

# RECLAMATION

## *Managing Water in the West*

### Categorical Exclusion Checklist

## Hilton Creek Temporary Water Tanks

CEC-16-020

Prepared by:



Date: 06/21/2016

Rain L. Emerson

Supervisory Natural Resources Specialist

South-Central California Area Office

ITA Designee concurred with Item 11. Their determination has been placed within the project file.

Concurred by:

See Attachment A

Date: See Attachment A

Archaeologist

Mid-Pacific Regional Office

Regional Archeologist concurred with Item 8. Their determination has been placed within the project file.

Concurred by:



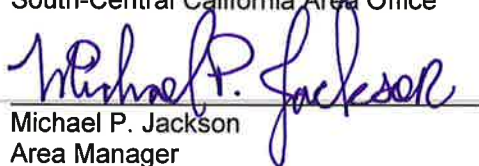
Date: 06/21/2016

Lisa Carlson

Wildlife Biologist

South-Central California Area Office

Approved by:



Date: June 21<sup>st</sup>, 2016

Michael P. Jackson

Area Manager

South-Central California Area Office



## Background

Hilton Creek is an ephemeral creek that joins the Santa Ynez River approximately 1,000 feet downstream from the bottom of the Bradbury Dam spillway structure. In 1997, the Bureau of Reclamation (Reclamation) agreed to supply water to Hilton Creek via a water line from Lake Cachuma as mitigation for impacts to the Santa Ynez River occasioned by the construction of a seismic upgrade to Bradbury Dam. Since 2000, operation of this water supply system has been subject to a Biological Opinion (2000 BiOp) issued by the National Marine Fisheries Service (NMFS) to support a population of steelhead (*Oncorhynchus mykiss*) listed under the Endangered Species Act. The current Hilton Creek water supply system is shown in Figure 1. Figure 1 identifies the following features of the existing Hilton Creek watering system: Intake, Pumps, Chute Release Point (CRP), Lower Release Point (LRP), Lower Bifurcation (LB), Upper Bifurcation (UB), and Upper Release Points (URP).



Figure 1 Hilton Creek's Current Water Supply System

Operation of the Cachuma Project also includes storage and release of water for downstream water rights as necessary to comply with the State Water Resources Control Board Water Rights (WR) Order 73-37 as modified by WR 89-18. The WR Orders, among other things, establish the Above Narrows Account (ANA) and the Below Narrows Account (BNA), which accrue credits of water in Lake Cachuma that is released for groundwater recharge downstream of Lake Cachuma when called upon by the Santa Ynez River Water Conservation District. In July of this year, Santa Ynez River Water Conservation District will call upon release of water credited to

the ANA and BNA referred to as WR 89-18 water releases. The WR 89-18 releases are anticipated to occur for several weeks. The WR 89-18 water releases will impede Reclamation's ability to provide gravity fed water supply to Hilton Creek through its water supply system (see Figure 1).

The 2000 BiOp for the Cachuma Project requires Reclamation to consult with NMFS in critically dry years to determine what, if any, actions should be taken to support steelhead on Reclamation property. Reclamation has been in consultation with NMFS for several years regarding "Critical Drought Operations" and the protection of the population of steelhead residing in Hilton Creek. On May 26, 2016, Reclamation sent a letter to NMFS regarding its Critical Drought Operations proposal to safeguard steelhead. On June 6, 2016 NMFS replied in a letter urging Reclamation to implement a couple of options, one of which involved water delivery trucks and the installation of temporary water tanks near the LRP to supply refreshing flows to Hilton Creek during the WR 89-18 water releases. Therefore, in coordination with NMFS, and Reclamation's non-federal operating entity the Cachuma Operation and Maintenance Board, Reclamation will install temporary water tanks that will be filled by water truck(s) to provide temporary supplemental refreshing flows to Hilton Creek during this year's WR 89-18 releases.

## Nature of the Action

Reclamation, or its designee, will install four temporary above-ground water tanks within the grey rectangular area above the LRP as shown in Figure 2. The tank pad itself will start about 30 feet from the center of the valve vault. Current estimated earthen pad dimensions are about 65 feet long and 20 feet wide.



