

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

Poso Creek Water Company South-of-Delta 215 Contract for Contract Year 2017

CEC-17-038

Prepared by:


Jennifer L. Lewis
Natural Resources Specialist
South-Central California Area Office


Date: November 3, 2017

Concurred by:

See Attachment A
Joanne Goodsell
Mid-Pacific Regional Office
Regional Archeologist concurred with Item 8. Their determination has been placed within the project file.


Date: See Attachment A

Concurred by:


Shauna McDonald
Wildlife Biologist
South-Central California Area Office


Date: 11/3/17

Concurred by:


Rain L. Emerson
Supervisory Natural Resources Specialist
South-Central California Area Office
ITA Designee concurred with Item 11. Their determination has been placed within the project file.

Date: 11/10/2017

Approved by:

 for
Michael P. Jackson, P.E.
Area Manager
South-Central California Area Office

Date: 11/3/2017



Background

Section 215 of the Reclamation Reform Act, Public Law 97-293 authorizes the Bureau of Reclamation (Reclamation) to provide temporary water service contracts (215 contracts) for unstorable flood flows (Section 215 water) as a result of (1) an unusually large water supply not otherwise storable for Project purposes; or (2) infrequent and otherwise unmanaged flood flows of short duration.

Nature of the Action

Reclamation proposes to execute a 215 contract during Contract Year 2017 (March 1, 2017 through February 28, 2018) for the temporary supply of Section 215 water to Poso Creek Water Company (Poso Creek), a non-Central Valley Project (CVP) contractor located within the South-of-Delta's CVP Consolidated Place of Use (Figure 1). Poso Creek is owned and operated by a group of landowners who farm lands in various water districts in the San Joaquin Valley, including the following districts: San Luis Water District (San Luis), Semitropic Water Storage District (Semitropic), Westlands Water District (Westlands), and Wheeler Ridge-Maricopa Water Storage District (Wheeler Ridge). Section 215 water delivery would be delivered to lands within those districts from existing facilities.

When Section 215 water is available, Reclamation will review the estimated Jones Pumping Plant capacity on a continuing basis. The daily amount of Section 215 water available may be revised based on the estimated Jones Pumping Plant capacity in order to ensure that Section 215 deliveries do not result in early drawdown of CVP storage in San Luis Reservoir or adversely affect other CVP contractors.

No construction or modification of facilities will be needed for delivery of this water.

Poso Creek is responsible for coordination with the Department of Water Resources for any use of State Water Project facilities to convey this water.

Poso Creek is responsible for coordination with the Kern County Water Agency for any use of the Cross Valley Canal for conveyance of this water.

Section 215 water may be used for irrigation and municipal and industrial purposes and must be used within the contractor's water service boundary and within the CVP Consolidated Place of Use.

No banking, transferring, or exchanging of Section 215 water would be allowed unless otherwise approved by Reclamation.

Priorities for delivery of Section 215 water would be in the following order, as directed by the Area Manager and the Central Valley Operations Office (Table 1):

