

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

Water Year 2015 Friant Section 215 Contracts for Mendota Pool Contractors

CEC-15-045

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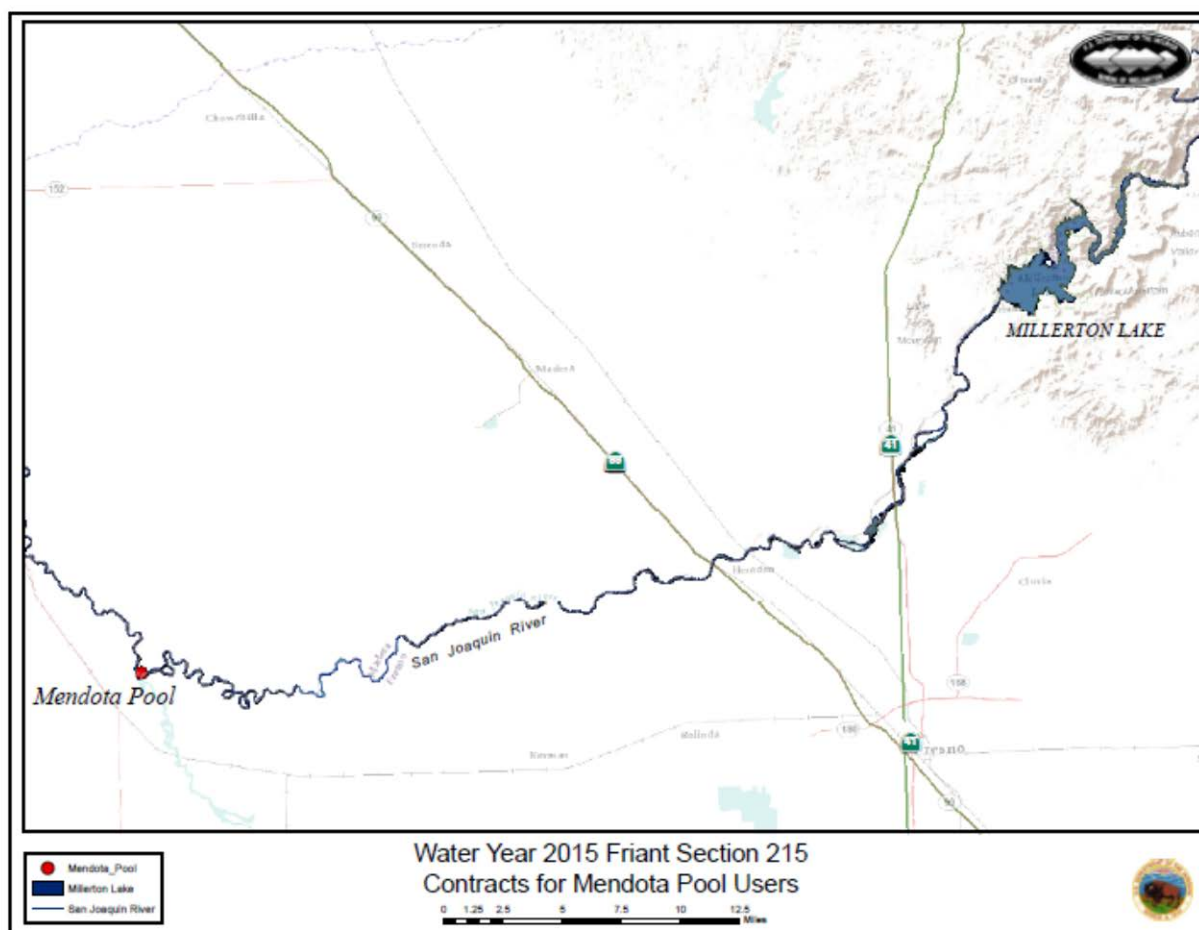
Background

Section 215 of the Reclamation Reform Act, Public Law 97-293 authorizes the Bureau of Reclamation (Reclamation) to provide temporary water service contracts (215 contracts) for unstorable flood flows (Section 215 water) as a result of (1) an unusually large water supply not otherwise storable for project purposes; or (2) infrequent and otherwise unmanaged flood flows of short duration.

Nature of the Action

Reclamation proposes to execute 215 contracts during Water Year 2015 (March 1, 2015 through February 29, 2016) for temporary supply of Friant Division Section 215 water to CVP and non-CVP contractors located around the Mendota Pool. Water delivery would be from Millerton Lake through the San Joaquin River to the Mendota Pool (Figure 1).

Figure 1 Proposed Action Area



The availability of this Section 215 water would be at Reclamation's discretion and dependent on reservoir capacity and operations, hydrologic conditions, and Friant operating guidelines. The priority for the provision of temporary water is specified by the Friant Operational Guidelines.

Temporary water must be used within the eligible contractor's water service boundary. No banking, transferring, or exchanging of Section 215 water is allowed unless otherwise approved by Reclamation.

Water provided through this action will only be permitted to those lands within the Friant Division's CVP Place of Use.

Environmental Commitments

CVP and non-CVP contractors shall implement the following environmental protection measures:

Resource	Protective 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

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 impact 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"/> |

- | | 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
<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"/> |

- | | 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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

NEPA Action: Categorical Exclusion

The Proposed Action is covered by the exclusion category and no extraordinary circumstances exist. The Action is excluded from further documentation in an EA or EIS.

Appendix A

Cultural Resources Determination

CULTURAL RESOURCES COMPLIANCE
Division of Environmental Affairs
Cultural Resources Branch (MP-153)

MP-153 Tracking Number: 15-SCAO-249

Project Name: Water Year 2015 Friant Section 215 Contracts for Mendota Pool Contractors

NEPA Document: CEC-045

NEPA Contact: Kelly Baker, Natural Resource Specialist

MP 153 Cultural Resources Reviewer: BranDee Bruce, Architectural Historian

Date: August 27, 2015

Reclamation proposes to execute temporary water service contracts (Section 215 contracts) for unstorable flood flows during Water Year 2015 to Central Valley Project (CVP) and non-CVP contractors located around the Mendota Pool. 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.

Reclamation would transfer water from Millerton Lake through the San Joaquin River to Mendota Pool through existing facilities. The availability of this Section 215 water would be at Reclamation's discretion and dependent on reservoir capacity and operations, hydrologic conditions, and Friant operating guidelines. The priority for the provision of temporary water is specified by the Friant Operational Guidelines. Water must be used with the eligible contractor's water service boundary. There would be no change in land or water use, no improvements to existing facilities, construction of new facilities, nor will there be any ground disturbance resulting from the proposed action.

After reviewing documentation provided within the CEC, Reclamation has concluded this action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places. This document serves as notification that Section 106 compliance has been completed for this undertaking. Please retain a copy in the administrative record for this action. Please note that if project activities subsequently change, additional NHPA Section 106 review, including further consultation with the SHPO, may be required.