

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

Assignment of Sacramento River Settlement Contract No. 14-06-200-1364Y-R-1

NCAO-CEC-16 - 10

Prepared by:

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Water Conservation Specialist
Northern California Area Office (Willows)

Date:

6/30/16

Concurrence by:

Attachment 2
Megan Simon
Northern California Area Office Designee for
Tribal Trust Assets

Date:

6/29/16

Concurrence by:

Attachment 3
Joanne Goodsell
Archaeologist
Mid-Pacific Regional Office

Date:

6/30/16

Concurrence by:

Paul Zedonis
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Environmental and Natural Resources
Supervisory Natural Resource Specialist/
Division Manager
Northern California Area Office

Date:

6/30/16

Approved by:

Donald Bader
Donald Bader
Acting Area Manager
Northern California Area Office

Date:

7/8/2016



U.S. Department of the Interior
Bureau of Reclamation
Mid Pacific Region

June 2016

Proposed Action

On December 19, 2012, by Gift Deed recorded in the Official Records of Sutter County, California as Document No. 2012-0021329, Burton H. Lauppe and Kathryn L. Lauppe, individually and as Trustees of the Lauppe Family Trust dated September 22, 1997 voluntarily conveyed all interest of the land within the Contractor's Service Area delineated in Exhibit B of Sacramento River Settlement Contract No. 14-06-200-1364Y-R-1 to Alan Lauppe, Joan Johnson, and Warren Lauppe, all as tenants-in-common.

At the request of the new property owners, Reclamation will assign the interests in Sacramento River Settlement Contract No. 14-06-200-1364Y-R-1 from E.L.H. Sutter Properties to Alan Lauppe, Joan Johnson, and Warren Lauppe, all as tenants-in-common, to correspond with the change in property ownership. (Variances between the original and current signatories for the contract are due to family ownership changes due to inheritance.) Reclamation's authority for the action is granted by Article 33 of the Settlement Contract.

The property is located in a portion of Township 11N, Range 3E, Section 36, Mount Diablo Meridian, Sutter County, CA (Attachment 1). The APN is 35-030-017. The latitude/longitude is approximately 121°35'4.12"W, 38°45'6.64"N. The property is in agricultural production and will remain so for the foreseeable future.

Exclusion Categories

Bureau of Reclamation Categorical Exclusion - 516 DM 6 D. 14: Approval, renewal, transfer, and execution of an original, amendatory, or supplemental water service or repayment contract where the only result will be to implement an administrative or financial practice or change.

Extraordinary Circumstances

Below is an evaluation of the extraordinary circumstances as required in 43 CFR 46.215.

1. This action would have a significant effect on the quality of the human environment (40 CFR 1502.3). No ☒ Uncertain ☐ Yes ☐
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 ☒ Uncertain ☐ Yes ☐
3. This action would have significant impacts on public health or safety (43 CFR 46.215(a)). 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; and 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; and 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 | No <input checked="" type="checkbox"/> Uncertain <input type="checkbox"/> Yes <input type="checkbox"/> |

practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007; 43 CFR 46.215 (k); and 512 DM 3).

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 ☒ Uncertain ☐ Yes ☐

Regional Archeologist concurred with Item 8 (email attached).

ITA Designee concurred with Item 11 (email attached).

NEPA Action Recommended

☒ CEC – This action is covered by the exclusion category and no extraordinary circumstances exist. The action is excluded from further documentation in an EA or EIS.

☐ Further environmental review is required, and the following document should be prepared.

☐ EA

☐ EIS

Environmental commitments, explanations, and/or remarks:

The action is purely administrative. No change in land use or construction is associated with the action.

