

# RECLAMATION

*Managing Water in the West*

**Final Environmental Assessment**

## **Contra Costa Water District Transfer with Alameda County Water District**

**EA-14-028**



**U.S. Department of the Interior  
Bureau of Reclamation  
Mid Pacific Region  
South-Central California Area Office  
Fresno, California**

**June 2014**

## **Mission Statements**

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian Tribes and our commitments to island communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

# Table of Contents

<b>Section 1</b>	<b>Introduction .....</b>	<b>1</b>
1.1	Background.....	1
1.2	Need for the Proposed Action.....	1
<b>Section 2</b>	<b>Alternatives Including the Proposed Action .....</b>	<b>3</b>
2.1	No Action Alternative.....	3
2.2	Proposed Action.....	3
2.2.1	Environmental Commitments .....	4
<b>Section 3</b>	<b>Affected Environment and Environmental Consequences .....</b>	<b>5</b>
3.1	Resources Eliminated from Further Analysis.....	5
3.2	Water Resources .....	5
3.2.1	Affected Environment .....	5
3.2.2	Environmental Consequences.....	6
3.3	Biological Resources .....	7
3.3.1	Affected Environment .....	7
3.3.2	Environmental Consequences.....	9
<b>Section 4</b>	<b>Consultation and Coordination .....</b>	<b>11</b>
4.1	Public Review Period .....	11
4.2	Endangered Species Act (16 U.S.C. § 1531 et seq.).....	11
<b>Section 5</b>	<b>Preparers and Reviewers .....</b>	<b>12</b>
<b>Section 6</b>	<b>References.....</b>	<b>13</b>

## List of Tables and Figures

Figure 1-1 - Participating Water Districts.....	2
Figure 2-1 - Water Conveyance Facilities (Graphic by CCWD).....	4
Table 2-1 Environmental Protection Measures and Commitments .....	4
Table 3-1 Resources Eliminated from Further Analysis.....	5
Table 3-2 Federally Protected Species List for the Proposed Action Area .....	8

## Appendices

<b>Appendix A</b>	Cultural Resources Determination
<b>Appendix B</b>	Indian Trust Assets Determination



# Section 1 Introduction

The Bureau of Reclamation (Reclamation) provided the public with an opportunity to comment on the draft Environmental Assessment (EA) and draft Finding of No Significant Impact between May 23 and June 6, 2014. No comments were received. Changes from the draft EA that are not minor editorial changes are indicated by vertical lines in the left margin of this document.

## 1.1 Background

Alameda County Water District (ACWD) is a State Water Project (SWP) contractor located in southern Alameda County. Normally, ACWD receives about 40% of its water supply from the SWP via the South Bay Aqueduct. Due to extraordinarily dry hydrologic conditions, ACWD's SWP initial 2014 allocation was set to zero, later raised to 5% in April. In addition, due to the lack of rainfall, ACWD's local groundwater levels are at critically low levels, and the groundwater basin is at risk of overdraft and seawater intrusion.

Los Vaqueros Reservoir is located within Contra Costa Water District (CCWD) and stores water from the Sacramento-San Joaquin River Delta (Delta), under Reclamation's Central Valley Project (CVP) water rights (redirection of CVP storage releases) and CCWD's 1994 Los Vaqueros Project water right. Los Vaqueros Reservoir currently holds approximately 31,000 AF of water diverted under these rights. In 2013, CCWD and ACWD entered an agreement under which ACWD purchased the right to use 5,000 AF of CCWD's Los Vaqueros Project water stored in the reservoir.

In order to manage the impact of ongoing shortages, ACWD has asked its customers to cut back on water use by 20%. On March 13, 2014, the ACWD Board declared a water shortage emergency, coupled with water use restrictions. In addition to water demand management measures, ACWD would also like to make use of the 5,000 AF of non-CVP water previously acquired from CCWD and stored in Los Vaqueros Reservoir, in order to meet current needs.

