

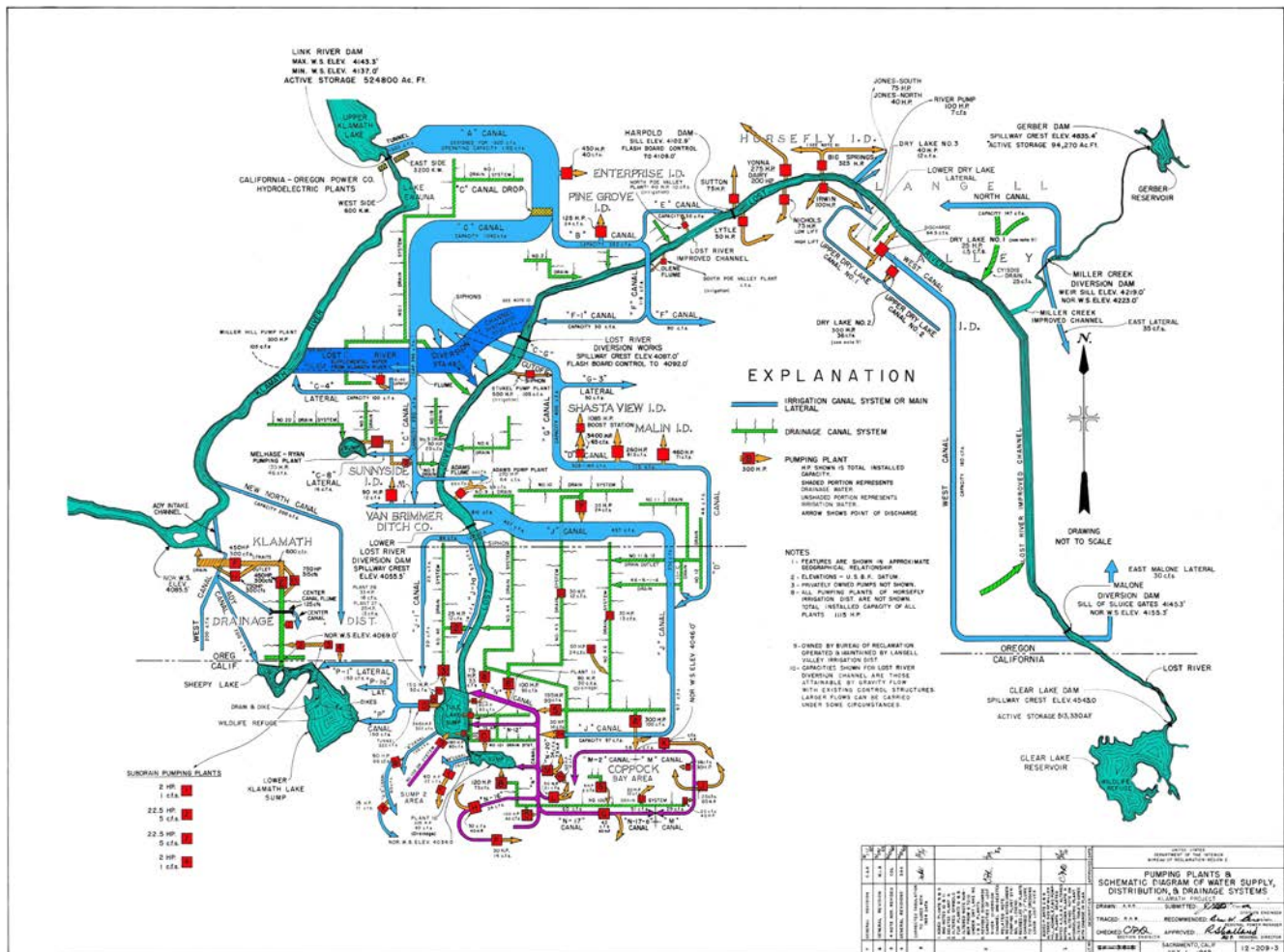
# RECLAMATION

*Managing Water in the West*

## Environmental Assessment

# Klamath Project Internal Water Transfers (2016-2020)

Klamath Reclamation Project, Oregon  
Mid-Pacific Region  
2016-EA-005



## **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.

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# Section 1 - Introduction

This Environmental Assessment (EA) has been prepared to examine the potential direct, indirect, and cumulative impacts to the affected environment associated with the Bureau of Reclamation, Klamath Basin Area Office (KBAO) approving Klamath Project (Project) water transfers between lands within the existing delivery area of the Klamath Project. The proposed action area is located within the existing boundaries of the Project within Klamath County, Oregon, and Siskiyou and Modoc counties, California (see Figure 1-1).

