

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

Parks Creek Fish Passage Design and Planning Project: Cardoza Ranch

KBAO-CEC-2017-007

Prepared by:

Kirk Young Date: 1-10-2017
Kirk Young
Natural Resources Specialist

Concur with Item 6:

FOR Kirk Young Date: 1-17-2017
BranDee Bruce
Cultural Resource Specialist

Concur with Item 9:

Kristen Hiatt Date: 1/17/2017
Kristen Hiatt
ITA Coordinator

Recommended by:

Kristen Hiatt Date: 1/17/2017
Kristen Hiatt
Environmental Compliance Branch Chief, Klamath Basin Area Office

Reviewed by:

for Jennie M. Land Date: 1/17/17
Jennie M. Land
Resource Management Division Chief, Klamath Basin Area Office

Approved by:

Jeff Nettleton Date: 1/17/17
Jeff Nettleton
Area Manager, Klamath Basin Area Office



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

January 2017

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DATE: 1/6/2017		PROPOSING AGENCY/APPLICANT: California Trout, Inc.
PROJECT: Parks Creek Fish Passage Design and Planning: Cardoza Ranch		
EXCLUSION CATEGORY: 516 DM 14.5 B.1 – Routine planning investigation activities where the impacts are expected to be localized, such as land classification surveys, topographic surveys, archeological surveys, wildlife studies, economic studies, social studies, and other study activity during any planning, preconstruction, construction, or operation and maintenance phases. 516 DM 14.5 B.1 – Data collection studies that involve test excavations for cultural resources investigations or test pitting, drilling, or seismic investigations for geologic exploration purposes where the impacts will be localized.		
NATURE OF ACTION: California Trout, Inc., was selected for Federal funding through the Bureau of Reclamation's (Reclamation) 2016 Klamath Coho Habitat Restoration Grant Program (administered by the National Fish and Wildlife Foundation (NFWF)), and is requesting approval to proceed with its Parks Creek Fish Passage Design and Planning Project at Cardoza Ranch through issuance of grant funding through NFWF.		
LOCATION: (See maps in Exhibits A – C) LAT: 41° 35' 24.89" N LONG: 122° 26' 15.40" W PLSS: Sections 8, 9, 17, and 20 of T43N, R5W of Mount Diablo Meridian, Siskiyou County, California		
COST AUTHORITY NO: RX.001261ME.3000000 16XR0680A3		7.5 MINUTE QUAD MAP: Lake Shastina of Siskiyou County, California
DESCRIPTION OF PROPOSED ACTION/COMMENTS: California Trout, Inc. applied and was selected for funding under Reclamation's 2016 Klamath Coho Habitat Restoration Grant Program (Grant Program) for its project entitled Parks Creek Fish Passage Design and Planning: Cardoza Ranch. The Grant Program is funded by Reclamation as part of compliance with the current 2013 Biological Opinion for operation of the Klamath Project. NFWF, on behalf of Reclamation would issue California Trout a total of \$160,983.52 for the purpose of developing planning and design plans and associated environmental compliance activities for proposed work at Cardoza Ranch. More specifically, California Trout's would use the Grant Program funding to develop final construction plans and complete environmental compliance studies and permitting for replacement of the existing diversion at Cardoza Ranch. Cardoza Ranch currently impounds Parks Creek approximately 1.5 miles upstream of the confluence with the Shasta River. The 25 acre impoundment creates the necessary head to deliver Cardoza's water right via gravity down 6,000 feet of open ditch to the Ranch's place of use. A fish screen is located in the ditch 1,300 feet downstream of the headgate. This current means of diversion produces three major issues for instream coho and Chinook salmon: 1) a blockage of migration routes for juvenile and adult salmon, 2) an increase in stream temperatures as a result of the reservoir created by the diversion, 3) an inefficient irrigation system within Cardoza Ranch that also creates warm tailwater returns to the Shasta River. The proposed action, funding the final construction plans, would result in a design that would replace the existing diversion with a pumping facility in the Shasta River one mile downstream from the confluence of the Parks and Shasta Rivers. This design effort would eliminate the need for the Parks Creek impoundment, meet all fish passage criteria, enhance water quality in Parks Creek, improve on-farm efficiencies, and reduce water demands. Funding the proposed design and planning effort would also result in final construction plans for a fish screen, a pump station, on-farm piping efficiencies, and a solar array to help offset landowner operations costs associated with increased pumping. No ground disturbing or construction activities are associated with any element of this proposed funding package, merely design and planning efforts There are three main components in the current Parks Creek Fish Passage Design and Planning: Cardoza Ranch funding planning and design proposal: 1) Project engineering and design: includes the new pump station, efficiency improvements, solar array, and the parks		