Since there is no direct conveyance mechanism to deliver water from Los Vaqueros Reservoir to ACWD's distribution system, ACWD and CCWD have proposed a transfer. CCWD would make use of the 5,000 AF of non-CVP water stored in Los Vaqueros Reservoir, and ACWD would take delivery of an equal volume of CCWD's CVP water from the Delta. Since this transfer would require conveyance of CVP water to a non-CVP contractor, by way of SWP facilities, approval is required from Reclamation and the California Department of Water Resources (DWR).

## 1.2 Need for the Proposed Action

ACWD has a need to deliver water to support existing Municipal and Industrial (M&I) uses within its service area. ACWD has 5,000 AF of acquired CVP water stored in Los Vaqueros

Reservoir, but no direct conveyance method to deliver the water to its customers. The purpose of the proposed transfer is to provide a means to deliver an equivalent volume of water to ACWD.



Figure 1-1 - Participating Water Districts

## Section 2 Alternatives Including the Proposed Action

This EA considers two possible actions: the No Action Alternative and the Proposed Action. The No Action Alternative reflects future conditions without the Proposed Action and serves as a basis of comparison for determining potential effects to the human environment.

### 2.1 No Action Alternative

Under the No Action Alternative, the proposed transfer would not take place. ACWD's water would remain in Los Vaqueros Reservoir, and CCWD would take delivery of its CVP water from the Delta as usual. ACWD would have to pursue other options to meet the needs of its customers, and find another way to make use of its purchased Los Vaqueros Project water held in the Reservoir.

### 2.2 Proposed Action

Reclamation proposes to approve the transfer of 5,000 AF of water from CCWD to ACWD. The transfer would be executed as follows:

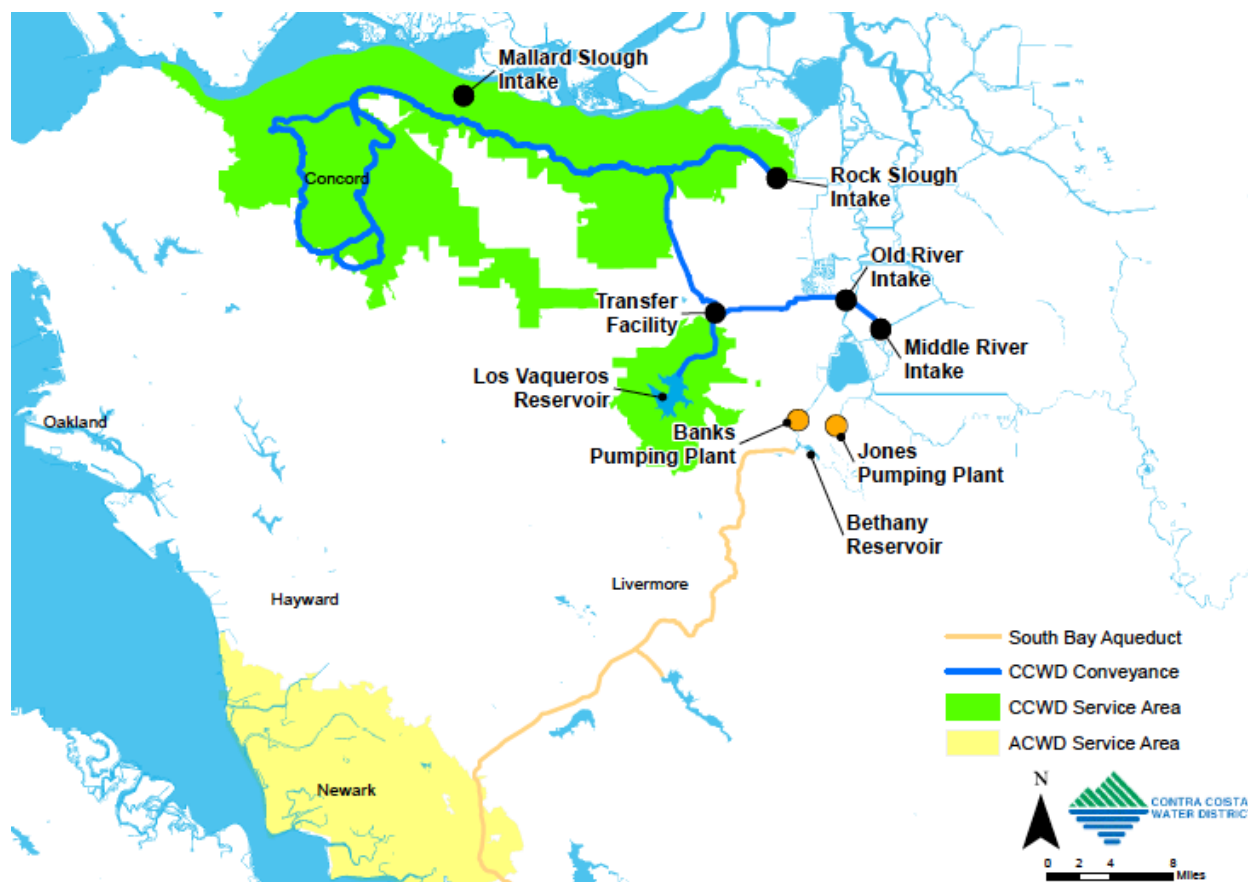
CCWD would take delivery of 5,000 AF of water, previously acquired by ACWD, currently stored under its water rights in Los Vaqueros Reservoir. The water would be delivered to CCWD's in-district customers for use. In return, ACWD would take delivery of 5,000 AF of CCWD's CVP water from the Delta.