Reclamation policy requires approval for transfers of water within a Reclamation project (Reclamation, 2013). Reclamation policy further identifies minimum requirements for the approval of Project water transfers. The Mid-Pacific Regional Director has delegated authority to the Area Manager of KBAO to approve short-term transfers of Project water (Reclamation, 1993).

## 1.1 Need for the Proposal

Reclamation needs to approve internal water transfers between lands within the Project to optimize the use of limited Project water supplies.

# Section 2 - Proposed Action and Alternatives

## 2.1 No Action Alternative

Under the No Action Alternative, Reclamation would not approve internal water transfers between lands within the Project. Under the No Action Alternative, some agricultural water users may face shortages in the absence of water transfers and have to idle or fallow cropland as a result. Some water users may rely upon alternative water supplies if Project water is not available, such as supplemental groundwater. These subsequent actions under this No Action Alternative do not require Reclamation approval and are outside the scope of this EA analysis.

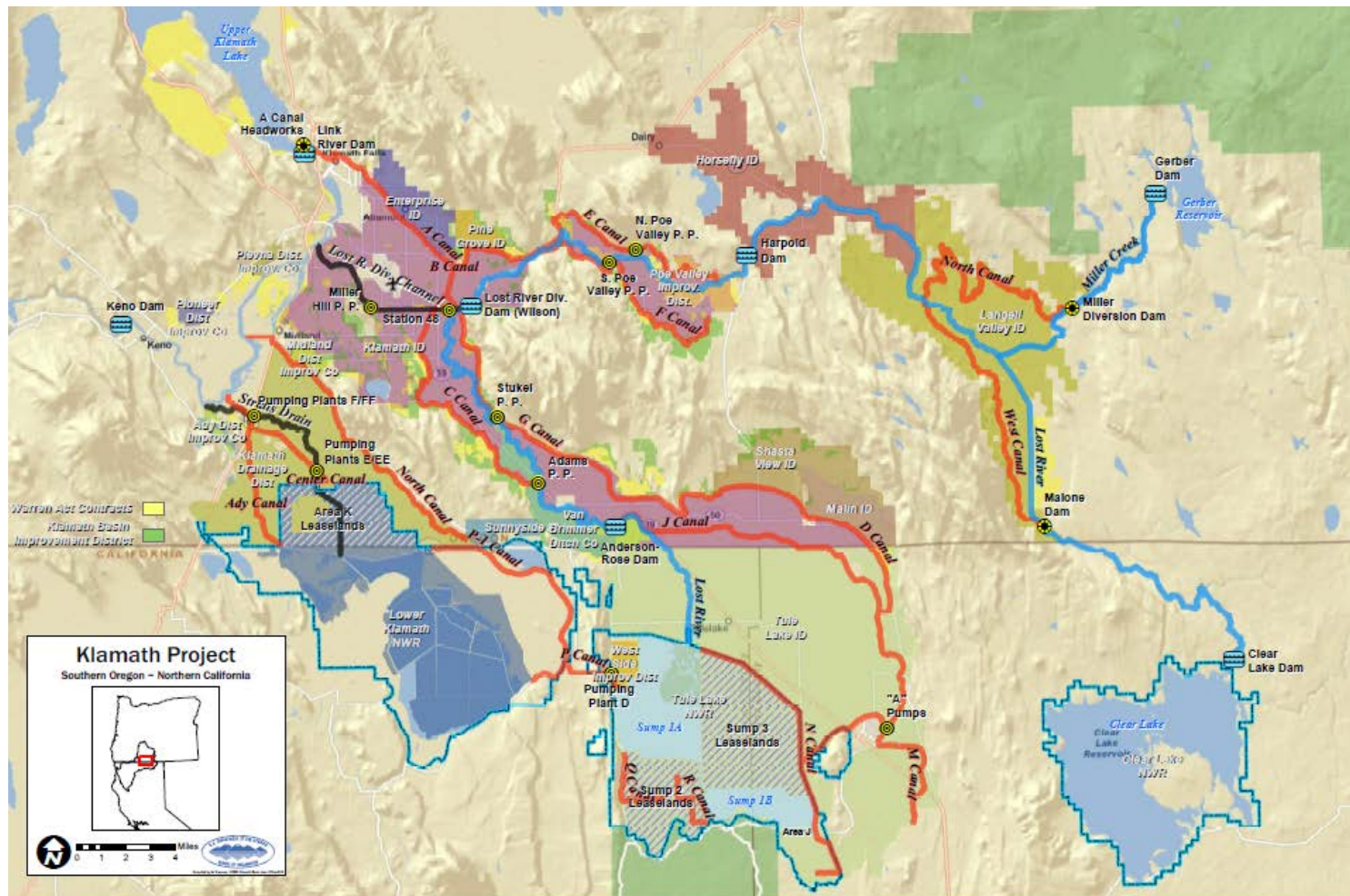
## 2.2 Proposed Action

Reclamation is proposing to allow the transfer of available Project water between Project lands. The lands potentially receiving Project water under approved transfers have been established as irrigated lands based state water right filings and water service contracts with Reclamation, and no new lands or lands outside the Project would become irrigated as a result. Transfers would be limited to the 2016 through 2020 irrigation seasons. No additional water would be used than what is currently provided in the *Biological Opinions on the Effects of Proposed Klamath Project Operations from May 31, 2013, through March 31, 2023, on Five Federally-Listed Threatened and Endangered Species* (2013 BiOp) (USFWS and NMFS, 2013).

No new construction or modification of existing facilities would occur in order to complete the Proposed Action. Reclamation's action is administrative in nature and serves to optimize the use of limited Project water supplies among existing lands within the Project.

To ensure compliance with Reclamation policy regarding the minimum requirements for the approval of project water transfers (Reclamation, 2013), KBAO would develop and utilize interim guidelines which would all water transfers equitably and provide flexibility to water users in managing available Project water supplies. The interim guidelines would establish the conditions for Reclamation approval of transfers of Project water under the Proposed Action.

