

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

South of Delta 215 Contacts for Contract Year 2019

CEC-18-065

Prepared by:

Brian Lopez
Brian Lopez
Natural Resources Specialist
South-Central California Area Office

Date: 12/18/18

Concurred by:

See Attachment A
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:

Lisa Buck
Lisa Buck
Wildlife Biologist
South-Central California Area Office

Date: 12/18/18

Concurred by:

Rain L. Emerson
Rain L. Emerson
Environmental Compliance Branch Chief
South-Central California Area Office
ITA Designee concurred with Item 11. Their determination has been placed within the project file.

Date: 12/18/2018

Approved by:

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

Date: 12/19/2018



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 results 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 215 contracts during Contract Year 2019 (March 1, 2019 through February 29, 2020) for temporary supply of Section 215 water to South-of-Delta Central Valley Project (CVP) contractors and/or non-CVP contractors located within the Consolidated Place of Use, including those located around the Mendota Pool (Figure 1). Section 215 water deliver would be from existing facilities (Figure 2), and no construction or modification of facilities will be needed for delivery of this water.

Section 215 water would be made available to South-of-Delta CVP and/or non-CVP contractors from the following CVP facilities: Jones Pumping Plant, Delta-Mendota Canal, O'Neill Pumping/Generating Plant, San Luis Canal, Coalinga Canal, Pleasant Valley Pumping Plant, Gianelli Pumping/Generating Plant, Pacheco Pumping Plant, Coyote Pumping Plant, Santa Clara Conduit, and Hollister Conduit. No construction or modification of facilities would be required or permitted for delivery of this water. Section 215 water is only available in the Mendota Pool when CVP water is entering the Mendota Pool from the Delta-Mendota Canal.

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.

Contractors requiring the use of State Water Project facilities are responsible for coordinating conveyance with the California Department of Water Resources.

Contractors requiring the use of the Cross Valley Canal are responsible for coordinating conveyance with the Kern County Water Agency.

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 is permitted.

