

RECLAMATION


Managing Water in the West

Categorical Exclusion Checklist

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

CEC 13-061

Prepared by:


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

Date: 12/13/13

Concurred by:

See Attachment
Archaeologist/Architectural Historian
Mid-Pacific Regional Office


Date: See Attachment

Concurred by:

See Attachment
Native American Affairs Specialist
Mid-Pacific Regional Office

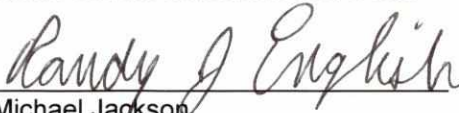
Date: See Attachment

Concurred by:


Lisa Carlson
Wildlife Biologist
South-Central California Area Office

Date: 12/12/2013

Approved by:

for 
Michael Jackson
Area Manager
South-Central California Area Office

Date: 2/3/14



Background

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

Purpose and Need for Action

The purpose of the Proposed Action is to approve, execute, and administer contracts for temporary water service. The Proposed Action would allow the Contractors the ability to utilize the surplus water that is not storable for project purposes or infrequent and otherwise unstoreable flood flows of short duration. The Proposed Action would also provide additional funding for the repayment of the Friant Project.

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 CVP contractors during Contract Year 2014 (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 surplus water would be at Reclamation's discretion and dependent on reservoir capacity and operations, hydrologic conditions, and Friant operating guidelines.

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 are covered under this Categorical Exclusion. The following list includes potential recipients for Contract Year 2014 temporary flood flows.

Potential Temporary Unstorable Flood Flow Recipients in 2014

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
Hill's Valley Irrigation District	

Friant Division Contractors	
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

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

Environmental Commitments

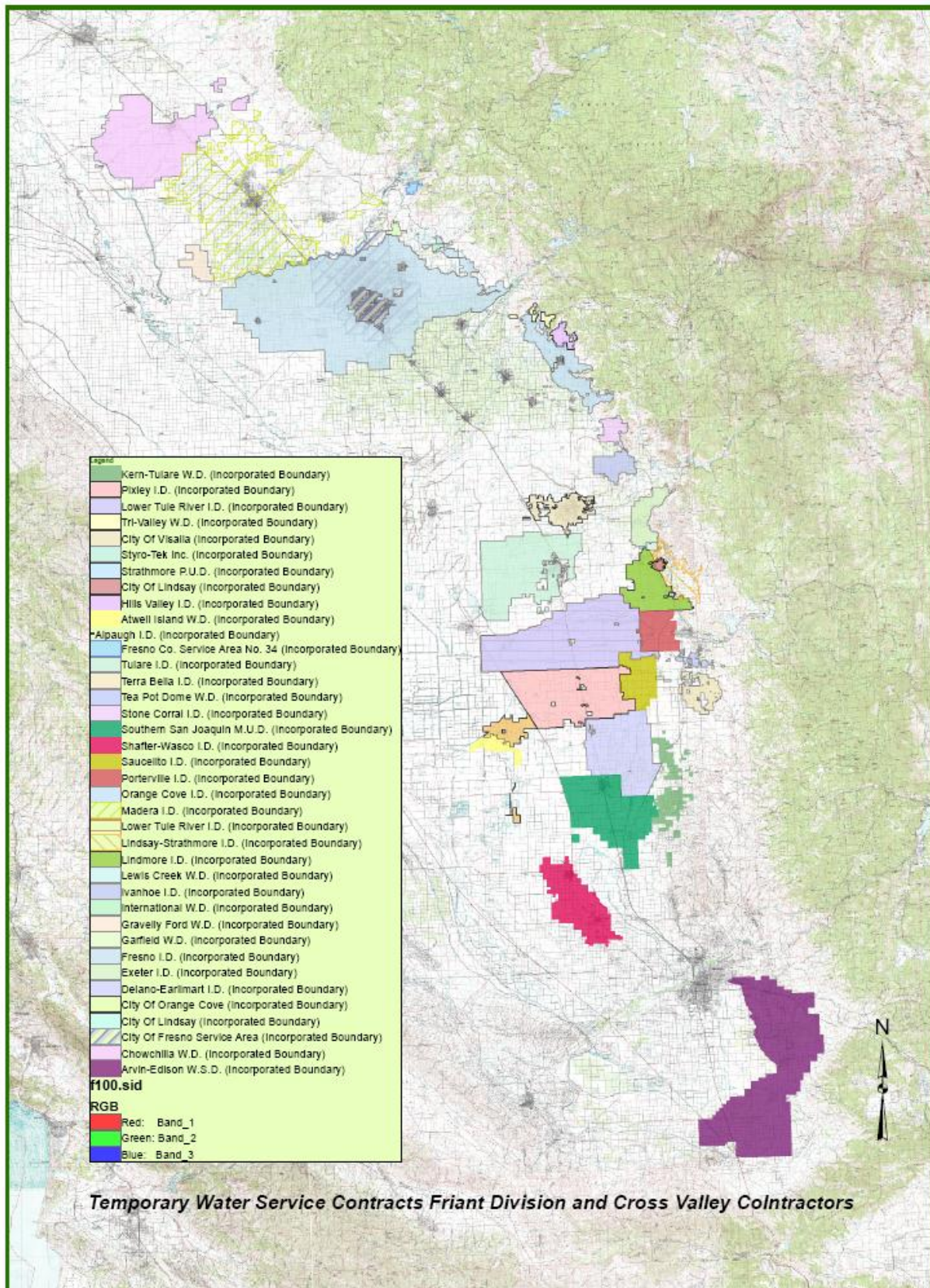
Reclamation shall implement the following environmental protection measures:

Resource	Protection Measure
Biological Resources	No new facilities would 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 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
<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"/> |

- | | | | |
|--|---|---------------------------------------|---------------------------------|
| 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"/> |

Attachment A Cultural Resources Determination

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

November 01, 2013

MEMORANDUM

To: Chuck Siek
Supervisory Natural Resource Specialist, South-Central California Area Office

From: William E. Soule
Archaeologist, Division of Environmental Affairs

Subject: Section 106 Compliance for: 14-SCAO-021: Temporary Water Service Contracts with Central Valley Project Friant and Cross-Valley Contractors and the Non-Central Valley Project Contractors (NCVPC) on the East Side of the San Joaquin Valley

Reclamation proposes to execute temporary water service contracts for un-storable flood flows with Central Valley Project Friant and Cross-Valley Contractors and the NCVPC during Contract Year 2014. This is the type of undertaking that does not have the potential to cause effects to historic properties, should such historic properties be present, pursuant to the National Historic Preservation Act (NHPA) Section 106 regulations codified at 36 CFR Part 800.3(a)(1).

The purpose of the Proposed Action is to approve, execute, and administer contracts for temporary water service. This contract action allows the Central Valley Project Friant and Cross-Valley Contractors and the NCVPC the ability to utilize the surplus water that is not storable for project purposes or infrequent and otherwise un-storable flood flows of short duration. The availability of this temporary surplus water would be at Reclamation's discretion and dependent on storage capacity in Millerton Lake and other operational considerations. The quantity of water would be based on reservoir operations, hydrologic conditions, and Friant operating guidelines.

After reviewing the submitted materials, I concur with Item 8 in CEC-13-061 and item 8 in CEC-13-062 which state that this proposed action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by Reclamation. With this determination, Reclamation has no further NHPA Section 106 obligations. 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.

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

Attachment B Indian Trust Assets Determination

RIVERA, PATRICIA

November 4, 2013

Charles,

I reviewed the two proposed actions and determined that there are no impacts to Indian Trust Assets.

The first proposed action is to execute contracts for temporary supplies of unstorable flood flows, with the Friant and Cross Valley Division CVP contractors during Contract Year 2014 (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 second proposed action is to execute temporary water service contracts to Non-CVP contractors (NCVPC) for unstorable flood flows during Contract Year 2014. 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.

CVP contractors and Non-CVP contractors. Both actions are limited to 215 water contracts.

Patricia Rivera
Native American Affairs Program Manager
US Bureau of Reclamation
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