**Figure 1-1. Boundaries of the Proposed Water Transfers within the Klamath Project**



## Section 3 - Affected Environment and Environmental Consequences

Impacts on the following resources were considered and found to be minor, and as a result were eliminated from further discussion. Brief explanations for the impacts are provided below:

- **Water Resources:** No impacts to waters of the United States are expected as the Proposed Action is in accordance with Reclamation historic and routine operations for delivery of available water supplies through Reclamation facilities within the Project.
- **Biological Resources:** Appendix A contains a list generated from the U.S. Fish and Wildlife Services Ecological Services' website (USFWS, 2016) on the Federally Listed, Proposed, and Candidate species that may occur within the Proposed Action area (Klamath County, Oregon and Modoc and Siskiyou counties, California). It has been determined that the Proposed Action is not expected to have an effect on these species or their habitats as the Proposed Action is administrative in nature and does not change land status or historic water delivery services within or around the Project. However, for any water transfers that may involve lands within the Tulelake or Lower Klamath National Wildlife refuges, Reclamation will coordinate with the USFWS to ensure Proposed Action has no effect on refuge fish and wildlife, migrating birds protected under the *Migratory Bird Treaty Act* (16 U.S.C. §§703-711), and that transfers are consistent with the 2013 BiOp.
- **Indian Trust Assets (ITA):** ITAs are legal interests in property or rights held in trust by the United States for Indian Tribes or individuals. Reclamation considered impacts to ITAs by consulting with the Klamath Basin Area Office Native American coordinator, Natural Resource Specialist, Kristen Hiatt on the Proposed Action. On June 23, 2016, Hiatt stated that "it is reasonable to assume that the Proposed Action will not have any impacts on ITAs" (Appendix B).
- **Indian Sacred Sites:** No Indian sacred sites have been identified within the footprint of the Proposed Action.
- **Environmental Justice:** There are no economically disadvantaged or minority populations within the affected environment that would be subject to disproportionate impacts by the Proposed Action.
- **Cultural Resources:** Reclamation has determined that the approval of water transfers, using existing facilities with no resulting changes in land use, is 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). No impacts to cultural resources would result from the Proposed Action and Reclamation has no further obligations under Title 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act (NHPA).

### **3.1 No Action Alternative**

Under the No Action Alternative, limited water supplies could not be transferred between lands within the Project. Irrigated croplands without access to Project water may experience increases in the presence of noxious weeds.

