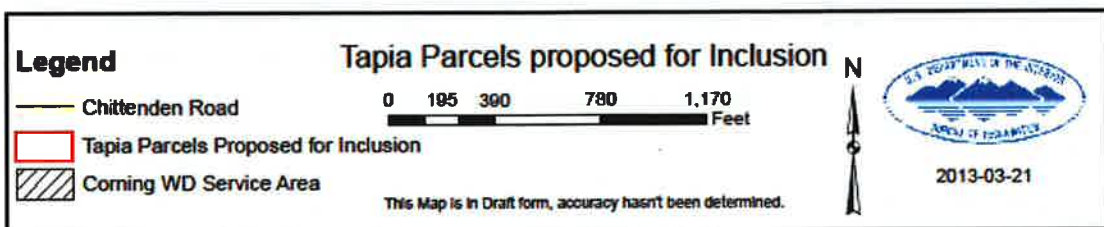
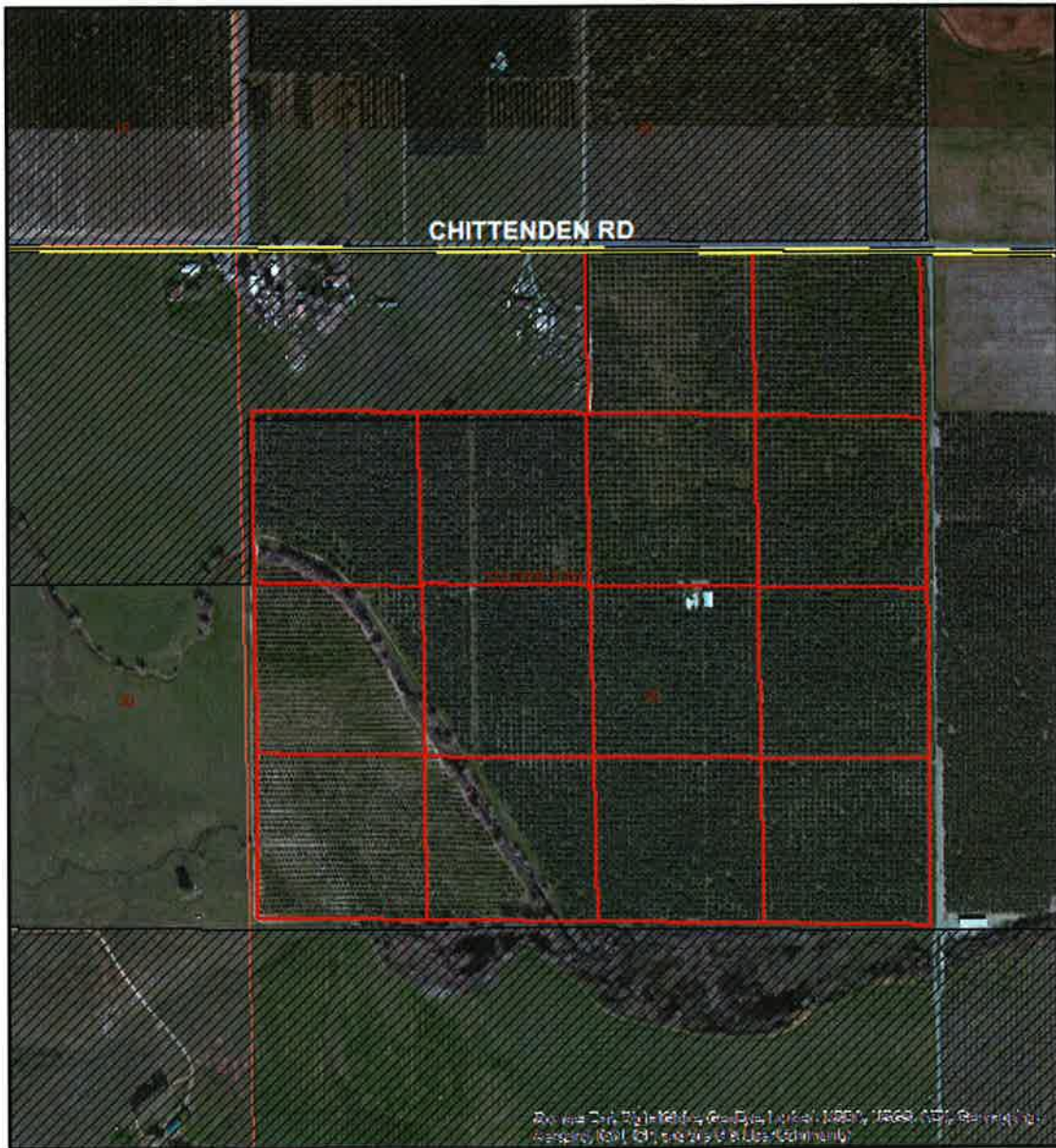
Property line delineations are provided on aerial photographs of the properties in question (See Attachment 1). Photographs of the properties in question are provided in Attachment 2.

