

# RECLAMATION


## *Managing Water in the West*

### Categorical Exclusion Checklist

## Contra Costa Water District Inclusion of the North Peak Equestrian Center

CEC-17-032

Prepared by:

*for*   
Stacy L. Holt  
Natural Resources Specialist  
South-Central California Area Office

Date: 11/14/17

Concurred by:

See Attachment A  
Mark Carper  
Archaeologist  
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:

  
Ned Gruenhagen  
Wildlife Biologist  
South-Central California Area Office

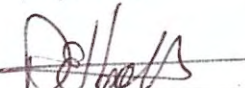
Date: 11/14/2017

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: 11/14/2017

Approved by:

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

Date: 11/14/2017





## **Background**

The North Peak Equestrian Center (9.68 acres) located at 1550 Castle Rock Road in the unincorporated Walnut Creek area (Figures 1 and 2) and outside the Urban Limit Line for Contra Costa County relies solely on ground water. The Equestrian Center has several large capacity water tanks that allow it to regulate supply to meet the needs of the horses and humans. Water consumption by the horses and humans can be as high as 3,000 to 5,000 gallons per day.

Over the past several years due to the persistent drought, the ground water system has not been able to provide adequate supply to meet the water needs of the Equestrian Center. When no ground water is available, the Equestrian Center has obtained trucked water from Contra Costa Water District (Contra Costa) for the horses and purchased bottled water for humans.

In June of 2016, the Contra Costa County Environmental Health Department determined that the Equestrian Center's water system meets the definition of a public water system as defined in section 116275 of the California Health and Safety Code and requires a permit. As the Equestrian Center needs a reliable water supply in order to obtain a permit, they have requested inclusion into Contra Costa's Central Valley Project (CVP) service area in order to receive CVP water.

On August 9, 2017, the Contra Costa Local Agency Formation Commission approved the annexation of the Equestrian Center into Contra Costa's service area under Resolution 17-04.

## **Nature of the Action**

Reclamation will approve the inclusion of the Equestrian Center (9.68 acres) into Contra Costa's CVP service area which would allow the delivery of CVP water.

CVP water at the Equestrian Center will be obtained by connecting an existing 8 inch water line to an approximately 2 inch water line and installing approximately 800 feet of water line underneath Castle Rock Road to reach the property boundary (Figure 2). The waterline under the road will follow an existing buried utility corridor. Once at the property boundary, a water meter and backflow prevention device will be installed. From the meter and backflow device, an approximately 700 foot long, 1 inch service line will be installed to move the water to the back of the property. The water line through the Equestrian Center will follow existing dirt or gravel roads. Construction of the waterline will require a trench 2-3 feet deep and 1 foot wide. All construction will occur within engineered fill.

Construction is expected to take approximately four weeks starting in March, 2018. The following equipment will be used to complete the project: backhoe, vibrator/tamper, trencher, hydrovac truck, work trucks, and hand tools.