### **3.2 Proposed Action**

Under the Proposed Action, limited Project water supplies could be transferred between existing irrigated lands in order to result in the most productive use of water (i.e., greatest economic or agricultural output). As no ground disturbing or in-water activities would occur under the Proposed Action, implementation of the action has been determined to have no impact on the environment than has historically occurred through normal water delivery services and operations and maintenance of Project facilities.

### **3.3 Cumulative Impacts**

There are no other known past, present, and reasonably foreseeable future actions that would cumulatively result in significant impacts to the human environment when taking into consideration the alternatives analyzed within this EA.

## **Section 4 - Consultation and Coordination**

### **4.1 National Historic Preservation Act (54 U.S.C. 300101 et seq.)**

The NHPA is the primary Federal legislation that outlines the Federal government's responsibilities related to cultural resources. 54 U.S.C. §306108, commonly known as Section 106 of the NHPA, requires the Federal agencies to take into account the effects of their undertakings on cultural resources listed on or eligible for inclusion in the National Register of Historic Places.

Reclamation's Mid-Pacific Region Cultural Resources Branch reviewed the Proposed Action in accordance with the requirements of Section 106 of the NHPA and determined the Proposed Action has no potential to cause effects on historic properties. Written documentation of this determination was provided on June 24, 2016 (Appendix C).



# References

Bureau of Reclamation, 1993. Mid-Pacific Regional Letter No. 93-20 (Dec. 14, 1993).

Bureau of Reclamation, 2013. *Reclamation Manual* (RM), Policy, “Transfers and Conversions of Project Water” (PEC P09) (July 24, 2013). <http://www.usbr.gov/recman/>

U.S. Fish and Wildlife Service, 2016. Information Resources: Listed, proposed, and Candidate Species Lists (Klamath County, Oregon, Modoc and Siskiyou counties, California) Website accessed on June 23, 2016.  
<http://www.fws.gov/klamathfallsfwo/es/es.html>

U.S. Fish and Wildlife Service and National Marine Fisheries Services, 2013. *Biological Opinions on the Effects of Proposed Klamath Project Operations from May 31, 2013, through March 31, 2023, on Five Federally-Listed Threatened and Endangered Species* (May 31, 2013). <http://www.usbr.gov/mp/kbao/programs/ops-planning.html>

# Appendix A - Special Status Species that May Occur within the Proposed Action Area

*Listed, Endangered, Threatened, Proposed and Candidate Species that May Occur in Klamath County, Oregon*



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Klamath Falls Fish and Wildlife Office  
1936 California Avenue, Klamath Falls, Oregon 97601  
(541) 885-8481 FAX (541) 885-7837  
[kfalls@fws.gov](mailto:kfalls@fws.gov)



### LISTED, PROPOSED, AND CANDIDATE SPECIES THAT MAY OCCUR IN KLAMATH COUNTY, OREGON

#### Status: Endangered

| Phylum | Common Name            | Scientific Name                | Critical Habitat |
|--------|------------------------|--------------------------------|------------------|
| Fish   | Lost River sucker      | <i>Deltistes luxatus</i>       | Designated       |
| Fish   | Shortnose sucker       | <i>Chasmistes brevirostris</i> | Designated       |
| Mammal | Gray wolf              | <i>Canis lupus</i>             |                  |
| Plant  | Applegate's milk-vetch | <i>Astragalus applegatei</i>   |                  |
| Plant  | Green's tuctoria       | <i>Tuctoria greenei</i>        | Designated       |

#### Status: Threatened

| Phylum    | Common Name                        | Scientific Name                         | Critical Habitat |
|-----------|------------------------------------|---|------------------|
| Bird      | Northern spotted owl               | <i>Strix occidentalis caurina</i>       | Designated       |
| Bird      | Yellow-billed cuckoo (Western DPS) | <i>Coccyzus americanus occidentalis</i> | Proposed         |
| Fish      | Bull trout (Klamath River DPS)     | <i>Salvelinus confluentus</i>           | Designated       |
| Amphibian | Oregon spotted frog                | <i>Rana pretiosa</i>                    | Designated       |
| Mammal    | Canada lynx                        | <i>Lynx canadensis</i>                  |                  |
| Plant     | Slender Orcutt grass               | <i>Orcuttia tenuis</i>                  | Designated       |

#### Status: Candidate

| Phylum | Common Name    | Scientific Name         |
|--------|----------------|-------------------------|
| Plant  | Whitebark Pine | <i>Pinus albicaulis</i> |