creeks crossing. The project would allocate \$95,260.00 to complete 65, 90, and 100-percent complete plans and specifications. Upon completion of the engineering review, the project would have implementation ready designs. California Trout would engage the landowner throughout the design process to ensure irrigation needs are being met by the project and engage stakeholders (Reclamation, NFWF, local agencies) to ensure that all resource needs are being addressed.

- 2) Environmental Compliance: includes, but is not limited to completion of both California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) compliance and completion of any and all necessary permits associated with California's Lake and Streambed Alteration Program, and the Clean Water Act sections 401, 404, as well as Siskiyou County's building permits and or approval under the County's community development plans.

As a result of the current proposed action (funding design and engineering plans) an Initial Study/Mitigated Negative Declaration (IS/MND) is anticipated and would be completed by California Trout to address the construction of all proposed project improvements and the act of diverting water. As part of this component, biological, botanical, archaeological, and wetland surveys on impacted areas would be completed. To complete this effort Siskiyou County has been identified as the appropriate CEQA Lead Agency. California Trout would work closely with the County and would prepare the administrative draft IS/MND for Siskiyou County for their independent review, edit, and publication of the draft compliance document. A draft IS/MND would be completed and circulated to stakeholders and the State Clearinghouse for review and comment prior to adoption of the document by Siskiyou County as the Lead Agency. As part of the proposed action, \$37,750 would be allocated to environmental compliance to be performed by Alpine Works and Rabe Consulting in close coordination with Trout Unlimited and Siskiyou County. (Note: In the event that Federal are used for actual implementation of the designed construction plans, additional environmental compliance would be required).

- 3) Legal Review: includes formalizing the change in the point of diversion and recording an easement on the neighboring ranch where the new pump station and conveyance pipeline will be located. The project would allocate \$15,720 to the legal review.

In summary, the proposed action includes funding development of the engineering design and completion of the monitoring, survey, and environmental compliance activities associated with implementing the design at the Parks Creek Fish Passage at Cardoza Ranch. If additional Federal funds from Reclamation, via NFWF, are utilized in the future and/or a Federal action constitutes an undertaking (i.e., implementation of the design plans/ground disturbing activities), additional cultural and environmental analysis would be required prior to implementing actions at Cardoza ranch.

Water Resources

Impacts to waters of the United States have been considered and are not expected as a result of the proposed action. This determination was made as the proposed action includes only nondestructive data collection, monitoring, analysis, and development of the engineering design.

Indian Trust Assets Compliance

Indian Trust Assets (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 Mid-Pacific Indian Trust Coordinator, Kristen Hiatt, who made the following determination on December 12, 2016: "Based on the nature of the planned work it does not appear to be in an area that will impact Indian hunting or fishing resources or water rights nor is the proposed activity on actual Indian lands. It is reasonable to assume that the proposed action will not have any impacts on ITAs" (Exhibit D).

Biological Resources

A list of Federally Listed, Proposed, and Candidate species that may occur within Siskiyou County, California is attached (Exhibit E). The potential impacts to all species included on the list, as a result of the proposed project, have been considered. It has been determined that the proposed activities are not expected to have any effect on any of the species or their habitats. This decision is based on analysis of current information on the potential effects of the action, known existing populations, and habitat requirements for the species.

Cultural Resources

Reclamation's Mid-Pacific Region Cultural Resources Branch reviewed the proposed project under Section 106 of the National Historic Preservation Act (NHPA; Public Law 95-515). In a memorandum dated December 12, 2016 (Exhibit F), Mid-Pacific Architectural Historian, BranDee Bruce, stated: "At this time, Reclamation does not have an undertaking with the potential to affect historic properties as the activities described for the grant are planning activities. Should subsequent actions be identified and recognized as an undertaking as defined in 36 CFR § 800.14(y) and § 800.3(a)(1),

that federal action will then be subject to compliance with Section 106 of the NHPA and other federal cultural resources laws as applicable.”