CCWD's normal points of diversion for its CVP water are at its Old River Intake and Middle River Intake at Victoria Canal<sup>1</sup>. Under the Proposed Action, the water would instead be diverted at the SWP's Clifton Court Forebay, and conveyed to ACWD by way of the South Bay Aqueduct. This transfer requires a temporary change in the point of diversion/redirection for CVP water. Reclamation would therefore need to submit a State Water Resources Control Board petition for a temporary change in point of diversion/redirection for the temporary water transfer from CCWD to ACWD.

The proposed transfer would occur in 2014 and could take anywhere from fifteen days to three months to complete. The timing and rate of the water transfer would be determined in close coordination among ACWD, CCWD, Reclamation, and DWR. No construction or modification of state or federal facilities would be required.

---

<sup>1</sup> CCWD's other normal point of diversion of CVP water, Rock Slough will be shut down for construction during the period of the transfer.



**Figure 2-1 - Water Conveyance Facilities (Graphic by CCWD)**

### 2.2.1 Environmental Commitments

CCWD shall implement the following environmental protection measure to reduce environmental consequences associated with the Proposed Action (Table 2-1). Environmental consequences described in this document assume the measures specified would be fully implemented.

**Table 2-1 Environmental Protection Measures and Commitments**

Resource	Protection Measure
Water Resources	A refill agreement between CCWD, Reclamation and DWR is required before water may be taken from Los Vaqueros Reservoir for the purpose of this transfer.



## Section 3 Affected Environment and Environmental Consequences

This section identifies the potentially affected environment and the environmental consequences involved with the Proposed Action and the No Action Alternative, in addition to environmental trends and conditions that currently exist.

### 3.1 Resources Eliminated from Further Analysis

Reclamation analyzed the affected environment and determined that the Proposed Action did not have the potential to cause direct, indirect, or cumulative adverse effects to the resources listed in Table 3-1.