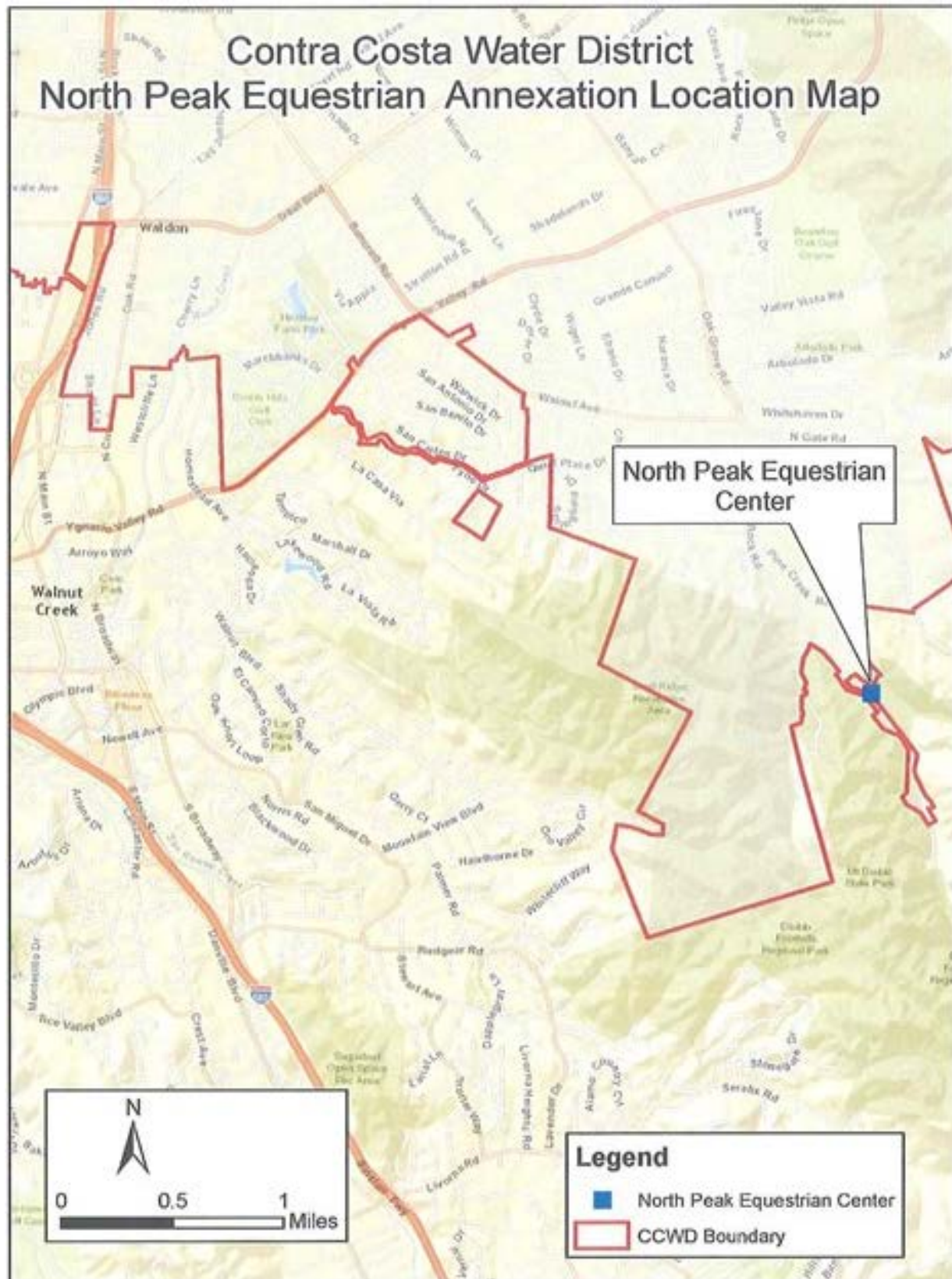


Figure 1 Proposed Action general location map as it relates to the boundary of Contra Costa Water District





Figure 2 Detailed map of the proposed inclusion

## Environmental Commitments

The Equestrian Center shall implement the following environmental protection measures to avoid environmental consequences associated with the Proposed Action (Table 1).

Table 1 Environmental Protection Measures

Resource	Protection Measure
Biological Resources	No burrows shall be disturbed.
Biological Resources	Construction/Installation work shall be done during daylight hours. Such work shall not be conducted during periods of precipitation or within 24 hours following a precipitation event.
Biological Resources	It is preferable for trenches to be filled as the water pipe line is laid, but if trenches need to remain open, they shall be tightly covered (e.g. with plywood, etc.) to prevent access by listed species.
Biological Resources	If a listed species is observed, construction shall cease until the species has left the area of its own volition. The observation of any federally listed species shall be reported immediately to Reclamation biological staff at telephone (559) 487-5016 and the U.S. Fish and Wildlife Service (916) 930-5603

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

## Exclusion Category

516 DM 14.5 paragraph D (3): *Administration and implementation of project repayment and water service contracts, including approval of organizational or other administrative changes in contracting entities brought about by inclusion or exclusion or lands in these contracts.*