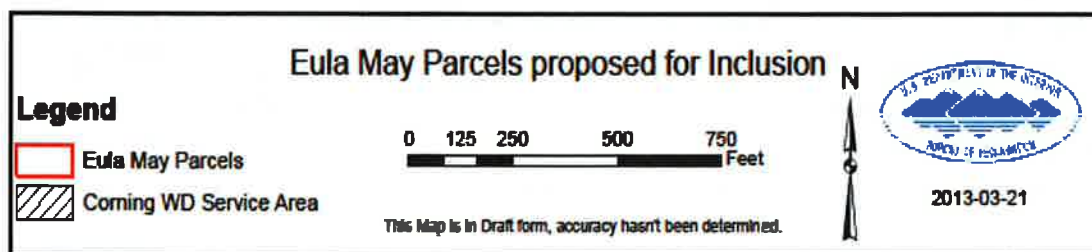
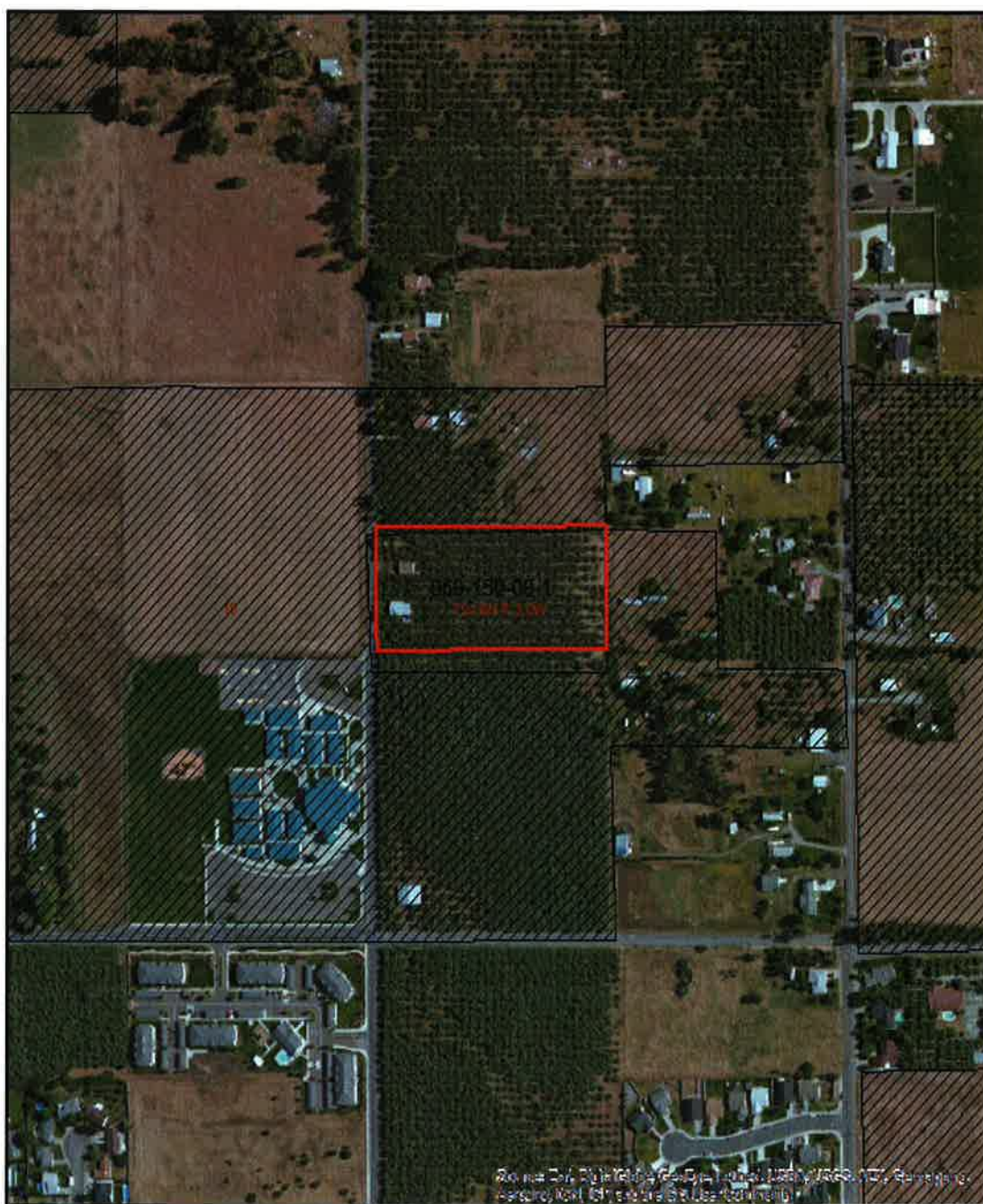
Endangered Species Act Considerations