**Listed, Proposed, and Candidate Species that May Occur in Siskiyou County, California**



**United States Department of the Interior**

FISH AND WILDLIFE SERVICE  
Klamath Falls Fish and Wildlife Office  
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[kfalls@fws.gov](mailto:kfalls@fws.gov)



**LISTED, PROPOSED, AND CANDIDATE SPECIES THAT  
MAY OCCUR IN SISKIYOU COUNTY, CALIFORNIA**

**Status: Endangered**

| <b>Phylum</b> | <b>Common Name</b>   | <b>Scientific Name</b>         | <b>Critical Habitat</b> |
|---------------|----------------------|--------------------------------|-------------------------|
| Fish          | Lost River sucker    | <i>Deltistes luxatus</i>       | Designated              |
| Fish          | Shortnose sucker     | <i>Chasmistes brevirostris</i> | Designated              |
| Mammal        | Gray wolf            | <i>Canis lupus</i>             |                         |
| Invertebrate  | Shasta crayfish      | <i>Pacifistacus fortis</i>     |                         |
| Plant         | Yreka phlox          | <i>Phlox hirsute</i>           |                         |
| Plant         | Greene's tuctoria    | <i>Tuctoria greenei</i>        | Designated              |
| Plant         | Gentner's fritillary | <i>Fritillaria gentneri</i>    | Designated              |

**Status: Threatened**

| <b>Phylum</b> | <b>Common Name</b>                 | <b>Scientific Name</b>                  | <b>Critical Habitat</b> |
|---------------|------------------------------------|---|-------------------------|
| Bird          | Northern spotted owl               | <i>Strix occidentalis caurina</i>       | Designated              |
| Bird          | Yellow-billed cuckoo (Western DPS) | <i>Coccyzus americanus occidentalis</i> | Proposed                |
| Amphibian     | California red-legged frog         | <i>Rana aurora draytonii</i>            | Designated              |
| Amphibian     | Oregon spotted frog                | <i>Rana pretiosa</i>                    |                         |
| Plant         | Slender Orcutt grass               | <i>Orcuttia tenuis</i>                  | Designated              |

**Status: Candidate**

| <b>Phylum</b> | <b>Common Name</b> | <b>Scientific Name</b>  |
|---------------|--------------------|-------------------------|
| Plant         | Whitebark Pine     | <i>Pinus albicaulis</i> |

*Listed, Proposed, and Candidate Species that May Occur in Modoc County, California*



United States Department of the Interior

FISH AND WILDLIFE SERVICE  
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LISTED, PROPOSED, AND CANDIDATE SPECIES THAT  
MAY OCCUR IN MODOC COUNTY, CALIFORNIA

Status: **Endangered**

| Phylum | Common Name       | Scientific Name                | Critical Habitat |
|--------|-------------------|--------------------------------|------------------|
| Fish   | Lost River sucker | <i>Deltistes luxatus</i>       | Designated       |
| Fish   | Shortnose sucker  | <i>Chasmistes brevirostris</i> | Designated       |
| Plant  | Green's tuctoria  | <i>Tuctoria greenei</i>        | Designated       |

Status: **Threatened**

| Phylum    | Common Name                        | Scientific Name                         | Critical Habitat |
|-----------|------------------------------------|---|------------------|
| Bird      | Northern spotted owl               | <i>Strix occidentalis caurina</i>       | Designated       |
| Bird      | Yellow-billed cuckoo (Western DPS) | <i>Coccyzus americanus occidentalis</i> | Proposed         |
| Amphibian | Oregon spotted frog                | <i>Rana pretiosa</i>                    |                  |
| Plant     | Slender Orcutt grass               | <i>Orcuttia tenuis</i>                  | Designated       |

Status: **Candidate**

| Phylum | Common Name    | Scientific Name         |
|--------|----------------|-------------------------|
| Plant  | Whitebark Pine | <i>Pinus albicaulis</i> |

Note:

The gray wolf (*Canis lupus*) is listed as endangered in portions of Washington (west of State Route 97 from the Canadian border to Highway 17, west of Highway 17 to State Route 395, and west of State Route 395 to the Oregon border), Oregon (west of the center line of Highway 395 and Highway 78 north of Burns Junction and that portion of Oregon west of the center line of Highway 95 south of Burns Junction), and all of California [see 73 FR 10514]. One radio-collared wolf (OR-7) is known to have dispersed from northeastern Oregon through portions of many counties including Klamath and Jackson County in southern Oregon, and through portions of Siskiyou, Modoc, Shasta, Lassen, Plumas, and Tehama Counties in California. Please contact the U.S. Fish and Wildlife Service office issuing this list (see letterhead for contact information) with questions about the potential for gray wolf presence in proposed project areas.