Attachment 1. Site Location Map



Attachment 2. Indian Trust Asset Review



Simon, Megan <msimon@usbr.gov>

ITA Review - Lauppe Assignment

1 message

Simon, Megan <msimon@usbr.gov>
To: Paul Zedonis <pzedonis@usbr.gov>

Wed, Jun 29, 2016 at 12:50 PM

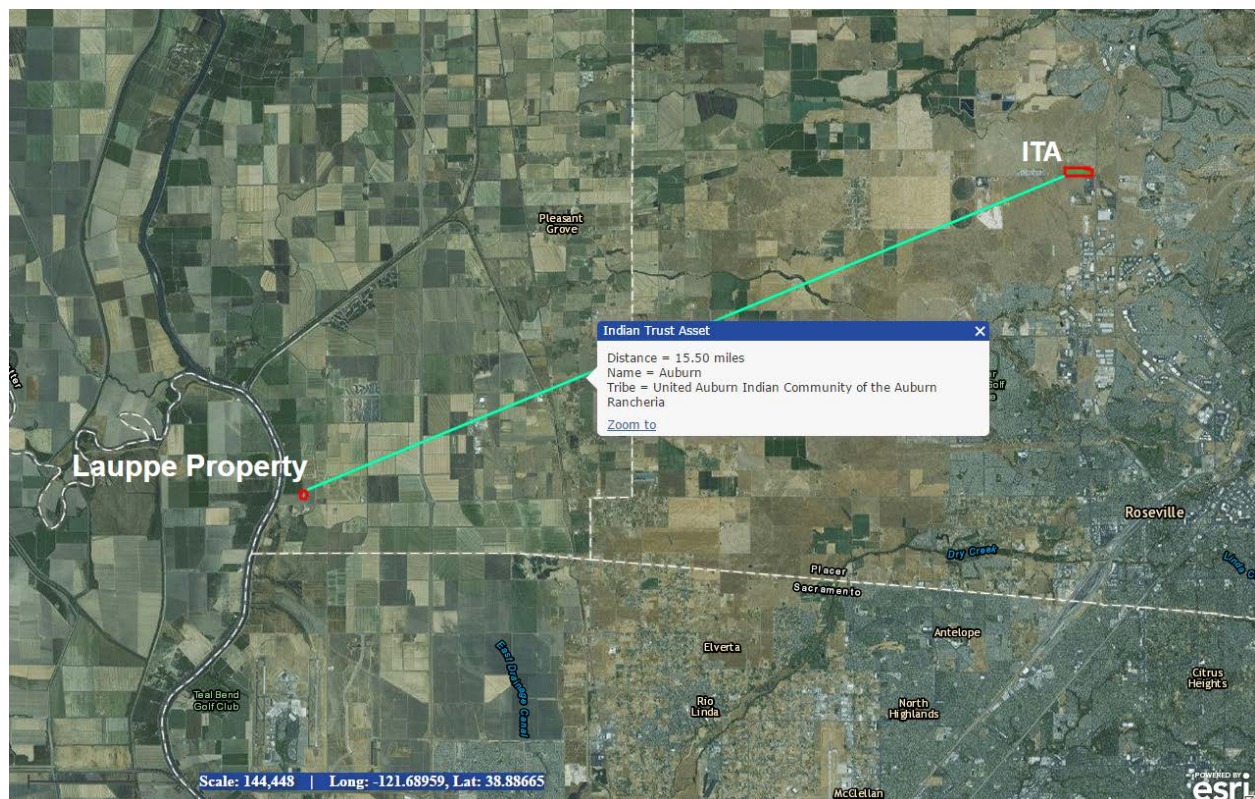
I have examined the proposal for the referenced project and have determined that the property is at least 15 miles from the closest Indian Trust Asset.

I have determined that there is no likelihood that this action will adversely impact Indian Trust Assets.

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Megan K. Simon

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Attachment 3. Cultural Resources Review

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

MP-153 Tracking Number: 16-NCAO-161

Project Name: Assignment of Sacramento River Settlement Contract No. 14-06-200-1364Y-R-1

NEPA Document: NCAO-CEC- 16-10

NEPA Contact: Megan Simon, Natural Resource Specialist

MP 153 Cultural Resources Reviewer: Joanne Goodsell, Archaeologist

Date: June 30, 2016

JOANNE GOODSSELL

Digitally signed by JOANNE GOODSSELL
DN: cn=US, o=U.S. Government, ou=Department of the Interior, ou=Bureau of
Reclamation, cn=JOANNE GOODSSELL, o=2342.19200000.100.1.1-1400100064582
Date: 2016.06.30 09:22:50 -0700

A the request of the new property owners, Reclamation proposes to assign the interests in Sacramento River Settlement Contract No. 14-06-200-1364Y-R-1 from E.L.H. Sutter Properties to Alan Lauppe, Joan Johnson, and Warren Lauppe, all as tenants-in-common, to correspond with a change in property ownership. The proposed action, which is a Federal undertaking as defined at 36 CFR § 800.16(y), is administrative in nature and will result in no change in land use or new construction.

Reclamation determined this undertaking involves the type of activity that has no potential to cause effects on historic properties, assuming such properties are present. Pursuant to 36 CFR § 800.3(a)(1), Reclamation has no further obligations under 54 U.S.C. 306108, commonly known as Section 106 of the National Historic Preservation Act (NHPA). Item 8 on Categorical Exclusion Checklist NCAO-CEC-16-10 is supported by this determination.

This document conveys the completion of the NHPA Section 106 process for this undertaking. Please retain a copy in the administrative record for the proposed action. Should changes to the proposed action be made, additional Section 106 review, possibly including consultation with the State Historic Preservation Officer, may be required.