

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

20-year Extension of the Tracy Fish Facility Water Hyacinth Disposal Authorization

CEC-18-066

Prepared by:

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Date: 12/18/2018

Concurred by:

See Attachment A
Scott Williams
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:

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

Date: 12/18/2018



Background

Water Hyacinth de-stabilizes dissolved oxygen cycles, shades out important shallow water fish habitat, prevents boat passage, and blocks agricultural water intakes. In 2013, the Bureau of Reclamation (Reclamation) issued a license to the California Department of Boating and Waterways (DBW) to transport and dispose of mechanically harvested water hyacinth on Reclamation's currently used disposal site at the Fabian Tract near the Tracy Fish Facility. The license expires in January 2019 and DBW has requested an extension.

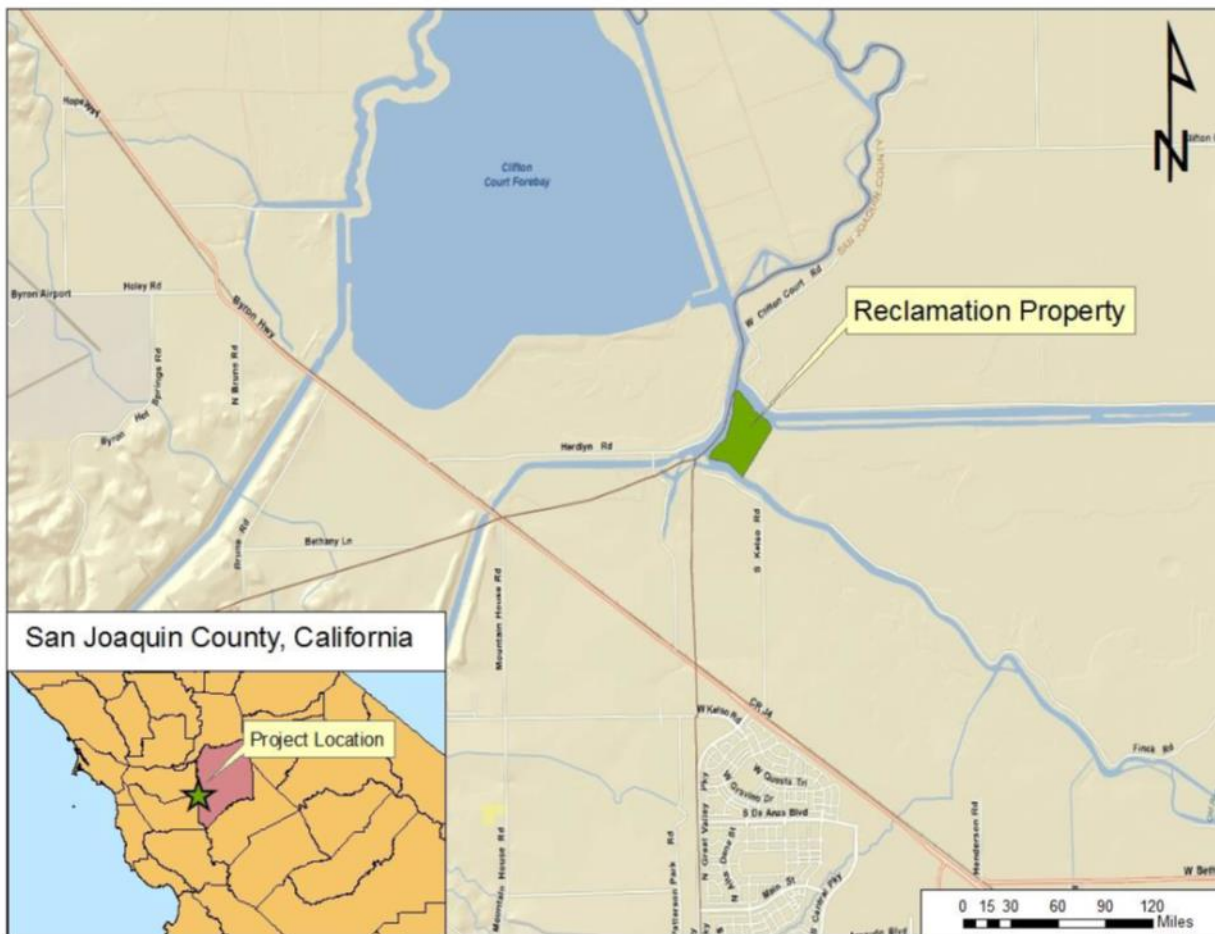


Figure 1. Currently used Disposal Site



Figure 2. Proposed Spoil Disposal Location.

