

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

Correction to Schedule of Monthly Diversions – Contract No. 2-07-20-W0261-LTR1 – Stony Creek Water District

NCAO-CEC-17-23

Prepared by:

Natalie L. Wolder

Date:

Aug. 31, 2017

Natalie Wolder
Repayment Specialist
Northern California Area Office (Willows)

Concurrence by:

Attachment 2

Date:

August 30, 2017

Megan Simon
Northern California Area Office Designee for
Tribal Trust Assets

Concurrence by:

Attachment 3

Date:

August 31, 2017

Scott Williams
Archaeologist
Mid-Pacific Regional Office

Concurrence by:

Paul Zedonis

Date:

8/31/17

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

Approved by:

Donald Bader

Date:

9/1/17

Donald Bader
Area Manager
Northern California Area Office



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

August 2017

Proposed Action

In response to a request from the Water Master, Stony Creek and Tributaries, Reclamation will correct Contract Number 2-07-20-W0261-LTR1 (Contract), Stony Creek Water District (District), Central Valley Project, California.

Changes will include corrections to Exhibit C Base Supply to properly list the water rights established by the Angle Decree and reduce the Project Water quantity and increase the Base Supply volume, and corrections in the text in Articles 3(a)(1) and 3(a)(2) to reflect the correction to Exhibit C.

Exclusion Categories

Bureau of Reclamation Categorical Exclusion - 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 sites (EO 13007; 43 CFR 46.215 (k); and 512 DM 3). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <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 | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |

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:

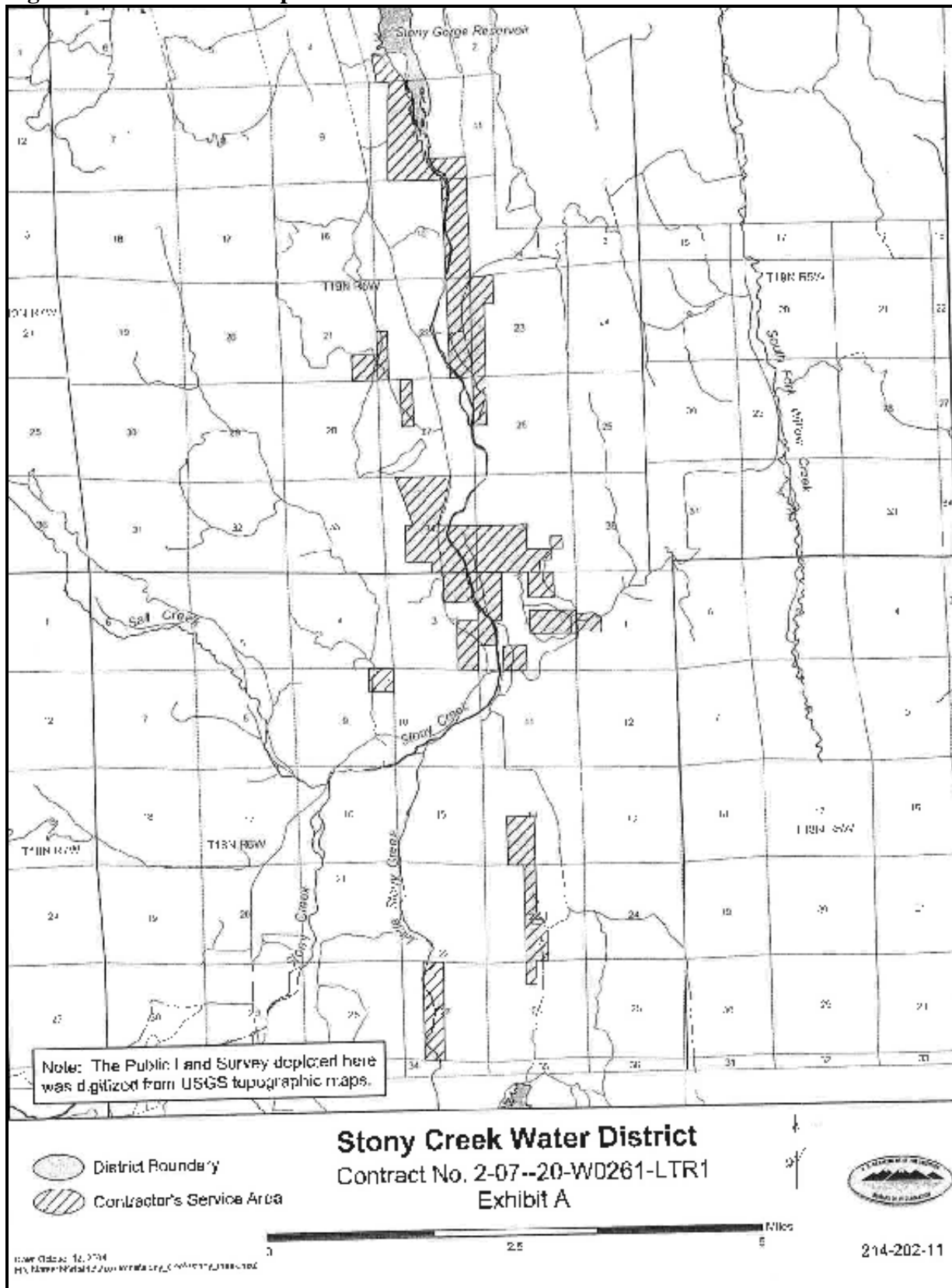
By letter dated December 4, 2007, Mr. George Wilson, Water Master, Stony Creek and Tributaries, brought to Reclamation's attention that the Base Supply quantity in Article 3(a)(1) and Exhibit C of the Contract did not properly reflect the water rights established by the Angle Decree. Mr. Wilson provided corrected Exhibit C indicating the necessary changes. The corrected volumes have been confirmed accurate by the current Water Master, Mr. George Pendell.

