


RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist


Assignment of Sacramento River Settlement Contract No. 14-06-200-889A-R-1

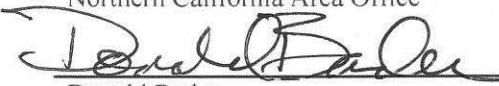
NCAO-CEC-17-16

Prepared by:  Date: 6/28/17
Jake Berens
Water Conservation Specialist
Northern California Area Office (Willows)

Concurrence by: Attachment 1 Date: June 26, 2017
Megan Simon
Northern California Area Office Designee for
Tribal Trust Assets

Concurrence by: Attachment 2 Date: June 27, 2017
BranDee Bruce
Architectural Historian
Mid-Pacific Regional Office

Concurrence by:  Date: 6/28/17
Paul Zedonis
Environmental and Natural Resources
Supervisory Natural Resource Specialist/
Division Manager
Northern California Area Office

Approved by:  Date: 7/5/2017
Donald Bader
Area Manager
Northern California Area Office



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

June 2017

Proposed Action

On September 4, 2009 Reclamation entered into a Voluntary Full Contract Assignment of Sacramento River Settlement Contract No. 14-06-200-889A-R-1 with Sioux Creek Property, LLC. On May 22, 2017 the owners of the land within the Contractor's Service Area, as delineated in Exhibit B of the contract (Figure 2), informed Reclamation that they have transferred ownership of the land into another family entity.

By Grant Deed recorded in the Official Records of Sutter County, California as Document No. 2017-0003663, all interest of the land within the Contractor's Service Area delineated in Exhibit B of Sacramento River Settlement Contract No. 14-06-200-889A-R-1 was conveyed to Knights Landing Properties, LLC.

At the request of the property owners, Reclamation will assign the interest in Sacramento River Settlement Contract No. 14-06-200-889A-R-1 from Sioux Creek Property, LLC to Knights Landing Properties, LLC, to correspond with the change in property ownership. Reclamation's authority for the action is granted by Article 33 of the Settlement Contract.

The property is located in portions of Township 12N, Range 2E, Sections 26 & 27, Sutter County, CA (Figure 2). The Sutter County Tax Assessor's Parcel Number (APN) is 29-190-012-000 (Figure 3). The latitude/longitude is approximately 38°51'29.492"N, -121°43'29.036"W. 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 | <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"/> |
| 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 practitioners or significantly adversely affect the physical integrity of such sacred | No <input checked="" type="checkbox"/> Uncertain <input type="checkbox"/> Yes <input type="checkbox"/> |

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, modification of facilities or construction is associated with the action. There will be no change in the place of use, purpose of use, quantity, or point of diversion for the water provided via the Contract as a result of the action.