# Appendix B - Indian Trust Assets Coordination

04/13/2015

## Indian Trust Assets Request Form (MP Region)

Submit your request to your office's ITA designee or to MP-400, attention Deputy Regional Resources Manager.

**Date:**

|  |  |
|--|--|
| <b>Requested by</b><br>(office/program)  | Klamath Basin Area Office (KBAO)   |
| <b>Fund</b>  |  |
| <b>WBS</b>   |  |
| <b>Fund Cost Center</b>  |  |
| <b>Region #</b><br>(if other than MP)  |  |
| <b>Project Name</b>  | Klamath Project Internal Water Transfers   |
| <b>CEC or EA Number</b>  | 2015-EA-007  |
| <b>Project Description</b><br>(attach additional sheets if needed and include photos if appropriate) | <p>Reclamation is proposing to allow the transfer of available Project water between Project water users. The lands potentially receiving Project water under approved transfers have been established as irrigated lands based state water right filings and water service contracts with Reclamation, and no new lands or lands outside the Project would become irrigated as a result. Transfers would be limited to the 2016 through 2021 irrigation seasons. No additional water would be used than what is currently provided in the Biological Opinions on the Effects of Proposed Klamath Project Operations from May 31, 2013, through March 31, 2023, on Five Federally-Listed Threatened and Endangered Species (NMFS and USFWS, 2013).</p> <p>No new construction or modification of existing facilities would occur in order to complete the Proposed Action. Reclamation action is administrative in nature and serves to optimize the use of limited Project water supplies among existing lands within the Project.</p> <p>To ensure compliance with Reclamation policy regarding the minimum requirements for the approval of project water transfers (Reclamation, 2013), KBAO would develop and utilize interim guidelines which would all water transfers equitably and provide flexibility to water users in managing available Project water supplies. The interim guidelines would establish the conditions for Reclamation approval of transfers of Project water under the Proposed Action.</p> |

04/13/2015

|  |                                      |
|--|--------------------------------------|
| <b>*Project Location<br/>(Township, Range,<br/>Section, e.g., T12<br/>R5E S10, or<br/>Lat/Long cords,<br/>DD-MM-SS or<br/>decimal degrees).<br/>Include map(s)</b> | Klamath Project, See map for details |
|--|--------------------------------------|



Signature

Tyler Hammersmith

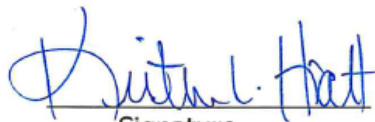
Printed name of preparer

6/23/16

Date

**ITA Determination:**

The closest ITA to the proposed **Klamath Project Internal Water Transfers** activity is the Klamath TDSA. This ITA is within the project area, however, this action is administrative in nature and based on the nature of the planned work it does not appear to have an impact on Indian hunting or fishing resources or water rights. It is reasonable to assume that the proposed action will not have any impacts on ITAs.