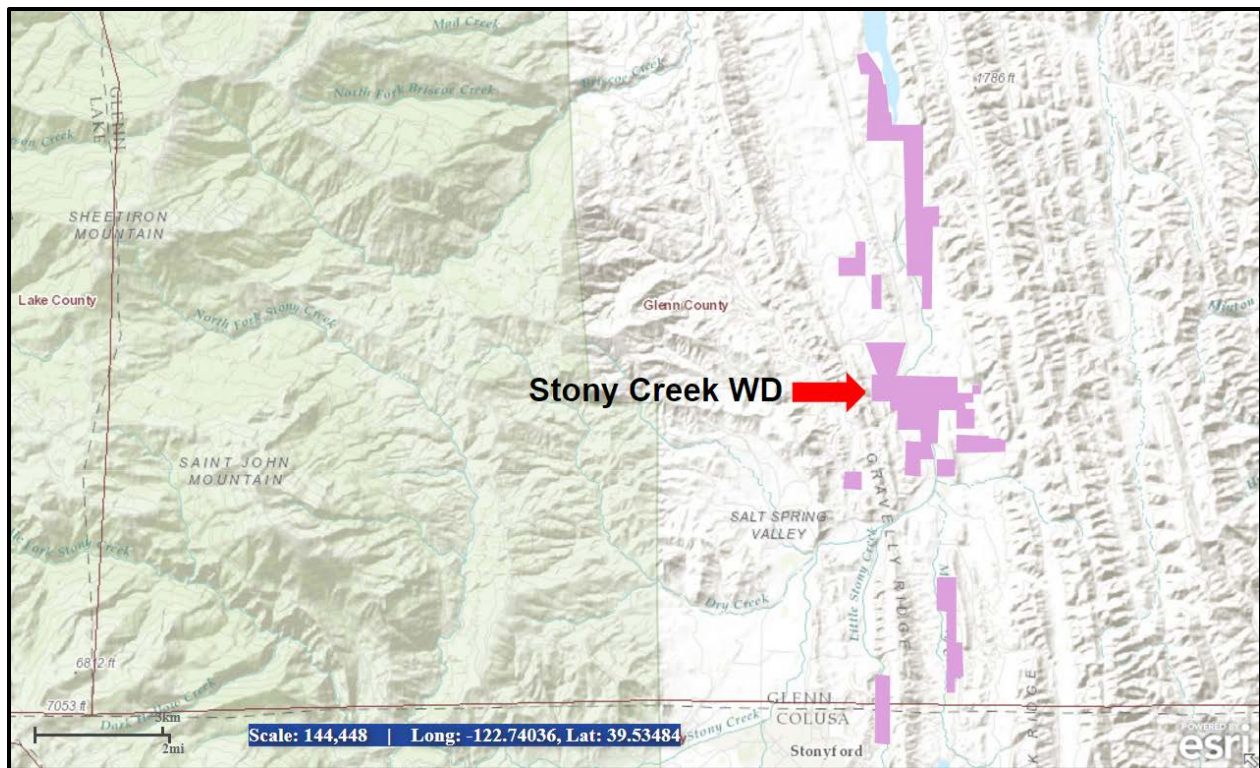
As a result of the correction, the Base Supply volume will increase from 425 acre-feet (af) to 475 af and the Project Water volume will decrease from 2,920 af to 2,870 af. The Contract Total will remain unchanged at 3,345 af.

Both the District and the Water Master have requested the corrections. Since the water rights of Stony Creek have been adjudicated in Federal Court, it is incumbent upon Reclamation to correct the errors on Exhibit C and in Articles 3(a)(1) and 3(a)(2) of Contract No. 2-07-20-W0261-LTR1.

The action is administrative in nature; No construction, ground disturbance or change in land use will result from the action.