Reclamation has determined that the annexation and detachments would result in a no effect determination for listed species. The activities associated with the Proposed Action would be performed on highly disturbed land where no critical habitat exists for the two species that the California Natural Diversity Database identifies as Federally-listed in the Corning Quad, including the vernal pool fairy shrimp (Threatened) and western yellow-billed cuckoo (candidate species).

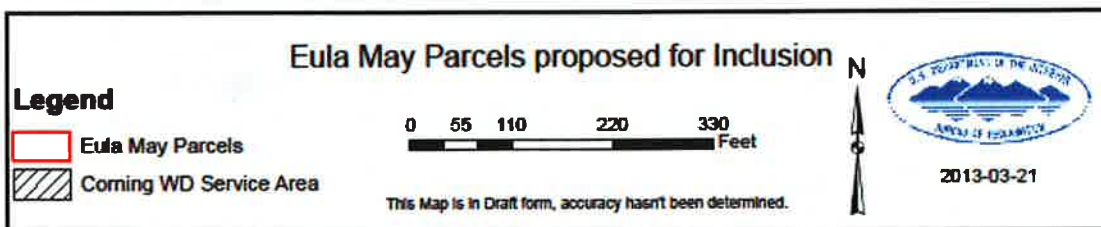
Source: Esri, DigitalGlobe, GeoEye, Earthstar (USA), USGS, Aero, GeoMapping, AeroGRID, IGN, iSAR, and the GIS User Community