Figure 1: Vicinity Map



Figure 2. Exhibit B of Contract

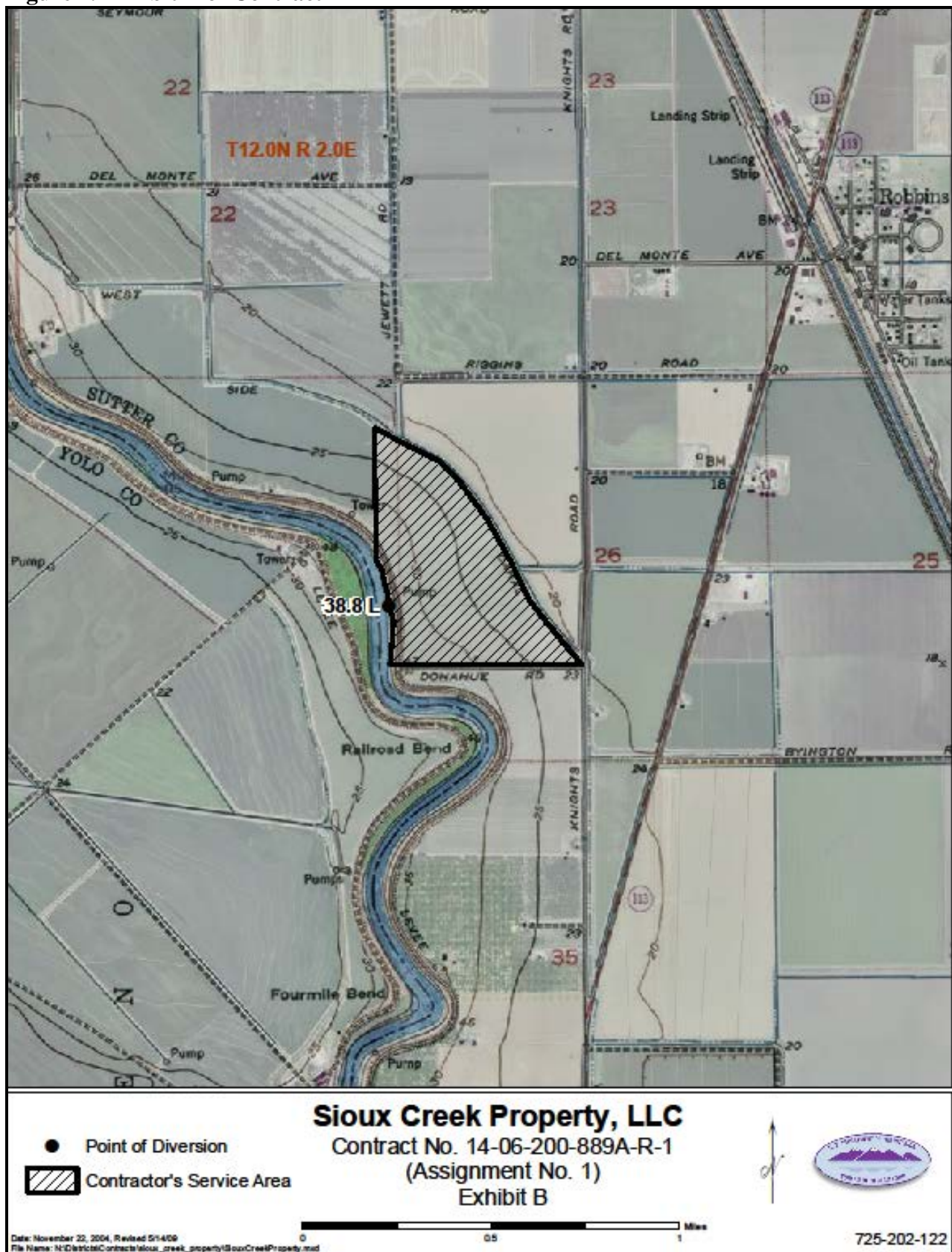
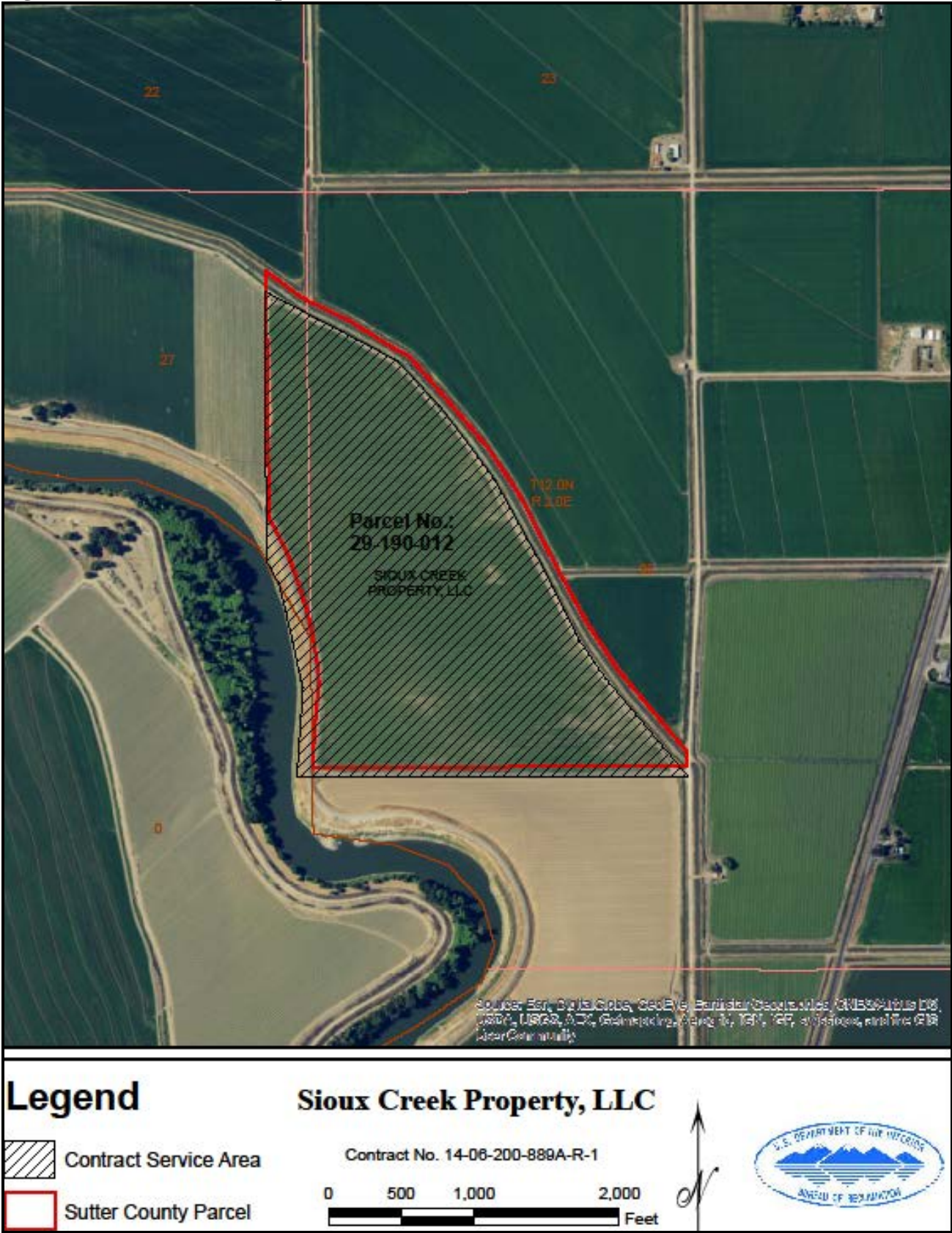


