

RECLAMATION

Managing Water in the West


Categorical Exclusion Checklist (CEC)


Contract No. 14-06-200-3367A-LTR1 – Shasta Co. Water Agency - Subcontract to Shasta Co. – Dust Control - Westside Rd Landslide Repair

NCAO-CEC-18-05

Prepared by: See Attachment 1 Date: April 25, 2018
Megan Simon
Northern California Area Office Designee
for Tribal Trust Assets/Natural Resources
Specialist

Concurrence by: See Attachment 2 Date: June 1, 2018
Mark Carper
Archaeologist
Mid-Pacific Regional Office

Concurrence by:  Date: 6/5/2018
Paul Zedonis
Environmental and Natural Resources
Supervisory Natural Resource Specialist/
Division Manager
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Approved by:  Date: 6/5/2018
Don Bader
Area Manager
Northern California Area Office



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

June 2018

Proposed Action

Reclamation will approve the terms and conditions of a subcontract to Contract No. 14-06-200-3367A-LTR1 (the Contract) between the United States and Shasta County Water Agency (SCWA) as they relate to consistency with the Contract per Article 39 of the Contract. These terms include the point of diversion for the water to be made available by the subcontract, per Article 5(a) of the Contract.

SCWA will establish the subcontract with Shasta County (County) for the purpose of providing water to support compaction and dust control during the repair of a landslide on the County's Westside Road at Shasta Lake (Figure 1). A maximum of one acre-foot of Project water per year will be made available to the County via the subcontract. The water will be used in Shasta County's existing Service Area, as delineated on Exhibit A of the Contract. The point of diversion will be Squaw Creek at its confluence with Shasta Lake, approximately one-mile southwest of the landslide. It is the County's intent to fill water trucks with the Project water by pumping the water via a hose overhanging a bridge over Squaw Creek or obtain the water from a culvert below the bridge. However, the water may be diverted directly from Shasta Lake, farther east, if flow at the bridge is not adequate to support the diversion when needed.

The action area is surrounded by lightly wooded land consisting of foothill pine, black and interior live oak, California buckeye, white-leafed manzanita, spice bush and Himalayan blackberry. An aerial photograph of the action area is included as Figure 2. Photographs of the action area are provided as Figure 3. The action area is in the Shasta Dam USGS topographic quadrant.

The water diversion will begin on or after May 1, 2019 and finish by November 30, 2019.

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 ☒ Uncertain ☐ Yes ☐
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 ☒ Uncertain ☐ Yes ☐
3. This action would have significant impacts on public health or safety (43 CFR 46.215(a)). No ☒ Uncertain ☐ Yes ☐

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|---|--|
| 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, | No <input checked="" type="checkbox"/> Uncertain <input type="checkbox"/> Yes <input type="checkbox"/> |

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).

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 ☐

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 Regional Archeologist concurred with Item 8 (email attached). The ITA Designee concurred with Item 11 (email attached).

The water commitment under the new subcontract, when summed with other water commitments, will not cause SCWA to exceed the total amount of Project water available under the Contract. In addition, the category of use for the water under the subcontract is consistent with the Municipal and Industrial use of water approved by the Contract. There are no downstream water users whose rights to Squaw Creek waters could be harmed by the water diversion.

No ground disturbance or permanent vegetation removal (tree removal or brush grubbing) will be necessary to facilitate the diversion. If the water is diverted from Shasta Lake, vegetation disturbance associated with the diversion would be limited to any trimming necessary to gain access to the lake on foot. No heavy equipment or materials will be staged in conjunction with the water diversion. Water trucks and other vehicles will remain on the existing County road and associated disturbed turn outs.

Reclamation's discretionary action is limited to the approval of the subcontract for the water and the point of diversion and is purely administrative in nature. The County and/or its representatives will be responsible for all access agreements, permitting, avoidance and minimization measures, safety protocols and best management practices and site controls, as applicable, to prevent impact to users or the environment from the road repair and related pre-construction activities.