**Table 3-1 Resources Eliminated from Further Analysis**

Resource	Reason Eliminated
Cultural Resources	Reclamation determined on April 29, 2014, that the Proposed Action has no potential to affect Cultural Resources. See Appendix A.
Indian Sacred Sites	The Proposed Action would not limit access to ceremonial use of Indian Sacred Sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites. Therefore, there would be no impacts to Indian Sacred Sites as a result of the Proposed Action.
Indian Trust Assets	Reclamation determined on April 29, 2014, that the Proposed Action has no potential affect Indian Trust Assets. See Appendix B.
Land Use	The water to be transferred would be used for municipal/industrial purposes by ACWD's customers to support current land uses. No conversion of undeveloped/native land is proposed.
Socioeconomic Resources	The transferred water would support existing land uses within ACWD's service area. The needs of CCWD's customers would be met with an equivalent volume of water from Los Vaqueros Reservoir. No change in socioeconomic conditions is expected from the Proposed Action.
Environmental Justice	The transferred water would support existing land uses within ACWD's service area. The needs of CCWD's customers would be met with an equivalent volume of water from Los Vaqueros Reservoir. The Proposed Action is not anticipated to disproportionately benefit or harm disadvantaged populations.
Air Quality	No construction or modification of facilities is proposed. Some pumping would be required to move water under the Proposed Action, but power usage would be within the typical range for the facilities involved. No air emissions are anticipated outside normal operational fluctuations.
Global Climate	No construction or modification of facilities is proposed. Some pumping would be required to move water under the Proposed Action, but power usage would be within the typical range for the facilities involved. No greenhouse gas emissions are anticipated outside normal operational fluctuations.

### 3.2 Water Resources

#### 3.2.1 Affected Environment

##### ***Contra Costa Water District***

CCWD is a federal CVP contractor located in central and eastern Contra Costa County. CCWD relies completely on the Delta for its water supply, and diverts water at its four intakes in the Delta: Rock Slough, Mallard Slough, Old River and Middle River at Victoria Canal. Using these

last two intakes, CCWD can also divert water to storage in Los Vaqueros Reservoir for later use. CCWD diverts water under its own rights (Mallard Slough and Los Vaqueros Reservoir) and under a CVP contract (all but Mallard Slough).

### ***Los Vaqueros Reservoir***

Los Vaqueros Reservoir is a 160,000 AF off-stream reservoir operated by CCWD. The storage capacity provided by the Reservoir allows CCWD to manage water quality for its customers and adjust timing of Delta diversions to accommodate the life cycles of Delta aquatic species. Water is diverted to storage under water rights held by Reclamation or CCWD.

### ***Alameda County Water District***

ACWD is a non-CVP water district serving mostly commercial, residential and industrial customers in Alameda County. ACWD receives 40% of its water supply from the SWP, 20% from the San Francisco Public Utilities Commission, and 40% from Alameda Creek watershed runoff (ACWD 2012).

## **3.2.2 Environmental Consequences**

### ***No Action***

If no action were taken, ACWD would not be able to access the water it purchased, held in Los Vaqueros Reservoir, and CCWD would take delivery of its CVP water from the Delta as usual. ACWD would have to pursue other options to meet the needs of its customers, and find another way to make use of its Los Vaqueros Project water held in the reservoir.

### ***Proposed Action***

Under the Proposed Action, ACWD would take delivery of 5,000 AF of CCWD's CVP supply and Los Vaqueros Project water stored in the Los Vaqueros Reservoir would be used by CCWD for in-district needs under its CVP allocation. Since this action may lower the water level in the reservoir, which is an operational concern for other legal users of Delta water, CCWD would be required to keep track of the vacated storage amount in Los Vaqueros Reservoir resulting from this transfer, and refill that storage space. This would be arranged with the approval of Reclamation and DWR either under: 1) its Los Vaqueros Project water rights, or 2) its CVP Contract supply during Delta excess conditions. The refill action would require separate environmental evaluation, and would be executed in coordination with DWR and Reclamation in order to ensure that other water users' interests are not harmed. The requirement for a refill agreement is anticipated to avoid impacts from the proposed withdrawal and transfer to system-wide operations.