Figure 2 Proposed Location for Temporary Tanks



The earthen pad will be placed on the ground surface stabilize the tanks. The earthen pad will consist of a pea gravel pad over galvanized mesh over compacted road base. Shading may also be placed over the tanks to keep water in the tanks cool. No excavation or ground disturbance would occur for placement of the earthen pad, tanks, or shade cover. However, some shrubs may need to be cut back a few feet to make room for the tank pad.

The tanks may be connected to the existing LRP infrastructure and/or piping placed on the ground to convey water to Hilton Creek. The tanks will be filled with water from Lake Cachuma. During WR 89-18 water releases, the tanks would be used to provide temporary supplemental refreshing flows to Hilton Creek or until such times as water quality or flows are no longer suitable to maintain *O. mykiss* in Hilton Creek. Should the latter occur, Reclamation in coordination with NMFS will determine the best course of action consistent with the 2000 Biological Opinion.

### **Environmental Commitments**

Reclamation and/or its designee shall implement the following environmental protection measures.

- a. Immediately before the tank pad is put in place, the person in charge of work at the site shall slowly walk the area where the pad will be placed, visually canvassing it for frogs. If any litter, debris, vegetation, or rocks could obscure a frog, the area shall be inspected. If any frog is observed, its length from snout to vent shall be estimated, general coloration and any distinguishing characteristics (i.e. pattern and distribution of spotting, coloration, particularly at base of hind legs, stripes or mask through eye, etc.) shall be noted and recorded. If possible, photographs shall be taken. If photographs are taken, an identifiable object near the frog and wholly within the frame of the photograph shall be measured with a ruler. Documentation for an observation shall be transmitted to Reclamation environmental staff and no work shall commence until that information is reviewed and notification of permission to proceed is provided by a Reclamation biologist. If it is determined that the frog is a California red-legged frog, no action may commence until Reclamation has been contacted for further guidance.
- b. Prior to work on the Proposed Action, a qualified biologist shall conduct a survey for nesting birds in any trees or shrubs that will be trimmed for the Proposed Action and in other areas of suitable habitat immediately adjacent to the Action Area. If a nesting migratory bird is found, the biologist shall establish an appropriate non-disturbance buffer around the nest based on the needs of the species observed, the proposed activity, and the habitat type. The buffer should be delineated with construction tape or pin flags, and should remain in place until the young have fledged or until a qualified biologist determines that the nest is no longer active. All survey documentation shall be submitted to Reclamation prior to the start of work on the Proposed Action.

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

## Exclusion Category

516 DM 14.5 C (3). *Minor construction activities associated with authorized projects which correct unsatisfactory environmental conditions or which merely augment or supplement, or are enclosed within existing facilities.*

## 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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><input type="checkbox"/> |
| 3. This action would have significant impacts on public health or safety (43 CFR 46.215(a)).  | No<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><input type="checkbox"/> |
| 11. This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993).   | No<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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.

## **Attachment A: Cultural Resources Determination**

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

**MP-153 Tracking Number:** 16-SCAO-153

**Project Name:** Hilton Creek Temporary Water Tanks

**NEPA Document:** CEC-16-020

**NEPA Contact:** Rain Emmerson, Natural Resource Specialist

**MP 153 Cultural Resources Reviewer:** Scott Williams, Archaeologist 

**Date:** June 17, 2016

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Reclamation and the Cachuma Maintenance and Operations Board (COMB) will install four temporary above-ground water tanks approximately 1,000 feet downstream from the bottom of the Bradbury Dam spillway structure. 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, pursuant to 36 CFR § 800.3(a)(1).

The four temporary above-ground water tanks will be placed on an earthen pad. The earthen tank pad will be placed on the ground surface stabilize the tanks. The earthen pad will consist of a pea gravel pad over galvanized mesh over compacted road base. The tank pad itself will start about 30 feet from the center of the valve vault. Current estimated earthen pad dimensions are about 65 feet long and 20 feet wide. Shading may also be placed over the tanks to keep water in the tanks cool. No excavation or ground disturbance would occur for placement of the earthen pad, tanks, or shade cover. However, some shrubs may need to be cut back a few feet to make room for the tank pad. The tanks may be connected to the existing LRP infrastructure and/or piping placed on the ground to convey water to Hilton Creek. The tanks will be filled with water from Lake Cachuma by existing water lines or water trucks.

This document 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.