EVALUATION OF CRITERIA FOR CATEGORICAL EXCLUSION		No	Yes	Uncertain
1.	This action or group of actions would have a significant effect on the quality of the human environment. (40 CFR 1502.3)	X		
2.	This action or group of actions would have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources. (NEPA Section 102(2)(E))	X		
EVALUATION OF EXCEPTIONS TO ACTIONS WITHIN CATEGORICAL EXCLUSION				
1.	This action would have significant adverse effects on public health and safety.	X		
2.	This action would have significant impacts on such natural resources and unique geographical characteristics such as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers, national natural landmarks; sole or principal drinking aquifers; prime farmlands; wetlands (EO 11990); floodplains (EO 11988); national monuments; migratory birds (EO 13186); and other ecologically significant or critical areas.	X		
3.	This action will have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	X		
4.	This action will establish a precedent for future action or represent a decision in principle about future actions without potentially significant environmental effects.	X		
5.	This action has a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects.	X		
6.	This action will have significant impacts on properties listed or eligible for listing in the in the National Register of Historic Places (National Register) as determined by either the bureau or office. (This determination must be made or coordinated with a Reclamation archeologist)	X		
7.	This action will 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.	X		
8.	This action threatens to violate Federal, State, local or Tribal law or requirements imposed for protection of the human environment.	X		
9.	This action will affect ITAs. (This determination must be completed and documented by, or in coordination with, the designated regional ITA coordinator; Policy Memorandum dated 12/15/1993)	X		
10.	This action will 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)	X		
11.	This action will have a disproportionately high and adverse effect on low income or minority populations. (EO 12898)	X		
12.	This action will 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 and EO 13112)	X		
Mid-Pacific Region Cultural Resource Specialist concurred with Item 6.				
ITA Coordinator concurred with Item 9.				

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

Exhibit A. Overview map of proposed project planning locations.