Reclamation queried the US Fish & Wildlife Service's Environmental Conservation Online System (ECOS) database, via the Information for Planning and Conservation (IPaC) application, to determine the potential for species Federally-listed as Threatened or Endangered, or Candidate species for listing, under the Federal Endangered Species Act or their habitats to occur at the point of diversion. The IPaC reported generated for the site returned a list of 12 Federally-listed or Candidate species, none of which were reported as having Critical Habitat in the project area: the California red-legged frog (*Rana draytonii*), Conservancy fairy shrimp (*Branchinecta conservatio*), vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardi*), Delta smelt (*Hypomesus transpacificus*), Longfin smelt (*Spirinchus thaleichthys*), gray wolf (*Canis lupus*), Northern spotted owl (*Strix occidentalis caurina*; NSO), yellow-billed cuckoo (*Coccyzus americanus*), Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*; VELB), Hoover's spurge (*Chamaesyce hooveri*) and slender Orcutt grass (*Orcuttia tenuis*). The diversion point was determined to be outside the current species range for VELB, Conservancy fairy shrimp and slender Orcutt grass, as illustrated on the individual species pages in ECOS. Therefore, habitat for these species is assumed absent.

Reclamation queried the California Native Diversity Database (CNDDDB) and Spotted Owl Viewer for reported occurrences of the remaining nine Federally-listed and Candidate species near the point of diversion and found no reported occurrences within a five-mile radius. The nearest recorded siting of an NSO was approximately seven miles northwest of the diversion point.

Due to the lack of reported occurrences and/or absence of habitat, and the limited disturbance involved, Reclamation concluded that the water diversion related to the subcontract to be established would have no effect on Federally-listed species or their habitat.