## 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"/>

Extraordinary Circumstance	No	Uncertain	Yes
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 RESOURCE COMPLIANCE**  
**Mid-Pacific Region**  
**Division of Environmental Affairs**  
**Cultural Resources Branch**

**MP-153 Tracking Number:** 17-SCAO-234

**Project Name:** Contra Costa Water District (CCWD) 9.68 Acre Inclusion of the North Peak Equestrian Center into the Central Valley Project's (CVP) Service Area, Contra Costa County, California

**NEPA Document:** 17-032

**MP 153 Cultural Resources Reviewer:** Mark Carper

**NEPA Contact:** Rain Emerson

**Determination:** No Historic Properties Affected

**Date:** October 17, 2017

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This proposed undertaking by Reclamation is to authorize the proposed inclusion by CCWD of 9.68 acres into the CVP service area in Contra Costa County, California. Reclamation determined that the approval of the inclusion is an undertaking as defined in 36 CFR § 800.16(y) and a type of activity that has the potential to cause effects on historic properties under 36 CFR § 800.3(a).

The inclusion area would include the North Peak Equestrian Center located at 1550 Castle Rock Road in the unincorporated Walnut Creek area (APN 138-270-002) and outside the Urban Limit Line. To obtain water from CCWD, an approximately 2 inch water line would need to be extended from the terminus of an existing 8 inch water line within Castle Rock Road to the property boundary, approximately 800 feet. The waterline within the road would follow an existing buried utility corridor. Once at the property boundary, a water meter and backflow prevention device would be installed. From the meter and backflow device, a 1 inch service line would be constructed within the equestrian center to the water system located near the back of the property, approximately 700 feet away. Placement of the waterline will require a trench 2-3 feet deep and 1 foot wide. All construction will occur within engineered fill.

In an effort to identify historic properties in the APE, Reclamation reviewed in-house files, previous field investigations, and performed a site inspection of the APE on August 23, 2017. The site inspection and a review of historic aerials identified the APE as being

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contained entirely within areas of previous disturbance. Historically the APE (at least as late as 1946) was used as an orchard that appears to have taken advantage of the decreasing severity of the slope from the hill to the southwest for its placement. In the 1980's, the equestrian center was constructed. The orchard to the southwest of the road was leveled and constructed into a parking lot. The orchard within the future equestrian center location was removed and the landscape terraced to either raise the property into proximity with the adjacent Castle Rock Road and/or to provide appropriate foundations for the equestrian center facilities. Indications are that the material removed for the parking lot was used for the equestrian center terracing. The equestrian center does not meet any criteria for listing on the National Register of Historic Places.

Reclamation determined that consultation with Indian tribes was not necessary for this undertaking. The APE is within a previously disturbed area composed of engineered fill from the equestrian center's construction. Due to the lack of potential for direct or indirect effects to properties of religious or cultural significance, Reclamation did not pursue input from Indian tribes or other Native American organizations regarding project effects.

Reclamation initiated consultation with the California State Preservation Office (SHPO) by letter dated September 14, 2017 requesting concurrence with a finding of no adverse effects to historic properties for the proposed project. Pursuant to the regulations at 36 CFR §800.5(c), SHPO has 30 days from receipt to review an agency finding. The SHPO has yet to respond to Reclamation's finding of effect. If after 30 days the SHPO has not responded, the regulations state that "...the agency official shall then carry out the undertaking in accordance with paragraph (d)(1) of this section" [§800.5(c)(1)]. Because the SHPO has failed to comment on Reclamation's finding within the period of time provided to them pursuant to the Section 106 regulations, Reclamation may move on to the next step of the Section 106 process.

I concur with Item 8 on CEC- 17-032. The proposed action would have no significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places.

This memorandum is intended to convey 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 this project, additional NHPA Section 106 review, possibly

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including consultation with the State Historic Preservation Officer, may be necessary.  
Thank you for providing the opportunity to comment.