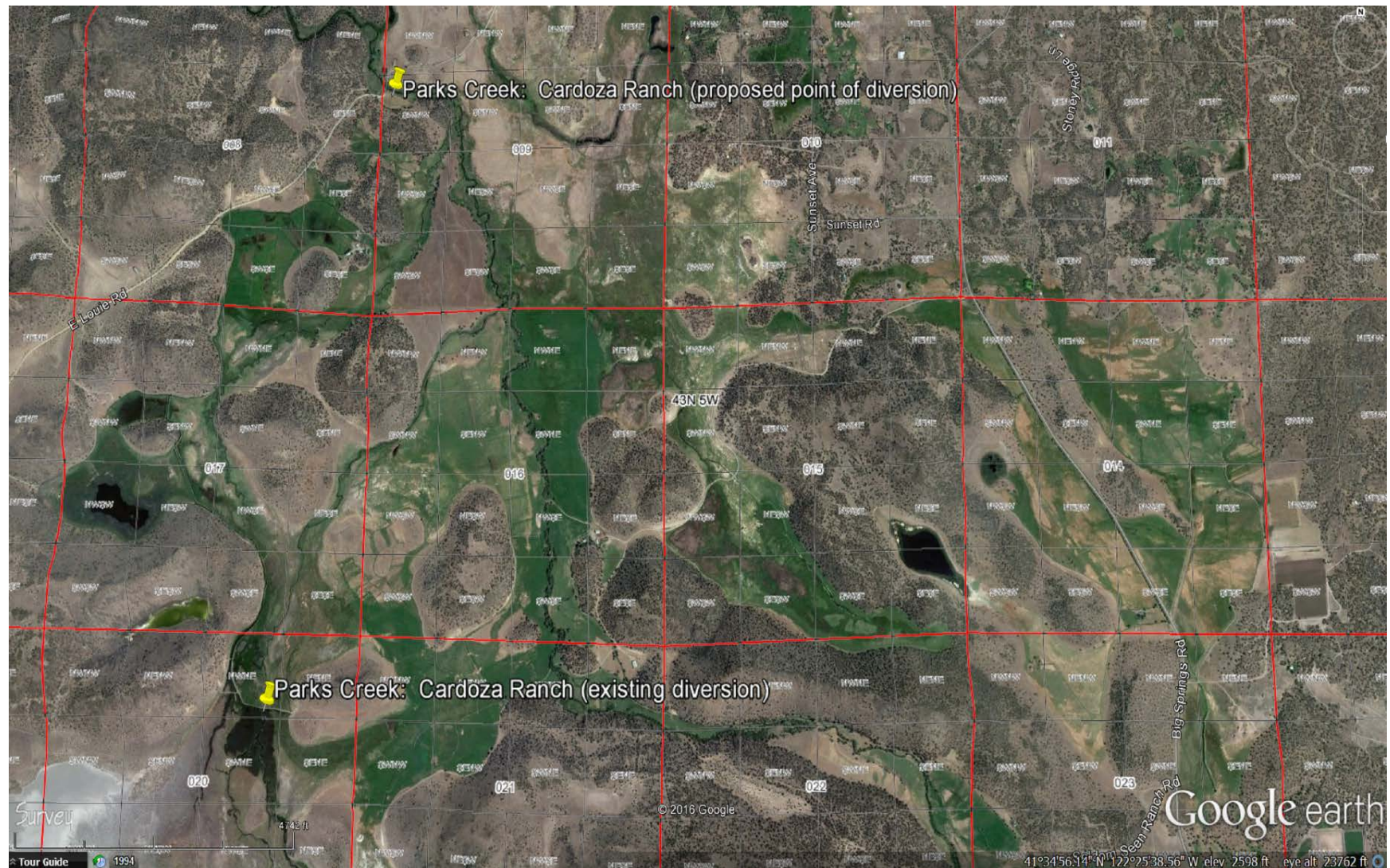




Exhibit C. Site map of existing and proposed diversion points.