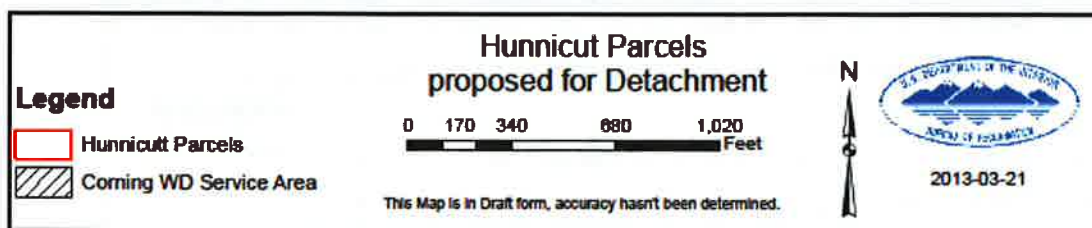
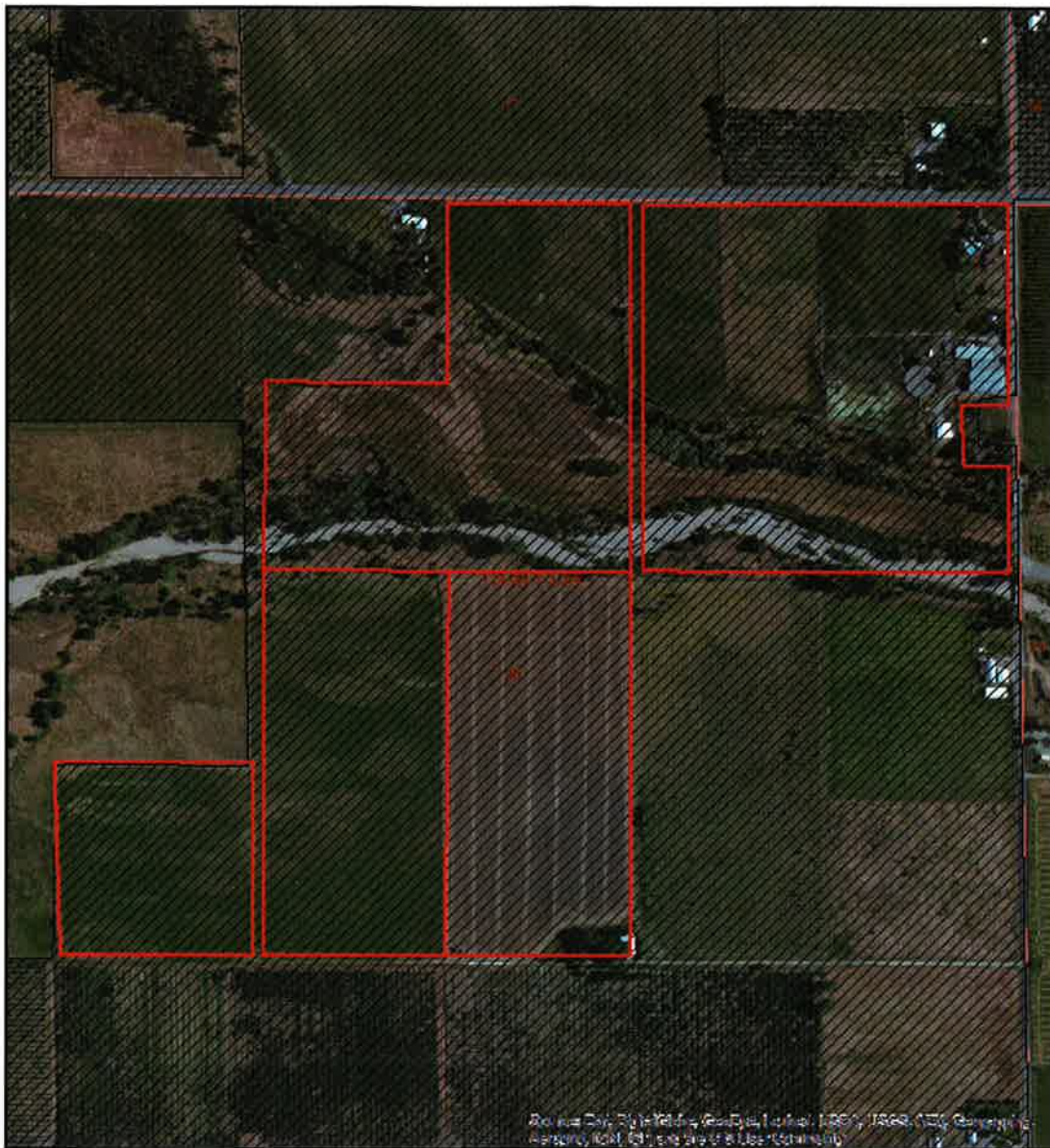