Signature

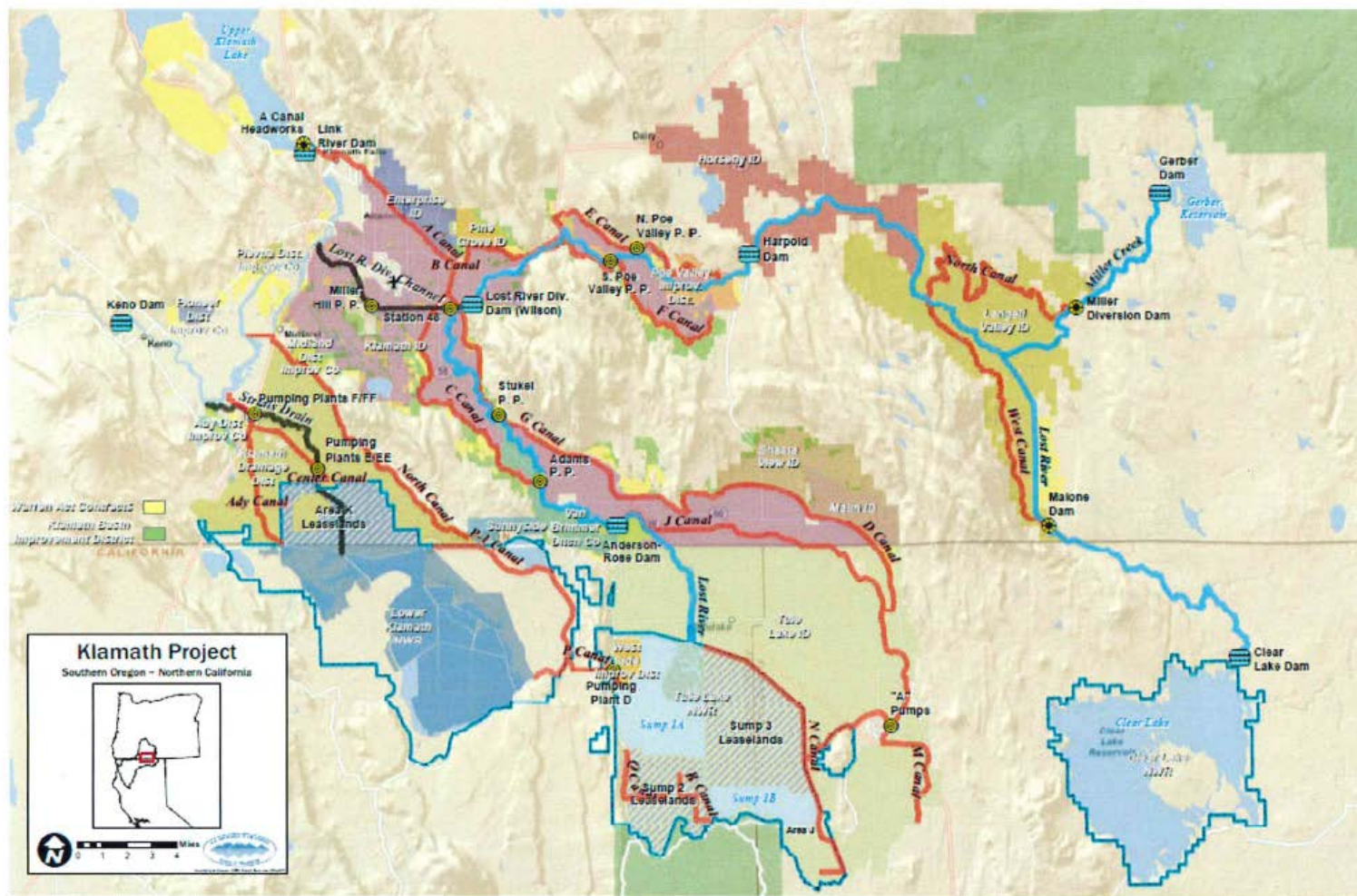
Kristen L. Hiatt

Printed name of approver

6/23/16

Date





04/13/2015





# Appendix C - National Historic Preservation Act Compliance

## CULTURAL RESOURCE COMPLIANCE Mid-Pacific Region Division of Environmental Affairs Cultural Resources Branch

**MP-153 Tracking Number:** 16-KBAO-157

**Project Name:** Klamath Project Internal Water Transfers

**NEPA Contact:** Tara Jane Campbell Miranda, Natural Resource Specialist

**NEPA Document:** 2016-EA-005

**MP 153 Cultural Resources Reviewer:** Joanne Goodsell, Archaeologist

**Date:** June 24, 2016

**JOANNE GOODSELL**

Digitally signed by JOANNE GOODSELL  
DN: c=US, o=U.S. Government, ou=Department of the Interior, ou=Bureau of  
Reclamation, cn=JOANNE GOODSELL, o=2342.19200300.100.1.1:14001000645482  
Date: 2016.06.24 08:49:46 -0700

Reclamation proposes to allow the transfer of available Klamath Project (Project) water between existing Project water users, beginning in 2016 through the 2020 irrigation season. The proposed action would not require new construction or modification to existing facilities and no new lands or lands outside the Project would become irrigated as a result of this approval.

Reclamation determined that the proposed action is an Federal undertaking, as defined at 36 CFR § 800.16(y), and involves the type of activity that has no potential to cause effects on historic properties to 36 CFR § 800.3(a)(1). As such, Reclamation has no further obligations under 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act (NHPA).

This document conveys 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 the proposed action, additional NHPA Section 106 review, possibly including consultation with the State Historic Preservation Officer, may be necessary.