Nature of the Action

Reclamation proposes to extend DBW's existing license over a 20-year period (through December 31, 2038). The extension would authorize DBW to continue to transport and dispose of mechanically harvested water hyacinth at Reclamation's disposal site at the Fabian Tract near the Tracy Fish Facility (Figure 1). The Proposed Action would authorize DBW to offload, transport and dispose of aquatic vegetation (primarily water hyacinth) at Reclamation's Tracy Fish Collection Facility actively used spoil area (Figure 2). The Proposed Action would also allow DBW to use Reclamation's boat ramp and trash conveyor for access to the disposal site. An excavator would remove vegetation from a barge at Reclamation's boat ramp, temporarily pile the vegetation on the ramp and then pick it up and load it into trucks. The loads would be transported approximately 350 yards to the spoil disposal area, where they would be dumped. A dozer at the spoil site would pile and arrange the vegetation evenly, in a manner to speed its drying and decomposition. Water hyacinth is composed mostly water and degrades quickly when treated this way. The organic residue would remain at the spoil site and the site is expected to be used indefinitely. It is estimated that between 100 to 150 acres areal coverage of water hyacinth would be collected and disposed of each year by DBW. DBW contractors would continue to transport the water hyacinth to the disposal site by truck. It is estimated that between 150 to 250 acres of water hyacinth would be collected annually although the amount of hyacinth varies by year and could exceed this amount. The water hyacinth would remain on site at the Fabian Tract until it decomposes.

Environmental Commitments

DBW shall continue to implement the following environmental protection measures to avoid environmental consequences associated with the Proposed Action:

- Avoidance measures for San Joaquin kit fox shall be adhered to (FWS 2011). Prior to DBW commencing activity, and whenever a lapse of the activity for two or more weeks occurs, a survey of the project area by a biologist shall be conducted for the presence of San Joaquin kit fox (SJKF), or sign or other evidence of use or potential use of the area by SJKF, including their dens, or potential dens, etc. as defined by Fish and Wildlife Service (FWS; 2011). If evidence of their presence, or use of the area by SJKF is found, or sign or dens or potential dens are found, additional environmental review is required, including potentially formal consultation with FWS. However, pending a finding of no evidence of SJKF, or sign of, or use of the area, or of dens or potential dens for SJKF, activities would be permitted.
- DBW will ensure that any elderberry shrubs, if present, are avoided by equipment while moving around on-site, and when the removed water hyacinth is deposited.
- Should any listed species be observed, additional environmental review required shall be completed before resumption of activities.
- A maximum speed of 15 mph shall be strictly enforced on all roadways within the Proposed Action Area during project activities.
- Work between sundown and sun-up will be minimized to the maximum extent practicable.
- Contamination of water shall be avoided so listed fish and their habitat will not be affected. To avoid effects on listed species and designated critical habitat, activities that would affect water quality are not permitted.
- Equipment operating at Reclamation facilities shall be maintained in good working condition and DBW shall ensure that protections are in place to prevent spill and prevent contamination of water.
- Migratory birds are protected from take under the Migratory Bird Treaty Act (16 USC § 703 et. Seq.) and no take of migratory birds is permitted.
- Any burrows occupied by burrowing owls shall be protected and activities shall be conducted in a manner which will not cause abandonment of nests with eggs or young, or otherwise cause take.

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

Exclusion Category

516 DM 14.5 D (10). *Issuance of permits, licenses, easements, and crossing agreements which provide right-of-way of Bureau lands where action does not allow for or lead to a major public or private action.*

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-045

Project Name: 20-year Extension of the Tracy Fish Facility Water Hyacinth Disposal Authorization

NEPA Document: CEC

NEPA Contact: Kate Linder, Natural Resources Specialist

MP 153 Cultural Resources Reviewer: Scott Williams, Archaeologist 

Date: December 17, 2018

Reclamation proposes to extend the California Department of Boating and Waterways (DBW) existing license for water hyacinth removal for an additional 20-year period (through December 31, 2038). The extension would authorize DBW to continue to transport and dispose of mechanically harvested water hyacinth at Reclamation's disposal site at the Fabian Tract near the Tracy Fish Facility. The Proposed Action would also allow DBW to use Reclamation's boat ramp and trash conveyor for access to the disposal site. DBW contractors would continue to transport the water hyacinth to the disposal site by truck. It is estimated that between 150 to 250 acres of water hyacinth would be collected annually although the amount of hyacinth varies by year and could exceed this amount. The water hyacinth would remain on site at the Fabian Tract until it decomposes.

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.