

# RECLAMATION

## *Managing Water in the West*

### Categorical Exclusion Checklist

## ACMPC California 5, LLC Land Use Authorization

CEC-18-005

Prepared by:

Kathleen A. Linder  
Kathleen Linder  
Natural Resources Specialist  
South-Central California Area Office

Date: 4/12/18

Concurred by:

See Attachment A  
Scott Williams, Archeologist  
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: 04/12/2018

Approved by:

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

Date: 04/12/2018



## Background

The Friant-Kern Canal is a part of the Bureau of Reclamation's Central Valley Project, and provides water to the eastern portion of the San Joaquin Valley. ACMPC California 5, LLC, has submitted a land use application requesting authorization to operate and maintain an existing 18-inch steel water pipeline that runs under the Friant-Kern Canal, at approximately milepost 69.22, for the continued conveyance of irrigation water from an existing well to an existing pump station.

## Nature of the Action

Reclamation would issue a land use authorization for the continued operation and maintenance of an existing pipeline. The proposed action is strictly administrative, no ground disturbance or modification of the facility would occur.

## Exclusion Category

516 DM 14.5 D (10). *Issuance of permits, licenses, easements, and crossing agreements which provide right-of-way over 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Extraordinary Circumstance	No	Uncertain	Yes
(43 CFR 46.215 (e)).			
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 Environmental Assessment or Environmental Impact Statement.

## **Attachment A: Cultural Resources Determination**

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

**MP-153 Tracking Number:** 18-SCAO-085

**Project Name:** ACMPC California 5, LLC Land Use Authorization

**NEPA Document:** CEC-18-005

**NEPA Contact:** Kathleen Linder, Natural Resource Specialist

**MP 153 Cultural Resources Reviewer:** Scott Williams, Archaeologist 

**Date:** April 5, 2018

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Reclamation proposed to issue a Land Use Authorization for the continued operation and maintenance of an existing pipeline. 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).

The Friant-Kern Canal is a part of the Bureau of Reclamation's Central Valley Project, and provides water to the eastern portion of the San Joaquin Valley. The ACMPC California 5, LLC, has submitted a land use application requesting authorization to operate and maintain an existing 18-inch steel water pipeline that runs under the Friant-Kern canal, at approximately milepost 69.22, for the continued conveyance of irrigation water from an existing well to an existing pump station. No modification of existing facilities or ground disturbance will occur as a result of the proposed action.

This document is intended to convey the completion of the NHPA Section 106 process for this undertaking. I concur with item 8 of CEC-18-005 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.