In exchange for the water stored in Los Vaqueros Reservoir, CCWD would then reduce its CVP diversions from the Delta by an amount (rate) equivalent to the delivery to ACWD. CCWD's normal points of diversion for this CVP water are at its Rock Slough Intake, Old River Intake and Middle River Intake at Victoria Canal. Under the Proposed Action, a portion of the water which would normally have been diverted at the Old River or Middle River Intakes would instead be diverted at the SWP's Clifton Court Forebay, and conveyed to ACWD by way of the State's South Bay Aqueduct. When the SWP takes this transferred water into Clifton Court Forebay for pumping at the Banks Pumping Plant, the overall pumping from the south Delta would not be increased from what would have occurred absent this transfer. Flows in the Old and

Middle Rivers north of CCWD's Old River and Middle River intakes would not change as a result of the Proposed Action.

The place of use for the CVP water would be the ACWD water service area. The ACWD service area is within the federal CVP service area as identified on maps obtained from the State Water Resource Control Board's files, except for a small area in the southeastern part of ACWD. However, this small area is outside the distribution pipelines of ACWD and cannot receive water. Therefore, none of the transfer water would be delivered outside the existing CVP place of use.

No new construction would be necessary to convey the exchanged water. Each district would only deliver water to its existing customers by way of existing facilities.

### ***Cumulative Impacts***

A wide variety of demands are placed on the water supply in the Delta, with the potential for cumulative effects on water supply, water quality, and the environment. For this reason, Delta flows are actively managed under several regulatory authorities. The water to be conveyed from the Delta under the Proposed Action does not represent a new source of water or new diversion; it only represents a new point of diversion for Delta water already allocated for use by CCWD. Therefore the overall water balance of the Delta would be unaffected. In addition, water would only be diverted for refill purposes when the Delta is operating in surplus conditions, ensuring that other water users' interests are not harmed. Therefore no cumulative impacts from the Proposed Action are anticipated beyond those already evaluated as part of overall Delta operations.

## **3.3 Biological Resources**

### **3.3.1 Affected Environment**

Reclamation requested an official species list from the U.S. Fish and Wildlife Service (Service) via the Sacramento Field Office's website, [http://www.fws.gov/sacramento/ES\\_Species/Lists/es\\_species\\_lists-form.cfm](http://www.fws.gov/sacramento/ES_Species/Lists/es_species_lists-form.cfm), on May 1, 2014 (document number: 140501073121). The list is for the following U.S. Geological Survey 7½-minute topographic quadrangles: Benicia, Vine Hill, Honker Bay, Antioch North, Jersey Island, Bouldin Island, Briones Valley, Walnut Creek, Clayton, Antioch South, Brentwood, Woodward Island, Las Trampas Ridge, Diablo, Tassajara, Byron Hot Springs, Clifton Court Forebay, San Leandro, Hayward, Dublin, Livermore, Altamont, Redwood Point, Newark, Niles, La Costa Valley, Palo Alto, Mountain View, Milpitas, Calaveras Reservoir (Service 2014). These are the quadrangles that overlap or are adjacent to the two districts involved in the Proposed Action. The aquatic species that occur in the waterways involved in the Proposed Action are on the species list for the two districts, as the quadrangles that occur in Contra Costa County overlap a relatively large part of the Delta. Reclamation further queried the California Department of Fish and Wildlife California Natural Diversity Database (CNDDB) for records of protected species within 10 miles of the Proposed Action (CNDDB 2014). Table 3-2 lists critical habitat identified within the quadrangles on the species list, as well as for green sturgeon, which is present in the Proposed Action Area but was not included on the species list.