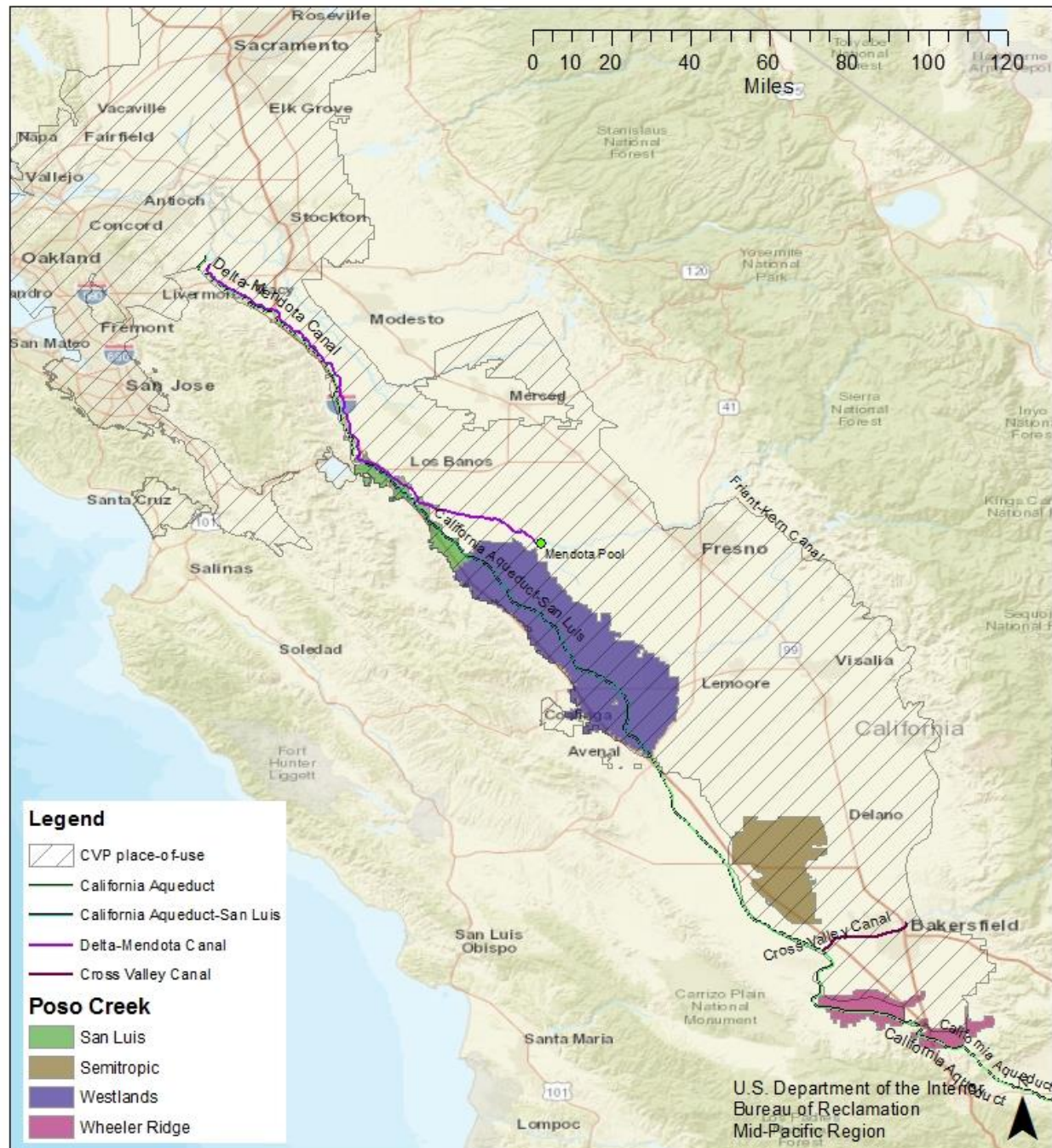


Figure 1 Water Districts Where Poso Creek Members are Located within the CVP Place-of-Use

