

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

Land Use Authorization for the City of Tracy's Pipeline Crossings of the Delta-Mendota Canal

CEC-14-048

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for 
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Date: 24 Sept 2015

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Date: 10/13/2015



Background

In February 2014, the Bureau of Reclamation (Reclamation) prepared an Environmental Assessment (EA-09-149) and signed a Finding of No Significant Impact for the long-term exchange (up to 40 years) with Byron-Bethany Irrigation District (Byron-Bethany)¹. In addition, there was a related execution of an up to 40-year license that would allow Byron-Bethany to install and operate an aboveground pipeline at milepost 15.88L on the Delta-Mendota Canal (DMC) for the purposes of exchanging the district's non-project water with available Central Valley Project water from the DMC. This exchange would help facilitate Byron-Bethany's agreement with the City of Tracy (City) to provide the City with raw water whereby the City's water treatment plant would then supply municipal and industrial water supplies to a development called the Tracy Hills Development Project (Tracy Hills) located within both Byron-Bethany and the City's respective service area boundaries. The scope of EA-09-149 did not include the build-out of Tracy Hills because Reclamation does not have land use authority or jurisdiction over the development. The City, which has land use authority over Tracy Hills, approved the Tracy Hills Specific Plan. Potential environmental impacts related to Tracy Hills were analyzed by the City under a Final Environmental Impact Report and certified on January 1, 1998 (City of Tracy 1997)².

Since completion of EA-09-149, the City has requested approval from Reclamation to install a pipeline to convey treated water or sewer lines from the City's facilities across the DMC to Tracy Hills. The proposed crossings were not included in the project description analyzed in EA-09-149.

Nature of the Action

Reclamation will issue a land use authorization to the City, which would allow them to install, operate, and maintain a 24" diameter (within a 36" casing) water main that would over cross the DMC at approximate milepost 15.08, as well as two sewer siphons (within 18" and 20" casings) that would under cross the DMC at approximate milepost 14.82 in San Joaquin County, California (see Figure 1).

The water main will be attached to a new, 130' long pre-fabricated steel pipe bridge requiring an open-cut pit excavation of approximately 14' wide by 7' deep by 10' long on either side of the DMC lining to allow for footing construction followed by an open-cut trench excavation of approximately 5' wide by 8' deep by up to 260' long on each side of the DMC lining to allow for the installation of the 24" diameter water main. A redundant 16" water main (within a 24" casing) would also be attached to this bridge in the future if/when the City decides another pipeline is necessary.

¹ Bureau of Reclamation. 2014. "Long-term Contract for the Exchange of Water between the Bureau of Reclamation and Byron-Bethany Irrigation District – Delta Division and San Luis Unit." *Environmental Assessment and Finding of No Significant Impact*. Accessed February 20, 2015.

http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=11091

² City of Tracy. 1997. *Tracy Hills Specific Plan Final Environmental Impact Report*. SCH No. 1995122045. Accessed February 20, 2015. <http://www.ci.tracy.ca.us/?navid=595>

The two sewer siphons would require 15' long, 8' wide, and 5' deep excavation pits on either side in order to conduct horizontal directional drilling for the undercrossing.

Project activities at both locations on the DMC would take approximately 2-3 months to complete and require the use of the following equipment: excavator, loader, backhoe, and cement and work trucks.

Project Location: Section 8, Township 3S, Range 5E, Mount Diablo Base & Meridian, as depicted on the Tracy 7.5' U.S. Geological Survey quadrangle map.

Environmental Commitments

The City shall implement the following environmental protection measures to avoid and/or reduce potential environmental impacts:

Resource	Protective Measure
Biological Resources	A qualified biologist would conduct pre-construction protocol level surveys for San Joaquin kit fox no fewer than 14 days and no more than 30 days prior to the onset of any ground disturbing activity (USFWS 2011). The City would implement the <i>U.S. Fish And Wildlife Service Standardized Recommendations For Protection Of The Endangered San Joaquin Kit Fox Prior To Or During Ground Disturbance</i> (USFWS 2011). If kit foxes or their dens are detected at any time, all construction activities associated with the Proposed Project would be halted immediately. The project would be placed on hold until further analysis with Reclamation staff, and if necessary consultation with the USFWS, is complete.
Biological Resources	<p>If construction will commence during the avian breeding season (February 1 through August 31), a qualified biologist or ornithologist will conduct pre-construction surveys for burrowing owls at the Proposed Project area, in accordance with accepted survey protocols.</p> <p>If burrowing owls are identified onsite or in the vicinity of the Proposed Project area during the preconstruction surveys, then an appropriate construction buffer area will be determined by the biologist/ornithologist, and the buffer area will be demarcated and avoided during construction. If it is not practicable to avoid said buffer areas during construction, then California Department of Fish and Wildlife and/or USFWS will be consulted for appropriate action prior to disturba</p> <p>If no owls are identified during the pre-construction surveys, then construction may commence without further mitigation for nesting raptors.</p>
Biological Resources	<p>If construction will commence during the non-breeding season of September 1 through January 31, a qualified biologist or ornithologist will conduct pre-construction surveys for burrowing owls at the Proposed Project area, in accordance with accepted survey protocols.</p> <p>If burrowing owls are not detected onsite or in the vicinity of the site, then construction may commence without additional mitigation for burrowing owls.</p> <p>If burrowing owls are detected during the preconstruction surveys, then they may be passively relocated by placing one-way doors in the burrows and leaving them in place for a minimum of three days. Once the biologist/ornithologist has determined that all burrowing owls have vacated the site, then construction may proceed.</p>