**Table 3-2 Federally Protected Species List for the Proposed Action Area**

COMMON NAME	CRITICAL HABITAT	LISTING STATUS	EFFECT DETERMINATIONS
<b>Invertebrates</b>			
bay checkerspot butterfly	designated	threatened	no effect; no effect on critical habitat
California freshwater shrimp	no	endangered	no effect
callippesilverspot butterfly	no	endangered	no effect
Conservancy fairy shrimp	no	endangered	no effect
delta green ground beetle	no	threatened	no effect
Lange's metalmark butterfly	no	endangered	no effect
longhorn fairy shrimp	designated	endangered	no effect; no effect on critical habitat
valley elderberry longhorn beetle	no	threatened	no effect
vernal pool fairy shrimp	designated	threatened	no effect; no effect on critical habitat
vernal pool tadpole shrimp	designated	endangered	no effect; no effect on critical habitat
<b>Fish</b>			
Central California Coast coho salmon	no	endangered	no effect
Central California Coastal steelhead	designated	threatened	no effect; no effect on critical habitat
Central Valley spring-run chinook salmon	designated	threatened	any effects on this species and its critical habitat have already been addressed
Central Valley steelhead	designated	threatened	any effects on this species and its critical habitat have already been addressed
delta smelt	designated	threatened	any effects on this species and its critical habitat have already been addressed
North American green sturgeon	designated	threatened	any effects on this species and its critical habitat have already been addressed
Sacramento River winter-run chinook salmon	designated	endangered	any effects on this species and its critical habitat have already been addressed
tidewater goby	no	endangered	no effect
<b>Amphibians</b>			
California red-legged frog	designated	threatened	no effect; no effect on critical habitat
California tiger salamander, Central DPS	designated	threatened	no effect; no effect on critical habitat
<b>Reptiles</b>			
Alameda whipsnake	designated	threatened	no effect; no effect on critical habitat
giant garter snake	no	threatened	no effect
San Francisco garter snake	no	endangered	no effect
<b>Birds</b>			
California Brown Pelican	no	endangered	no effect
California Clapper Rail	no	endangered	no effect
California Least Tern	no	endangered	no effect
Least Bell's Vireo	no	endangered	no effect
Marbled Murrelet	no	threatened	no effect
Western Snowy Plover	no	threatened	no effect
<b>Mammals</b>			
salt marsh harvest mouse	no	endangered	no effect
San Joaquin kit fox	no	endangered	no effect
southern resident killer whales	no	endangered	any effects on this species have already been addressed
<b>Plants</b>			
Antioch Dunes evening-primrose	designated	endangered	no effect; no effect on critical habitat
California sea blite	no	endangered	no effect
Colusa grass	no	threatened	no effect
Contra Costa goldfields	designated	endangered	no effect; no effect on critical habitat
Contra Costa wallflower	designated	endangered	no effect; no effect on critical habitat
fountain thistle	no	endangered	no effect
Keck's checker-mallow	no	endangered	no effect
large-flowered fiddleneck	no	endangered	no effect

Marin dwarf-flax	no	threatened	no effect
MetcalfCanyonjewelflower	no	endangered	no effect
pallid manzanita	no	threatened	no effect
palmate-bracted bird's-beak	no	endangered	no effect
robust spineflower	no	endangered	no effect
San Mateo thornmint	no	endangered	no effect
Santa Clara Valley dudleya	no	endangered	no effect
Santa Cruz tarplant	no	threatened	no effect
showy Indian clover	no	endangered	no effect
soft bird's-beak	designated	endangered	no effect; no effect on critical habitat

### ***Migratory Birds***

There are CNDDDB records of migratory birds in the Proposed Action Area. In addition to the federally-listed species in Table 3-2, there are records of Swainson's Hawks and Western Burrowing Owls. These species would typically only fly over the developed areas that would be receiving the M&I water associated with the Proposed Action, and would not otherwise use these lands.

### ***Federally-listed Species***

With the exception of the fish species that occur in the Delta (which includes all the listed fishes in Table 3-2 except the tidewater goby), the other species do not occur in developed areas. The southern resident killer whales are on the list due to possible effects on their chinook salmon prey base as a result of pumping in the South Delta.

Essential Fish Habitat for chinook salmon also occurs in the Delta.

### ***Critical Habitat***

As with the case for the Federally listed species, the only critical habitat in the Proposed Action Area is that for several of the fish species, as indicated in Table 3-2.

## **3.3.2 Environmental Consequences**

### ***No Action***

Under the No Action Alternative, CCWD would continue to take delivery of its CVP water supply, pumped at the Old and Middle River Intakes, for existing uses. Expansions of the service area (referred to as inclusions) involve separate environmental review, and would only proceed once all applicable federal environmental laws have been complied with (e.g. the Endangered Species Act and Migratory Bird Treaty Act). Any effects of pumping the water on Federally listed fishes and their critical habitat have been addressed by Biological Opinions issued to Reclamation for the Coordinated Long-Term Operations of the CVP and SWP (National Marine Fisheries Service, [NMFS] 2009; Service 2008).