Table 1 All South-of-Delta Potential Recipients Participating in Water Year 2017

| First Priority | |
|--|--|
| Banta-Carbona Irrigation District | Byron Bethany Irrigation District |
| California Department of Fish and Wildlife | City of Avenal |
| City of Coalinga | City of Huron |
| City of Tracy | Del Puerto Water District |
| Department of Veteran's Affairs | Dos Palos Joint Power Authority |
| Eagle Field Water District | Mercy Springs Water District |
| Oro Loma Water District | Pacheco Water District |
| Panoche Water District | Patterson Irrigation District |
| The West Side Irrigation District | West Stanislaus Irrigation District |
| Westlands Water District | San Luis Water District |
| Second Priority | |
| Coelho Family Trust | Dudley & Indart |
| Fresno Slough Water District | James Irrigation District |
| Laguna Water District | Lempesis, Virginia L. (Carvalho, Kenneth) |
| Meyers Farming | Pajaro Valley Water Management Agency |
| Reclamation District No. 1606 | San Benito County Water District |
| Santa Clara Valley Water District | San Joaquin River Exchange Contractors* |
| Tranquillity Irrigation District | Tranquillity Public Utility District |
| Westlands Water District | Westlands Water District Distribution District No. 1 |
| Westlands Water District Distribution District No. 2 | |
| * Central California Irrigation District, Columbia Canal Company, Firebaugh Canal Water District, and San Luis Canal Company | |
| Third Priority | |
| County of Fresno ¹ | County of Tulare ² |
| Kern-Tulare Water District (previously combined with Rag Gulth Water District) | Lower Tule River Irrigation District |
| Pixley Irrigation District | Tri-Valley water District |
| Hills Valley Irrigation District | Arvin Edison Water Storage District |
| Fourth Priority | |
| Poso Creek Water Company | |
| ¹ Including its subcontractors: Fresno County Service Areas #5, #10, and #14 and Fresno County Water Works #34. | |
| ² Including its subcontractors: Alpaugh Irrigation District, Atwell Island Water District, City of Lindsay, Hills Valley Irrigation District, Saucelito Irrigation District, Stone Corral Irrigation District, Strathmore Public Utilities District, Styrotek, Inc., and City of Visalia. | |

Environmental Commitments

Poso Creek and its members shall implement the following environmental protection measures to avoid environmental consequences associated with the Proposed Action (included in Table 2).

Table 2 Environmental Commitments

| Resource | Protective Measure |
|----------------------|--|
| Biological Resources | No new facilities would be constructed to convey this water. |
| Biological Resources | Lands that have never been tilled or irrigated shall not be tilled or put into agricultural production using this water. |
| Biological Resources | Lands that have been fallowed and untilled for three consecutive years, or more, shall not be irrigated with this surplus water. |

Environmental consequences for resource areas assume the measures specified would be fully implemented.

Exclusion Category

516 DM 14.5 D (4). *Approval, execution, and implementation of water service contracts for minor amounts of long-term water use or temporary or interim water use where the action does not lead to long-term changes and where the impacts are expected to be localized.*

Evaluation of Criteria for Categorical Exclusion

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

| Extraordinary Circumstance | No | Uncertain | Yes |
|---|-------------------------------------|--------------------------|--------------------------|
| 1. This action would have a significant effect on the quality of the human environment (40 CFR 1502.3). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. This action would have significant impacts on public health or safety (43 CFR 46.215(a)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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) (43 CFR 46.215 (g)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. This action would have a disproportionately high and adverse effect on low income or minority populations (EO 12898) (43 CFR 46.215 (j)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <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)). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

NEPA Action: Categorical Exclusion

The Proposed Action is covered by the exclusion category and no extraordinary circumstances exist. The Action is excluded from further documentation in an EA or EIS.

Attachment A: Cultural Resources Determination

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

MP-153 Tracking Number: 17-SCAO-263

Project Name: Poso Creek Water Company South-of-Delta 215 Contract for Contract Year 2017

NEPA Document: CEC-17-038

NEPA Contact: Jennifer Lewis, Natural Resources Specialist

MP-153 Cultural Resources Reviewer: Joanne Goodsell, Archaeologist

Date: September 22, 2017

JOANNE GOODSSELL

Digitally signed by JOANNE GOODSSELL
Date: 2017.09.22 09:10:24 -07'00'

In December of 2016, Reclamation executed contracts for the temporary supply of Section 215 water to South-of- Delta Central Valley Project (CVP) and non-CVP contractors for Water Year 2017 (March 1, 2017 through February 28, 2018). At that time, Poso Creek was not included as a potential recipient. Poso Creek has requested to be added as a potential recipient of Section 215 water for Water Year 2017. Reclamation proposes to approve the request from Poso Creek.

Reclamation determined that the proposed action is the type of Federal 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). Item 8 of CEC-17-038 is supported by this determination. The proposed action would have no significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places.

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