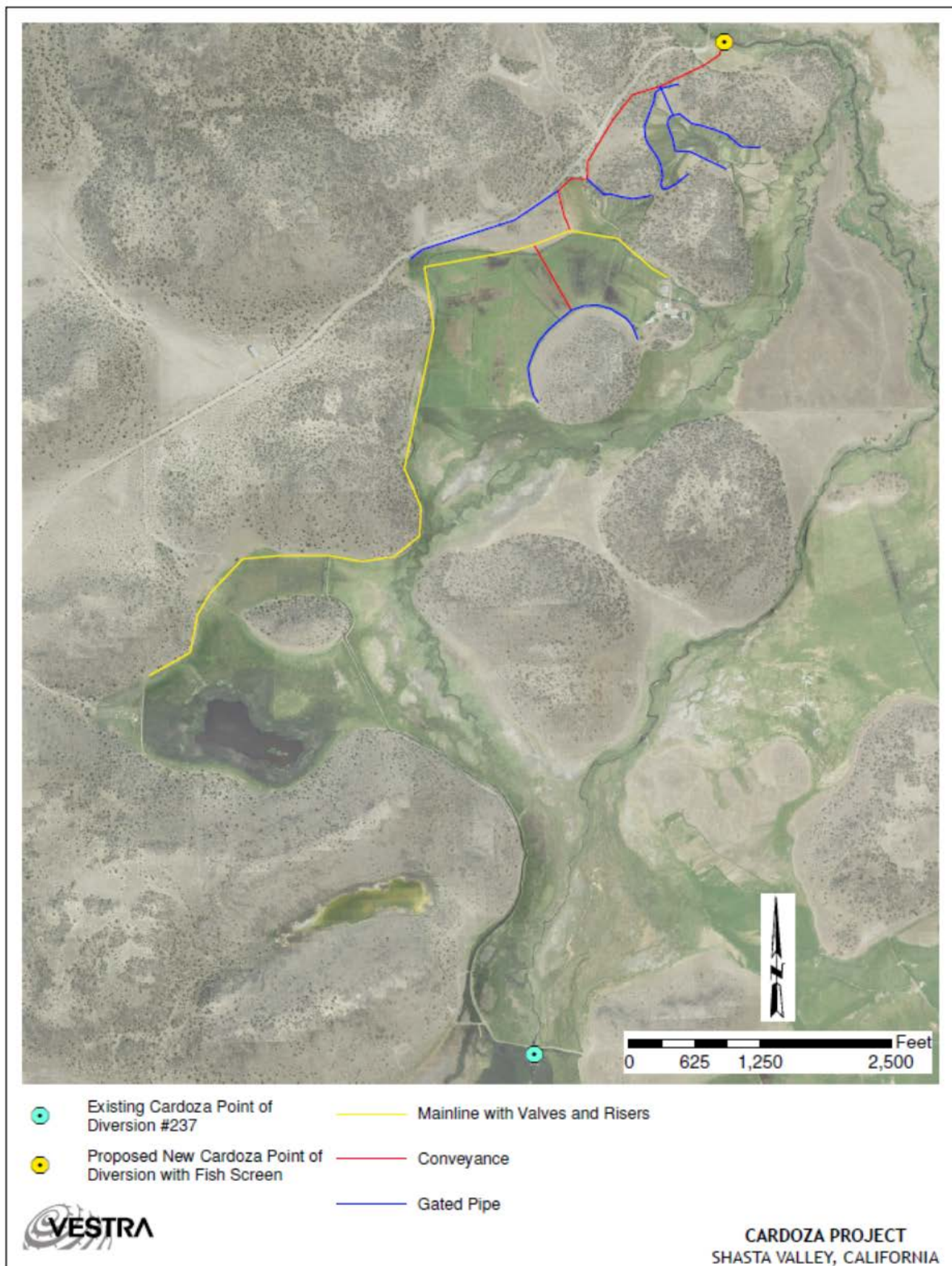


Exhibit D. Coordination and collaboration regarding Indian Trust Assets.

**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: 11/29/2016

Requested by (office/program)	Kirk Young, Natural Resource Specialist, KBAO
Fund	16XR0680A3
WBS	RX.001261ME.3000000
Fund Cost Center	25320000
Region # (if other than MP)	
Project Name	Parks Creek Fish Passage Design and Planning: Cardoza Ranch
CEC or EA Number	KBAO-CEC-2017-007
Project Description (attach additional sheets if needed and include photos if appropriate)	<p>California Trout, Inc. applied and was selected for funding under Reclamation's Klamath Coho Habitat Restoration Grant Program for its project entitled Parks Creek Fish Passage Design and Planning: Cardoza Ranch. The Grant Program is funded by Reclamation as part of compliance with the current Biological Opinion. California Trout has not been issued funding; however, the National Fish and Wildlife Foundation (NFWF) has received funding to administer to the grantee on Reclamation's behalf. NFWF will issue funding to California Trout for planning and design efforts once environmental compliance activities are completed. Additional environmental and cultural assessments are likely to be required prior to beginning construction activities that are developed as part of this current action.</p> <p>The objective of California Trout's proposal is to develop final construction plans and complete environmental compliance studies and permitting for replacement of the existing diversion at Cardoza Ranch. Cardoza Ranch currently impounds Parks Creek approximately 1.5 miles upstream of the confluence with the Shasta River. The 25 acre impoundment creates the necessary head to deliver Cardoza's water right via gravity down 6,000 feet of open ditch to the Ranch's place of use. A fish screen is located in the ditch 1,300 feet downstream of the headgate. This current means of diversion produces three major issues for instream coho and Chinook salmon: 1) a blockage of migration routes for juvenile and adult salmon, 2) an increase in stream temperatures as a result of the reservoir created by the diversion, 3) an inefficient irrigation system within Cardoza Ranch that also creates warm tailwater returns to the Shasta River.</p> <p>The proposed design would replace the existing diversion with a pumping facility in the Shasta River one mile downstream from the Parks-Shasta confluence. This design would eliminate the need for the Parks Creek impoundment, meet all fish passage criteria, enhance water quality in Parks Creek, improve on-farm efficiencies, and reduce water demands. This design and planning effort will result in final construction plans for a fish screen, a pump station, on-farm piping efficiencies, and a solar array to help offset landowner operations costs associated with increased pumping.</p>