NMFS determined that long term SWP and CVP operations were likely to jeopardize several species and result in adverse modification of their critical habitat. The Service found that operations as proposed were likely to jeopardize the continued existence of delta smelt and adversely modify its critical habitat. The Service provided a Reasonable and Prudent Alternative (RPA) with five components. On December 15, 2008, Reclamation submitted a memo provisionally accepting the RPAs developed by the Service and included in the NMFS Biological Opinion. The provisional acceptance of the RPA was conditioned upon the further

development and evaluation of the two RPA components directed at aquatic habitats. Reclamation stated that the two RPA components, RPA Component 3 – the fall action, and RPA Component 4 – the tidal habitat restoration action, both need additional review and refinement before Reclamation would be able to determine whether implementation of these actions by the CVP and SWP is reasonable and prudent. After consideration, on June 4, 2009, Reclamation sent a similar provisional acceptance letter to NMFS.

Reclamation also consulted under the Magnusson-Stevens Fishery Conservation and Management Act with NMFS on the impacts to Essential Fish Habitat for chinook salmon as a result of the pumping (NMFS 2009).

However, following the provisional acceptance, the District Court for the District of Eastern California remanded the Biological Opinions, and Reclamation was ordered by the Court to comply with the National Environmental Policy Act (NEPA) before accepting the RPAs. Reclamation is currently preparing environmental documentation to comply with the Court's decision. In early 2014, the Biological Opinion issued by the Service was upheld by a new Ninth Circuit Court of Appeals ruling, although certain requirements (such as an obligation for Reclamation to follow a NEPA process) were left in place. In the meantime, Reclamation continues to comply with the existing Biological Opinions and current Court orders.

#### ***Proposed Action***

Under the Proposed Action Alternative, there would be no new impacts to migratory birds, federally listed species or their critical habitat, or to Essential Fish Habitat, other than the pumping effects that have already been previously addressed (see No Action Alternative section, above). Under the Proposed Action, there would be no net change in deliveries of CVP and SWP water, and the water would move only through existing facilities and be put to existing uses (or inclusions that have gone through proper environmental review beforehand). Due to the exchange, water that would normally be pumped at the Old and Middle River intakes would instead be pumped at Banks Pumping Plant. Water actions associated with the SWP and CVP of this nature were addressed by the Service (2008) and by NMFS (2009).

#### ***Cumulative Impacts***

As the Proposed Action would result in no impacts beyond those previously addressed, it would also not contribute cumulatively to any impacts to biological resources beyond those previously identified.

## **Section 4 Consultation and Coordination**

### **4.1 Public Review Period**

Reclamation provided the public with an opportunity to comment on the Draft Finding of No Significant Impact and Draft EA during a 15 day public review period. No comments were received.

### **4.2 Endangered Species Act (16 U.S.C. § 1531 et seq.)**

Section 7 of the Endangered Species Act requires Federal agencies, in consultation with the Secretary of the Interior and/or Commerce, to ensure that their actions do not jeopardize the continued existence of endangered or threatened species, or result in the destruction or adverse modification of the critical habitat of these species.

Reclamation has determined that the Proposed Action would have no effect on any federally listed or proposed species or their critical habitat beyond those previously covered. Therefore, no further consultation is required.

## **Section 5 Preparers and Reviewers**

### **Bureau of Reclamation**

Ben Lawrence, Natural Resources Specialist, SCCAO

Shauna McDonald, Wildlife Biologist, SCCAO

Bill Soule, Archaeologist, MP-153

Patricia Rivera, ITA, MP-400

Rain Emerson, Supervisory Natural Resources Specialist, SCCAO – reviewer

Ned Gruenhagen, Acting Wildlife Biology Supervisor, SCCAO- reviewer

David E. Hyatt, Acting Resource Management Division Chief, SCCAO – reviewer

Eileen Jones, Repayment Specialist, SCCAO – reviewer

### **Contra Costa Water District**

Lucinda Shih - reviewer



## Section 6 References

Alameda County Water District (ACWD). 2012. Alameda County Water District - Official Website - Fact Sheet. Website: <http://www.acwd.org/index.aspx?nid=93>.