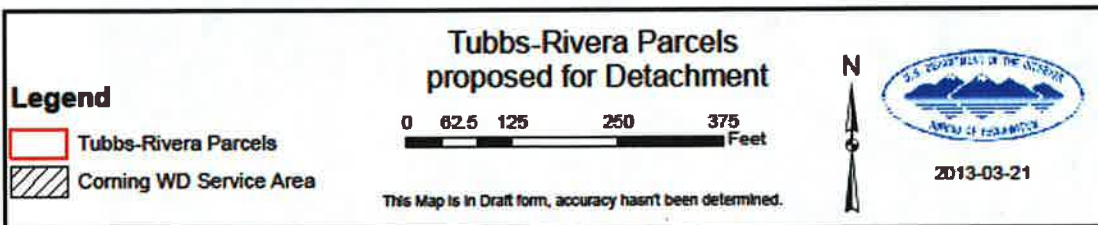
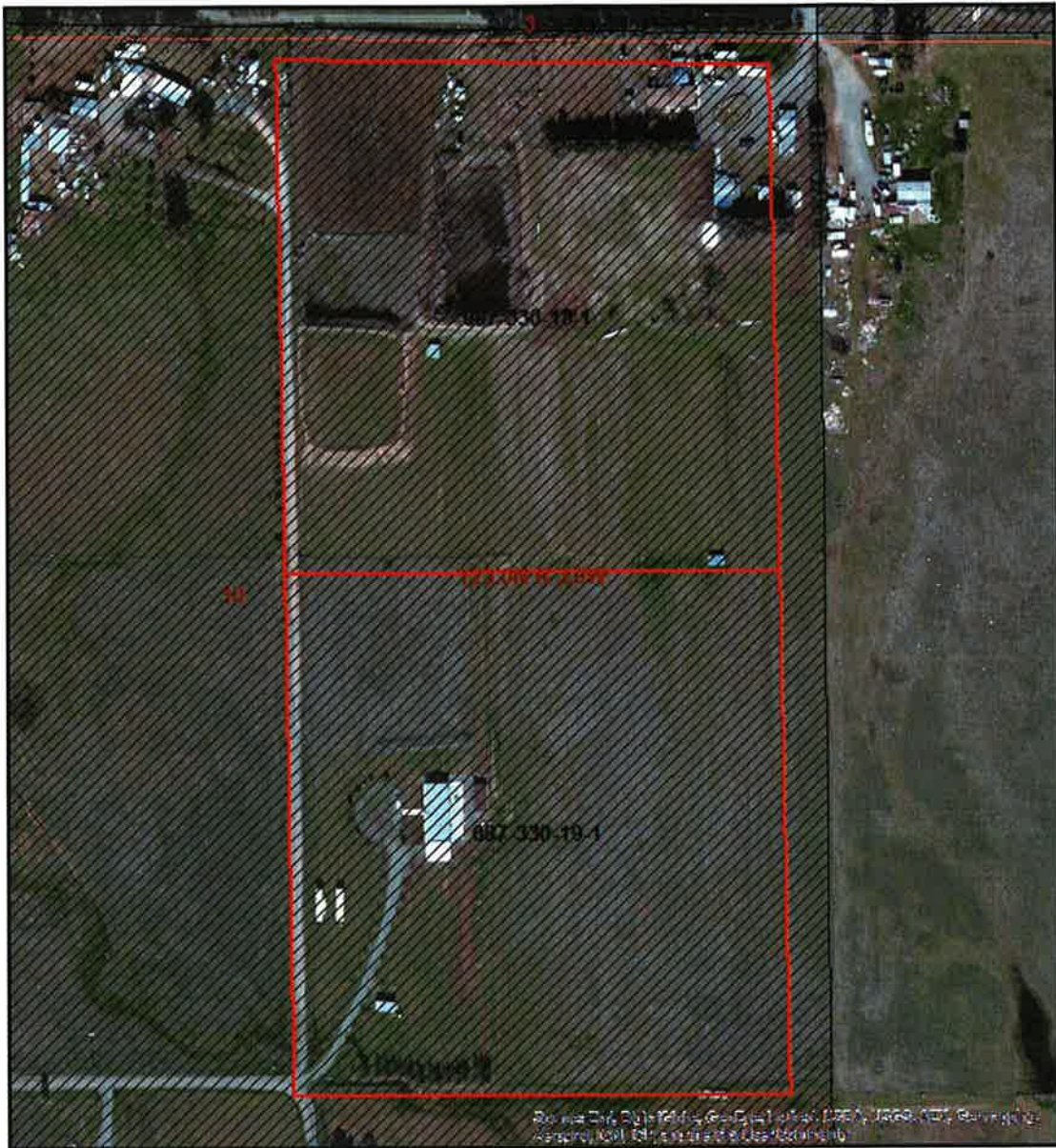