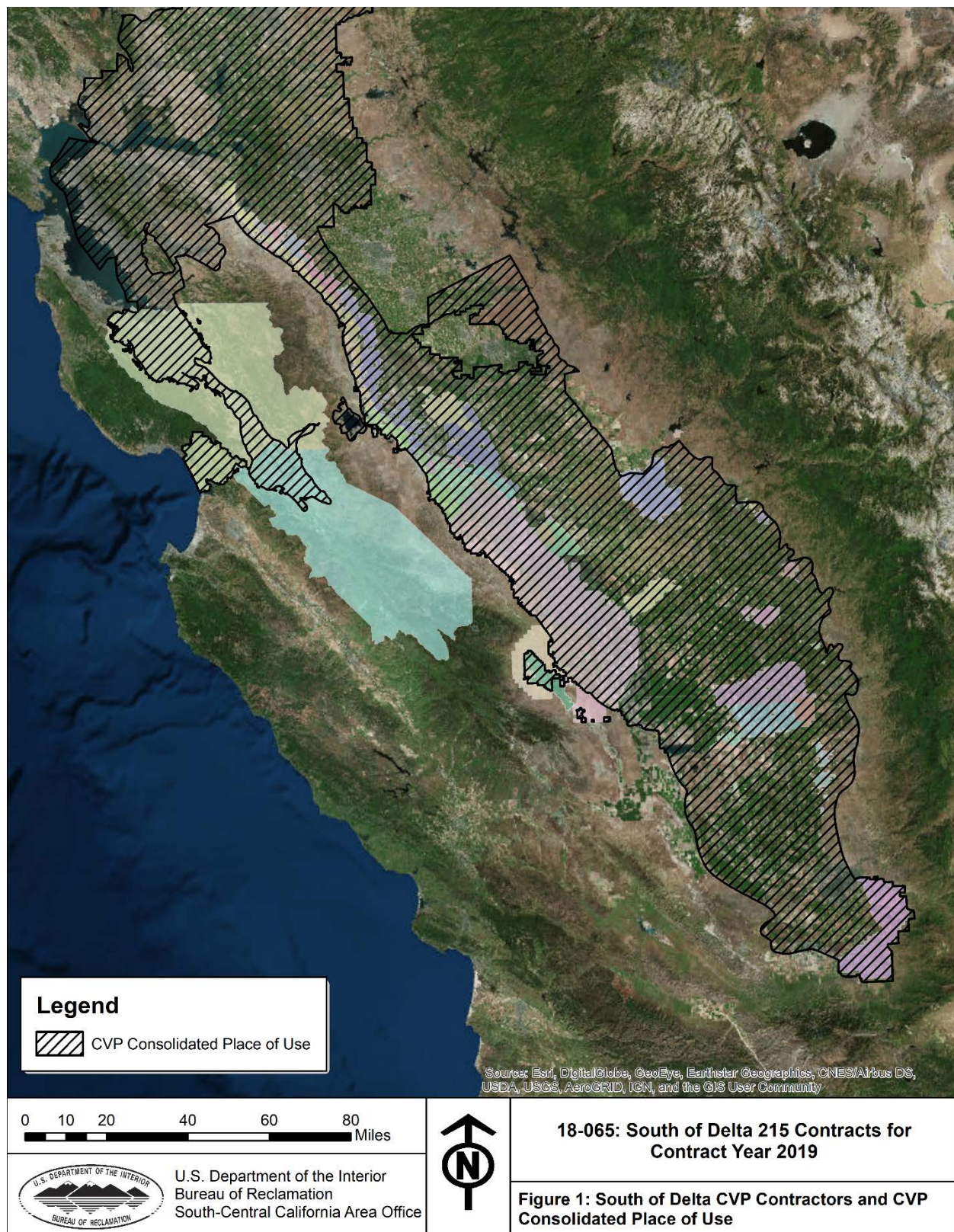


Figure 1 South of Delta CVP contractors and non-CVP contractors where Section 215 water could be allocated within the CVP Consolidated Place of Use