<p>Project Description (continued)</p>	<p>There are three main components in the Parks Creek Fish Passage Design and Planning: Cardoza Ranch proposal:</p> <ol style="list-style-type: none"> 1) Project engineering and design: includes the new pump station, efficiency improvements, solar array, and the parks creeks crossing. The project will allocate \$95,260.00 to complete 65, 90 and 100-percent complete plans and specifications. Upon completion of the engineering, the project would have implementation ready designs. California Trout would engage the landowner throughout the design process to ensure irrigation needs are being met by the project and engage stakeholders (Reclamation, NFWF, local agencies) to ensure that all resource needs are being addressed. 2) Environmental Compliance: includes CEQA/NEPA compliance and completion of all necessary permits (1600, 401, 404, Siskiyou County Building Permit, community development). <p>An Initial Study Mitigated Negative Declaration (ISMND) will be completed by California Trout which would address the construction of all proposed project improvements and the act of diverting water. As part of this component biology, botany, wetlands and archeology surveys on impacted areas would be completed. Discussions with Siskiyou County has been initiated for them to be the Lead Agency. California Trout will work closely with them and will prepare the administrative draft ISMND/EA for their independent review, edit, and publication of the Draft document. A draft ISMND will be completed and circulated to stakeholders and the State Clearinghouse for review and comment prior to adoption of the document by the Lead Agency. The project will allocate \$37,750 to environmental compliance to be performed by Alpine Works and Rabe Consulting.</p> <ol style="list-style-type: none"> 3) Legal Review: includes formalizing the change in the point of diversion and recording an easement on the neighboring ranch where the new pump station and conveyance pipeline will be located. The project will allocate \$15,720 to the legal review. <p>In summary, the proposed project and nature of this request includes development of the engineering design and completion of the monitoring, survey, and environmental compliance activities associated with the Parks Creek Fish Passage Design and Planning: Cardoza Ranch Project. An additional cultural and environmental analysis would be required prior to implementing the proposed construction activities that are to be developed and designed as part of this current request.</p>
<p>*Project Location (Township, Range, Section, e.g., T12 R5E S10, or Lat/Long cords, DD-MM-SS or decimal degrees). Include map(s)</p>	<p>LAT: 41° 35' 24.89" N LONG: 122° 26' 15.40" W</p> <p>PLSS: Sections 8, 9, 17, and 20 of T43N, R5W of Mount Diablo Meridian, Siskiyou County, California</p>

Kirk Young
Signature

KIRK YOUNG
Printed name of preparer

11-29-2016
Date

ITA Determination:

The closest ITA to the proposed **Parks Creek Fish Passage Design and Planning: Cardoza Ranch** activity is the **50F T5126 Public Domain Allotment** about **8.26** miles to the west of the nearest project site (see attached image in Exhibit A).

Based on the nature of the planned work it **does not** appear to be in an area that will impact Indian hunting or fishing resources or water rights nor is the proposed activity on actual Indian lands. It is reasonable to assume that the proposed action **will not** have any impacts on ITAs.

Kristen L. Hiatt
Signature

Kristen L. Hiatt
Printed name of approver

12/12/16
Date

Exhibit A: Map of Nearest ITA to Proposed Project (China Creek, Little Horse Creek, and Horse Creek Sites).