Eula May Annexation – Northern parcel



Ms Eula May Annexation – Southern parcel





Attachment 2. Images of existing agricultural fields on the properties in question.



Tapia Annexation



Eula May Annexation – Northern parcel



Eula May Annexation – Southern parcel



Hunnicutt Detachment



Tubbs/Rivera Detachment

Attachment 3

RIVERA, PATRICIA <privera@usbr.gov>
To: "Zedonis, Paul" <pzedonis@usbr.gov>

Tue, Jun 11, 2013 at 8:06 AM

Paul,

I reviewed the proposed action to approve the annexation of approximately 149.53 acres to, and the detachment of approximately 139.15 acres from, the Coming Water District (District) Service Area boundary.

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

Patricia Rivera
Native American Affairs Program Manager
US Bureau of Reclamation
Mid-Pacific Region
2800 Sacramento, California 95825
(916) 978-5194

Patricia Rivera
Native American Affairs Program Manager
US Bureau of Reclamation
Mid-Pacific Region
2800 Sacramento, California 95825
(916) 978-5194

Attachment 4



IN REPLY
REFER TO:
MP-153
ENV-3.00

United States Department of the Interior

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

VIA ELECTRONIC MAIL ONLY

June 07, 2013

MEMORANDUM

To: Paul Zedonis
Natural Resources Specialist – Northern California Area Office

From William E. Soule
Archaeologist – Division of Environmental Affairs

Subject: 13-NCAO-146 Coming Water District (CWD) 2013 Annexations/Detachments (NCAO-CEC-13.17.1)

Note: This is a revised version of this memorandum (original dated April 10, 2013) based on amended acreage totals for the subject parcels as provided by the Northern California Area Office on June 6, 2013.

This proposed undertaking by Reclamation is the approval of an annexation of 149.53 acres to the CWD and the detachment (termination of service) of 139.15 acres from the CWD. This is the type of undertaking that does not have the potential to cause effects to historic properties pursuant to the National Historic Preservation Act (NHPA) Section 106 regulations at 36 CFR § 800.3(a)(1). Reclamation has no further Section 106 obligations regarding this undertaking.

The inclusion area includes: the Tapia property of 14 contiguous parcels totaling 139.15 acres of mature olive orchard contiguous with the CWD's distribution system; and two parcels totaling 9.91 acres (May property) of mature olive orchard, each containing an existing district hookup, that have not been previously irrigated by CWD water. The proposed detachments are the Hunnicutt property (119.22 acres) where the owner had ceased using district water and the Tubbs/Rivera property (19.93 acres), a parcel of dry grazing land that has never been irrigated by CWD water. No changes to land use will occur from these proposed annexations and detachments.

After reviewing NCAO-CEC-13.17.1 [(Coming Water District, 2013 Annexation/Detachments (Amended)], dated June 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 and discard the previous version of this memorandum. 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.

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