Figure 1. Vicinity Map

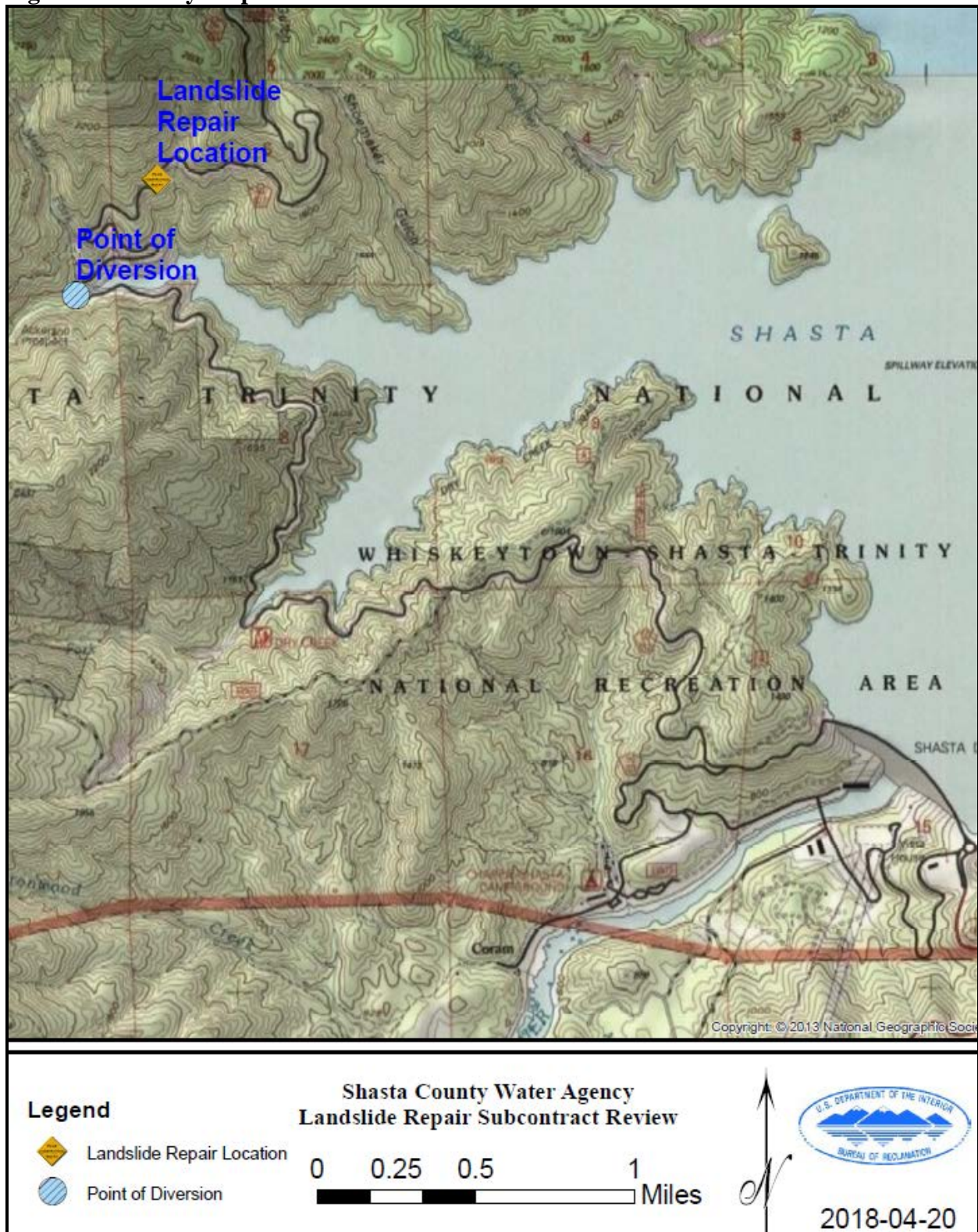


Figure 2. Site Map

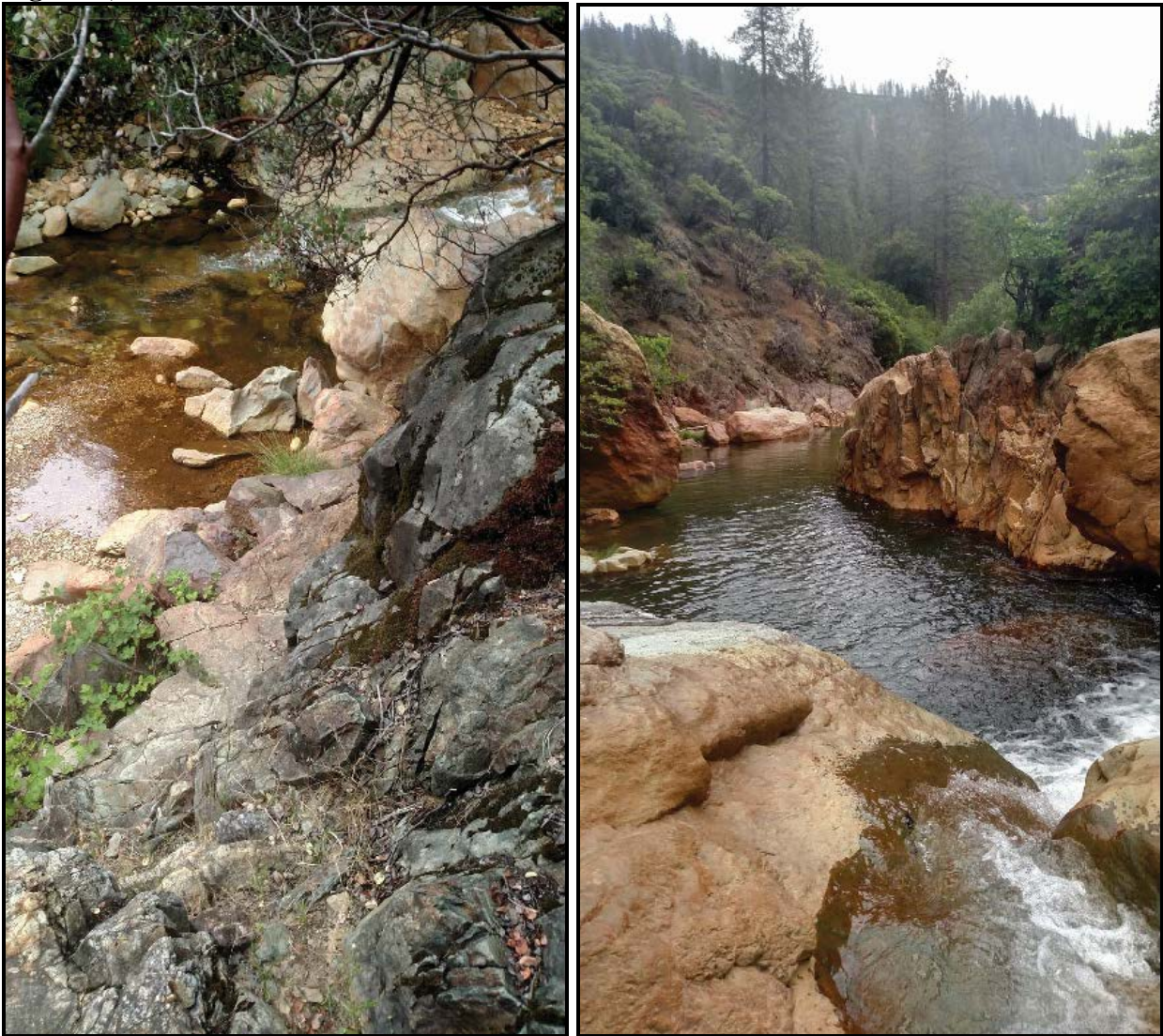


Figure 3. Photographs



View of road failure to be repaired (left) and path to new diversion point (right).