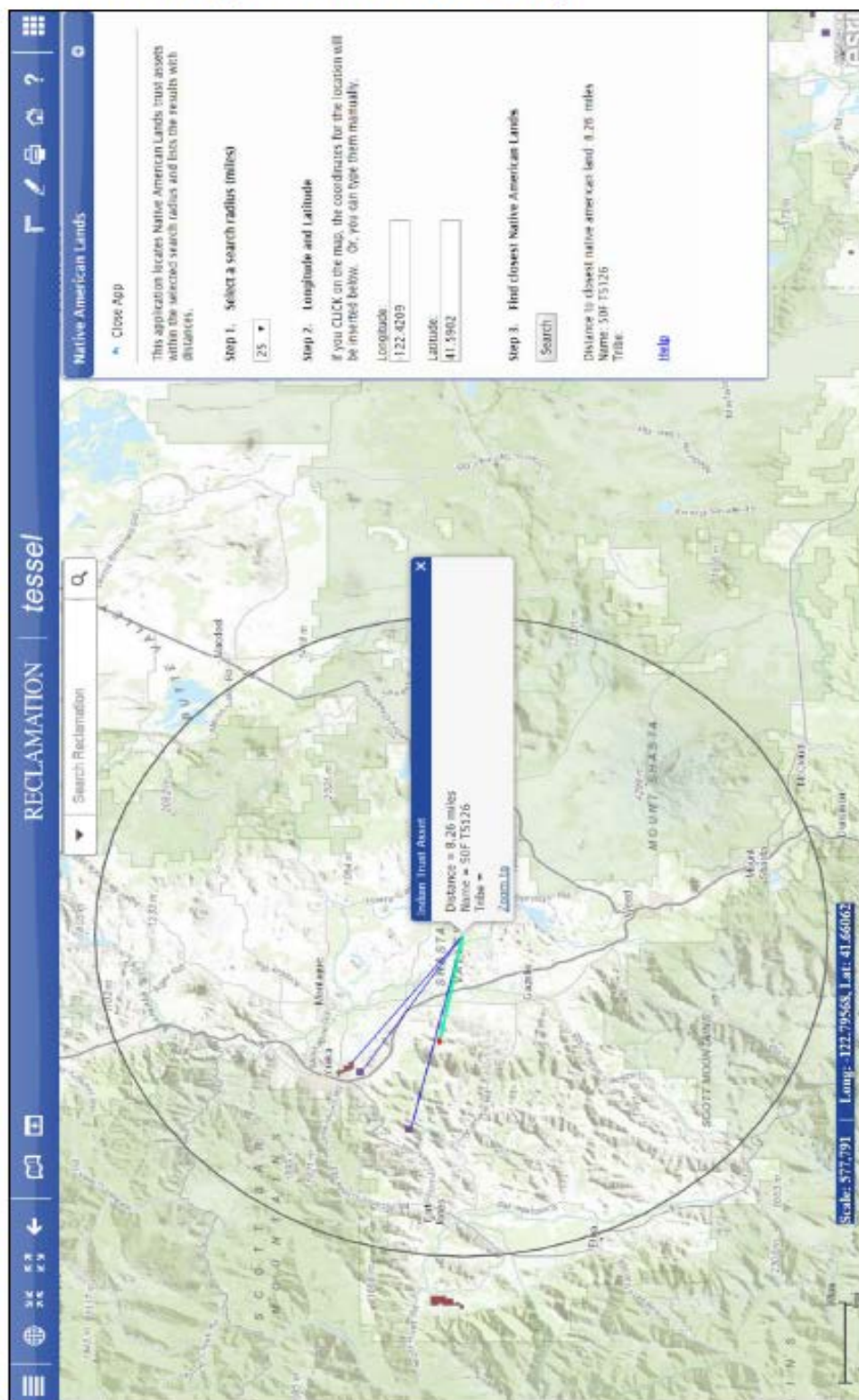


Exhibit E. Federally listed endangered, threatened, and candidate species that may occur within Siskiyou County and the proposed project locations.



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



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

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	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: Proposed

Phylum	Common Name	Scientific Name	Critical Habitat
Mammal	Wolverine	<i>Gulo gulo luscus</i>	

Status: Candidate

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

Updated November 29, 2016

Exhibit F. Correspondence and concurrence regarding consultation on Section 106 of the National Historic Preservation Act.

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

MP-153 Tracking Number: 17-KBAO-019

Project Name: Parks Creek Fish Passage Design and Planning Cardoza Ranch

NEPA Document: CEC

NEPA Contact: Brandon (Kirk) Young, Natural Resources Specialist

MP-153 Cultural Resources Reviewer: BranDee Bruce, Architectural Historian

Date: December 12, 2016

The proposed undertaking consists of Reclamation providing funding through the Reclamation Klamath Coho Habitat Restoration Grant Program to California Trout, Inc. for planning activities related to a construction project for replacement of the existing diversion at Cardoza Ranch with a pumping facility in the Shasta River approximately one mile downstream from the Parks/Shasta confluence. Only planning activities, including final design of the construction project, environmental studies, and legal review will be funded by Reclamation at this time. No ground disturbing or construction activities are associated with any element of the currently proposed funding package.

Section 106 regulations allow federal agencies to conduct “nondestructive project planning activities before completing compliance with Section 106” [36 CFR § 800.1(c)], provided any subsequent consideration of alternatives to avoid, minimize or mitigate adverse effects is not restricted during the planning process. At this time, Reclamation does not have an undertaking with the potential to affect historic properties as the activities described for the grant are planning activities. Should subsequent actions be identified and recognized as an undertaking as defined in 36 CFR § 800.14(y) and § 800.3(a)(1), that federal action will then be subject to compliance with Section 106 of the NHPA and other federal cultural resources laws as applicable.

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.