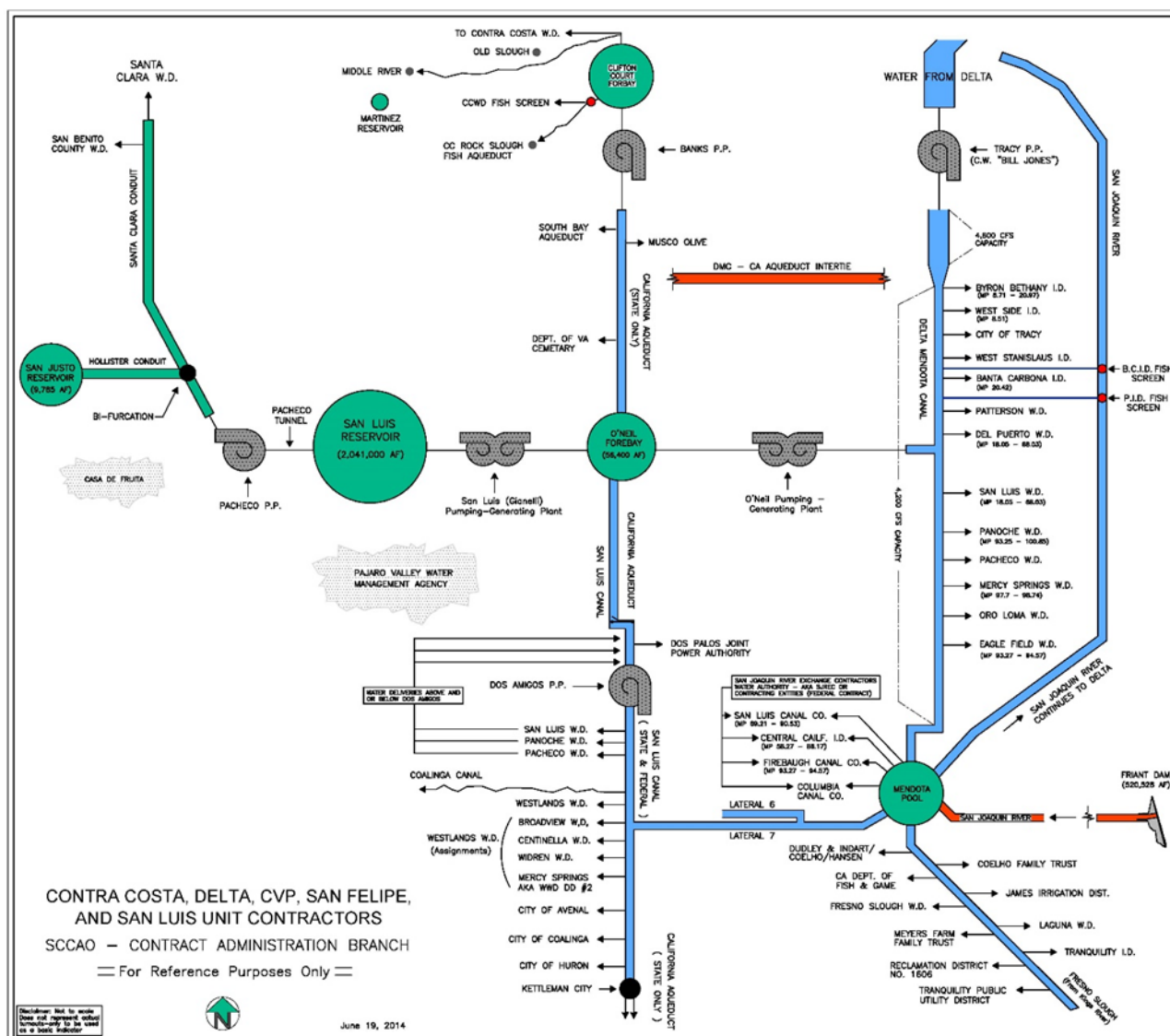


Figure 2 Schematic for Central Valley Project Facilities

Priorities for delivery of Section 215 water are tiered in the order as directed by the Area Manager and the Central Valley Operations Office (Table 1).

Table 1 Potential Recipients of Section 215 Water

| First Priority | |
|--|-----------------------------------|
| Banta-Carbana 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 |
| San Luis Water District | The West Side Irrigation District |
| West Stanislaus Irrigation District | Westlands Water District |

| Second Priority | |
|--|--|
| Carvalho, Kenneth & Karen (Lempesis, Virginia L.) | Coelho Family Trust |
| Dudley & Indart | Fresno Slough Water District |
| James Irrigation District | Laguna Water District |
| 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* |
| Tranquility Irrigation District | Tranquility Public Utility District |
| Westlands Water District | Westlands Water District Distribution District No. 1 |
| Westlands Water District Distribution District No. 2 | |
| Third Priority | |
| Arvin Edison Water District | County of Fresno ¹ |
| County of Tulare ² | Hills Valley Irrigation District |
| Kern-Tulare Water District | Lower Tule River Irrigation District |
| Pixley Irrigation District | Tri-Valley Water District |
| Fourth Priority | |
| Pleasant Valley Water District | Poso Creek Water Company |

¹ San Joaquin River Exchange Contractors includes: Central California Irrigation District, Columbia Canal Company, Firebaugh Canal Water District, and San Luis Canal Company

² Including its subcontractors: Fresno County Service Areas #5, #10, and #14 and Fresno County Water Works #34

³ 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

CVP and non-CVP contractors shall implement the following environmental protection measures to avoid environmental consequences associated with the Proposed Action:

| Resource | Protective Measure |
|----------------------|---|
| Biological Resources | No new facilities may be constructed to convey the Section 215 water described in the Proposed Action. |
| Biological Resources | No native lands or untitled lands that have been fallowed for three consecutive years (or more) may be irrigated with the Section 215 water described in the Proposed Action. |

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: 19-SCAO-044

Project Name: South of Delta 215 Contracts for Contract Year 2019

NEPA Document: CEC

NEPA Contact: Brian Lopez, Natural Resources Specialist

MP 153 Cultural Resources Reviewer: Scott Williams, Archaeologist



Date: December 17, 2018

Reclamation proposes to approve and execute a Section 215 contract for Contract Year 2019 (March 1, 2019 through February 29, 2020) for temporary supply of Section 215 water to South-of-Delta Central Valley Project (CVP) contractors and/or non-CVP contractors located within the Consolidated Place of Use, including those located around the Mendota Pool. Section 215 water deliver would be from existing facilities. No construction or modification of facilities will be needed for delivery of this water.

Reclamation determined the proposed action constitutes a Federal undertaking, as defined at 36 CFR § 800.16(y), that has no potential to cause effects to historic properties pursuant to 36 CFR § 800.3(a)(1). As such, Reclamation has no further obligations under Title 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act (NHPA). I have reviewed the draft CEC 18-065 and concur with Item 8. that the proposed action will not have significant impacts on properties listed or eligible for listing in the in 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 of this document in the administrative record for the proposed action. Should changes be made to the proposed action, additional NHPA Section 106 review, possibly including consultation with the Tribal Historic Preservation Officer or State Historic Preservation Officer, may be necessary.