Figure 3, Cont.



View of potential Squaw Creek diversion points directly beneath bridge (left) on Westside Road and farther east toward Shasta Lake.

Attachment 1. Indian Trust Assets Review



Simon, Megan <msimon@usbr.gov>

ITA Review - SCWA to Shasta Co. Subcontract to Contract No. 14-06-200-3367A-LTR1

1 message

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

Wed, Apr 25, 2018 at 3:26 PM

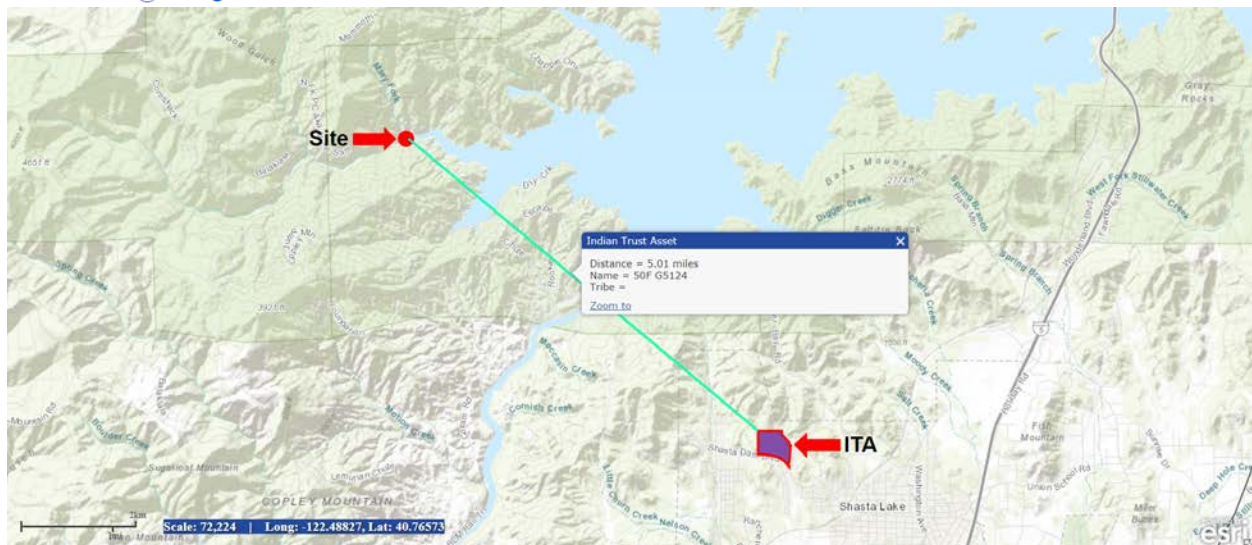
I have examined the referenced proposal and have determined that the facility is located at least 5 miles from the closest Indian Trust Asset.

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

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Megan K. Simon

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

MP-153 Tracking Number: 18-NCAO-096

Project Name: Contract No. 14-06-200-3367A-LTR1 – Shasta Co. Water Agency - Subcontract to Shasta County – Dust Control - Westside Rd Landslide Repair

NEPA Document: NCAO-CEC-18-05

NEPA Contact: Megan Simon, Natural Resource Specialist

MP 153 Cultural Resources Reviewer: Mark Carper, Archaeologist

Date: June 1, 2018

Reclamation proposes to approve the terms and conditions of a subcontract to Contract No. 14-06-200-3367A-LTR1 (the Contract) between the United States and Shasta County Water Agency (SCWA) as they relate to consistency with the Contract per Article 39 of the Contract. These terms include the point of diversion for the water to be made available by the subcontract, per Article 5(a) of the Contract. The provided water will be used within SCWA's service district to support compaction and dust control during the repair of a landslide on the county's Westside Road at Shasta Lake, 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).

This document is intended to convey the completion of the NHPA Section 106 process for this undertaking. I concur with item 8 that this action would not 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)). 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.