Figures. Site Location Maps





Attachment 1. Indian Trust Asset Review



Simon, Megan <msimon@usbr.gov>

ITA Review - Stony Gorge WD Contract Correction

1 message

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

Thu, Aug 31, 2017 at 12:29 PM

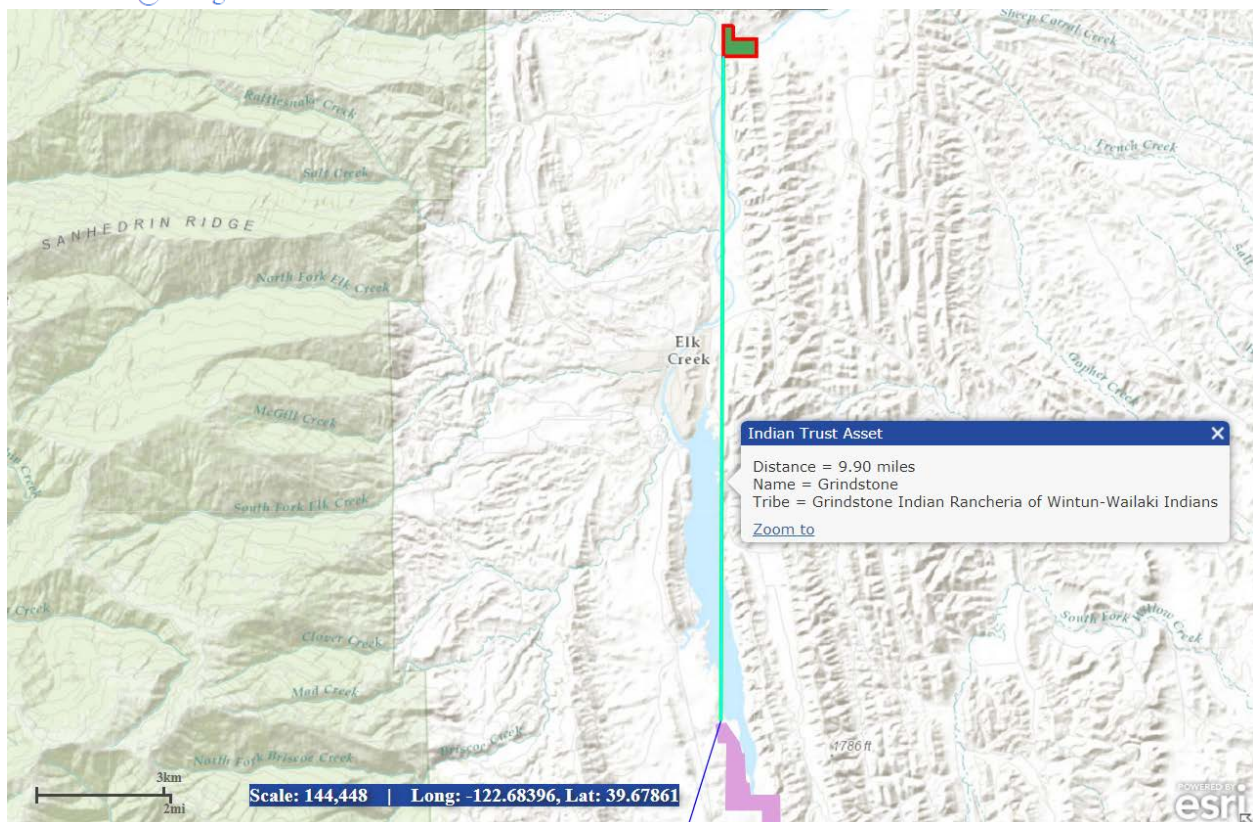
I have examined the referenced proposal and have determined that the property is located at least 9 miles from the closest Indian Trust Asset.

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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Attachment 2. Cultural Resources Review

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

MP-153 Tracking Number: 17-NCAO-251

Project Name: Correction to Schedule of Monthly Diversions – Contract No. 2-07-20-W0261-LTR1 – Stony Creek Water District

NEPA Document: Megan Simon, Natural Resource Specialist

MP 153 Cultural Resources Reviewer: Scott Williams, Archaeologist 

Date: August 31, 2017

In response to a request from the Water Master, Stony Creek and Tributaries, Reclamation will correct Contract Number 2-07-20-W0261-LTR1 (Contract), Stony Creek Water District (District), Central Valley Project, California. 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).

As a result of the correction, the Base Supply volume will increase from 425 acre-feet (af) to 475 af and the Project Water volume will decrease from 2,920 af to 2,870 af. The Contract Total will remain unchanged at 3,345 af. Both the District and the Water Master have requested the corrections. Since the water rights of Stony Creek have been adjudicated in Federal Court, it is incumbent upon Reclamation to correct the errors on Exhibit C and in Articles 3(a)(1) and 3(a)(2) of Contract No. 2-07-20-W0261-LTR1. No construction, ground disturbance or change in land use will result from the action.

This document is intended to convey the completion of the NHPA Section 106 process for this undertaking. I concur with Item #8 of CCAO-NM-CEC-1710 that there will be no significant impacts from this action 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)). 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.