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

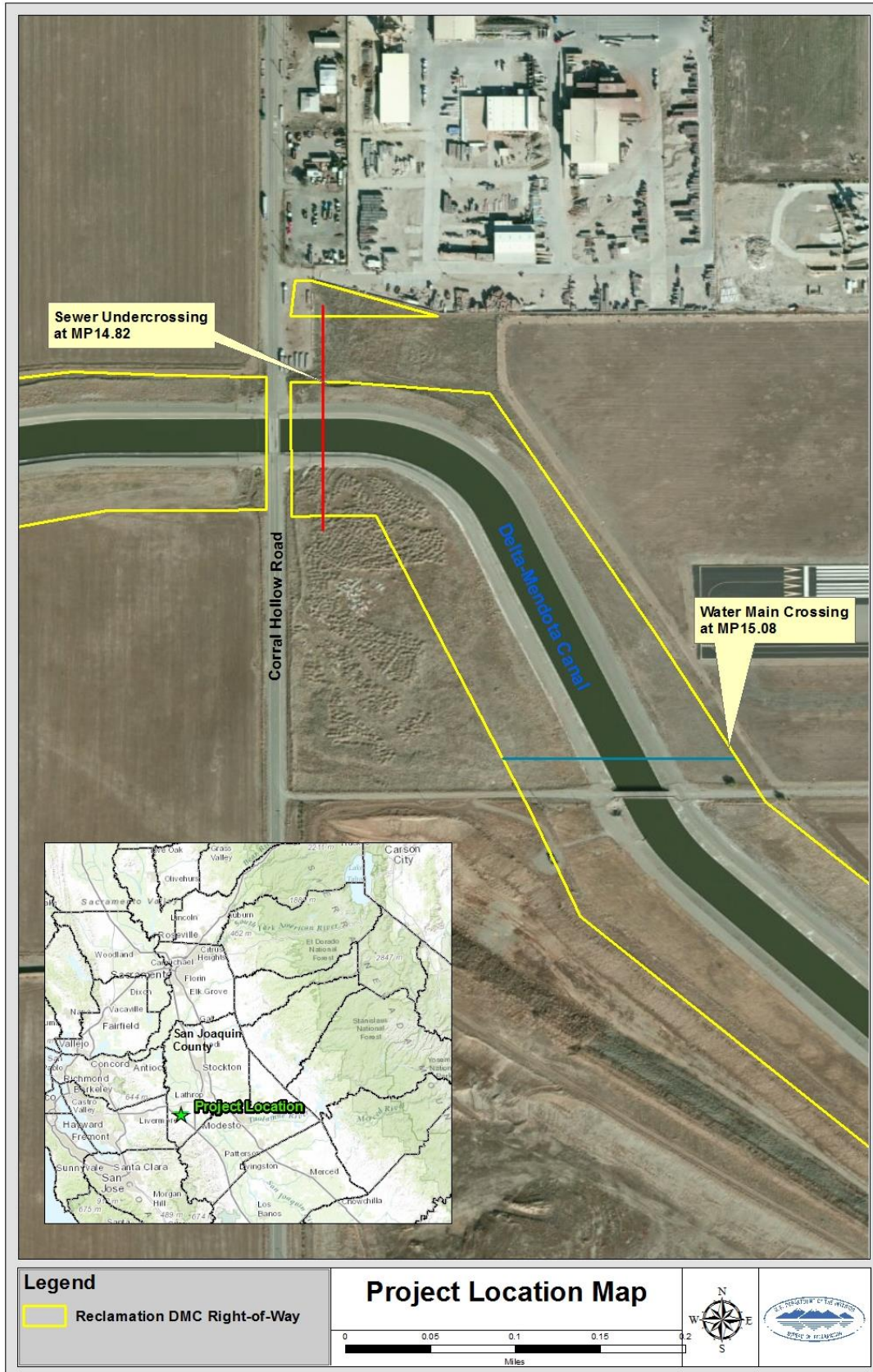


Figure 1 Proposed Action area

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

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

- | | 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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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)). | <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.