California Natural Diversity Database (CNDDDB). 2014. California Department of Fish and Wildlife. Government Edition. March 1, 2014.

National Marine Fisheries Service (NMFS). 2009. Final Biological Opinion And Conference Opinion On The Long-Term Operations Of The Central Valley Project And State Water Project. June 4, 2009.

U.S. Fish and Wildlife Service (Service). 2008. Formal Endangered Species Act consultation on the coordinated operations of the Central Valley Project and State Water Project. December 15, 2008.

U.S. Fish and Wildlife Service (Service). 2014. Federal Species List (document No. 140501073121). Website: [http://www.fws.gov/sacramento/ES\\_Species/Lists/es\\_species\\_lists-form.cfm](http://www.fws.gov/sacramento/ES_Species/Lists/es_species_lists-form.cfm).



# **Appendix A    Cultural Resources Determination**

# **CULTURAL RESOURCE COMPLIANCE**

## **Reclamation Division of Environmental Affairs**

### **MP-153**

**MP-153 Tracking Number:** 14-SCAO-181

**Project Name:** Contra Costa Water District (CCWD) Transfer to Alameda County Water District (ACWD)

**NEPA Document:** SCCAO- EA-14-028

**NEPA Contact:** Ben Lawrence, Natural Resource Specialist

**MP 153 Cultural Resources Reviewer:** William Soule, Archaeologist

**Date:** 04/29/2014

---

Reclamation proposes to approve the transfer of 5,000 acre-feet of water from CCWD to ACWD. 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).

In 2013, ACWD acquired 5,000 acre-feet of water from CCWD. That water is stored in Los Vaqueros Reservoir. They are now proposing an exchange: CCWD would use the 5,000 AF stored in Los Vaqueros for in-district purposes, and in return ACWD would take delivery of 5,000 AF of CCWD's Central Valley Project (CVP) water from the Delta, by way of state water project facilities. No construction or modification of facilities is proposed, but Reclamation permission is required because CCWD's CVP water would be delivered to a non-CVP contractor located outside CCWD's normal service area.

After reviewing the materials submitted by SCAO, I concur with a determination in which states that neither the proposed action nor the no action alternative have the potential to cause effects to historic properties pursuant to the NHPA Section 106 regulations codified at 36 CFR Part 800.3(a)(1). 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)

## **Appendix B Indian Trust Assets Determination**



Lawrence, Benjamin <blawrence@usbr.gov>

---

## Request for Determinations, SCCAO EA 14-028, Contra Costa Water District Transfer to Alameda County Water District

---

**RIVERA, PATRICIA** <privera@usbr.gov>

Tue, Apr 29, 2014 at 8:58 AM

To: "Lawrence, Benjamin" <blawrence@usbr.gov>

Cc: Kristi Seabrook <kseabrook@usbr.gov>, Mary Williams <marywilliams@usbr.gov>

Ben,

I reviewed the proposed action noted below and determined there are no potential impacts to Indian Trust Assets.

In 2013, Alameda County Water District (ACWD) acquired 5,000 acre-feet of water from Contra Costa Water District (CCWD). That water is stored in Los Vaqueros Reservoir. They are now proposing an exchange: CCWD would use the 5,000 AF stored in Los Vaqueros for in-district purposes, and in return ACWD would take delivery of 5,000 AF of CCWD's Central Valley Project (CVP) water from the Delta, by way of state water project facilities. No construction or modification of facilities is proposed, but Reclamation permission is required because CCWD's CVP water would be delivered to a non-CVP contractor located outside CCWD's normal service area.

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