Figure 2. Site Location Map



Attachment 1. Indian Trust Asset Review



Simon, Megan <msimon@usbr.gov>

ITA Review - Assignment of Sac River Settlement Contract No. 14-06-200-889A-R-1

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

Mon, Jun 26, 2017 at 4:01 PM

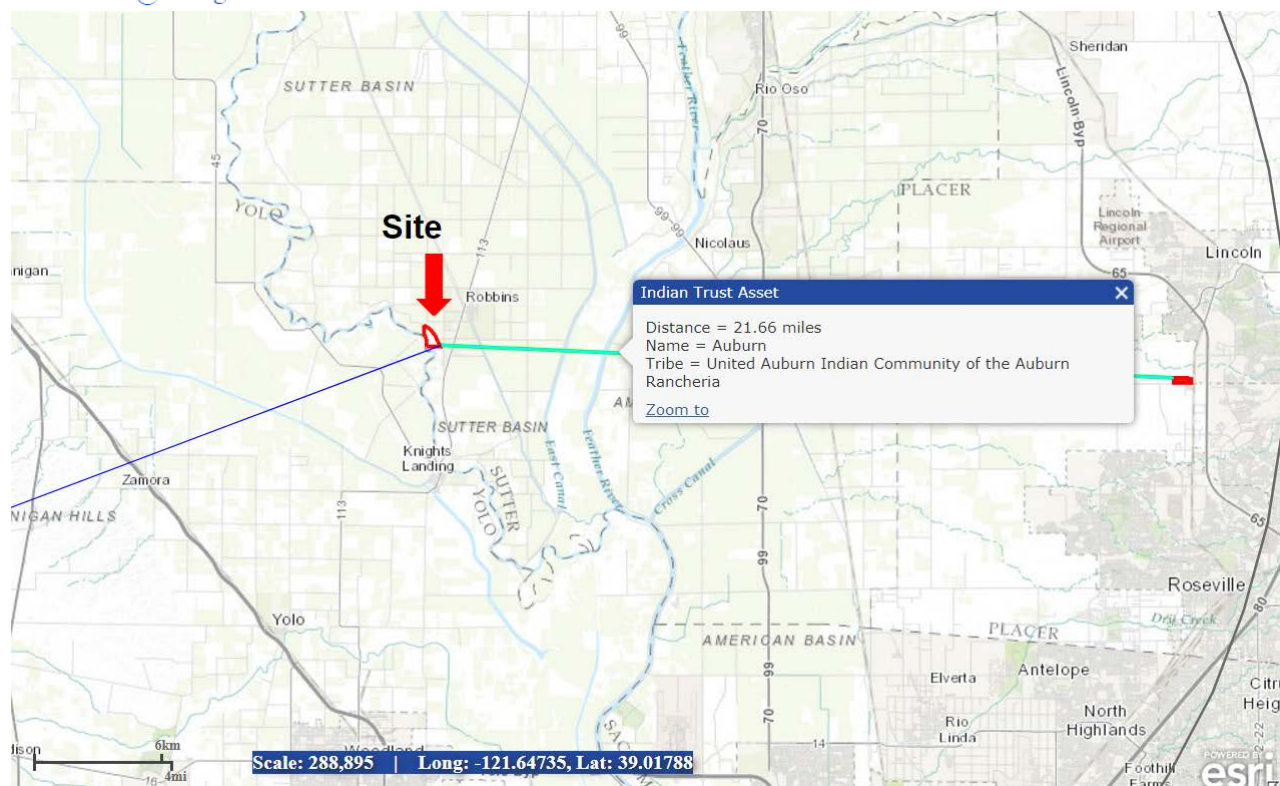
I have examined the referenced proposal and have determined that the property is at least 21.5 miles from the closest Indian Trust Asset.

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

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Megan K. Simon

Natural Resources Specialist
U.S. Bureau of Reclamation
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Shasta Lake, CA 96019
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Attachment 2. Cultural Resources Review

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

MP-153 Tracking Number: 17-NCAO-209

Project Name: Assignment of Sacramento River Settlement Contract Number 14-06-200-889A-R-1

NEPA Document: NCAO-CEC-17-16

NEPA Contact: Megan Simon, Natural Resources Specialist

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

Date: June 27, 2017

Reclamation proposes to assign the interest in Sacramento River Settlement Contract No. 14-06-200-889A-R-1 from Sioux Creek Property, LLC to Knights Landing Properties, LLC, to correspond with the change in property ownership, at the request of the new owners. On September 4, 2009 Reclamation entered into a Voluntary Full Contract Assignment of Sacramento River Settlement Contract No. 14-06-200-889A-R-1 with Sioux Creek Property, LLC. On May 22, 2017 the owners of the land within the Contractor's Service Area informed Reclamation that they have transferred ownership of the land into another family entity. The proposed action does not involve a change in land use or construction.

Reclamation determined that the proposed action is the type of undertaking that does not have the potential to cause effects on historic properties, should such properties be present, pursuant 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 cultural resources review and NHPA Section 106 process for this undertaking. The proposed action would have no impacts on cultural resources. Please retain a copy of this document with the administrative record for the proposed action. Should the proposed action change or implementation of any of the planning activities, additional review under Section 106, possibly including consultation with the State Historic Preservation Officer, may be required.