
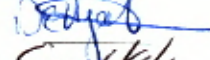
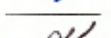


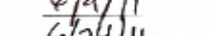





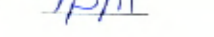


## **Kern-Tulare Water District**

### ***Exclusion "W"***

South-Central California Area Office

Date: May 16, 2011

To:	Wildlife Biologist	SCC 420		D Hyatt	
	Supervisory Nat. Res. Specialist	SCC 411		C Siek	
	Secretary	SCC 101		P Escobar	
	Chief, Resource Division	SCC 400		R English	
	Deputy Area Manager	SCC 102		L Myers	
	Natural Resource Specialist	SCC 413		D Oliveira	

Cost Authority Number: AIR-1752-9652-220-03-6-2      Key Code: 367  
From: Danielle Oliveira

Subject: Review and signing of Categorical Exclusion Checklist

Please review the attached CEC and route it according to the order on the list. When your review is finished, please date, initial and sign on the last page. However, if you have comments or questions please contact the Environmental Team or the proponent of the action. When everyone has signed the CEC, please return it to Danielle Oliveira.

Thank you.

Ready for Central Files 7/5/2011

Copies to: MP-3730 (1 Copy)

Project Lead (1 Copy): Rena Ballew – SCC-414

**CATEGORICAL EXCLUSION CHECKLIST**  
***Exclusion of Land from Kern-Tulare Water District (KTWD)***

South-Central California Area Office

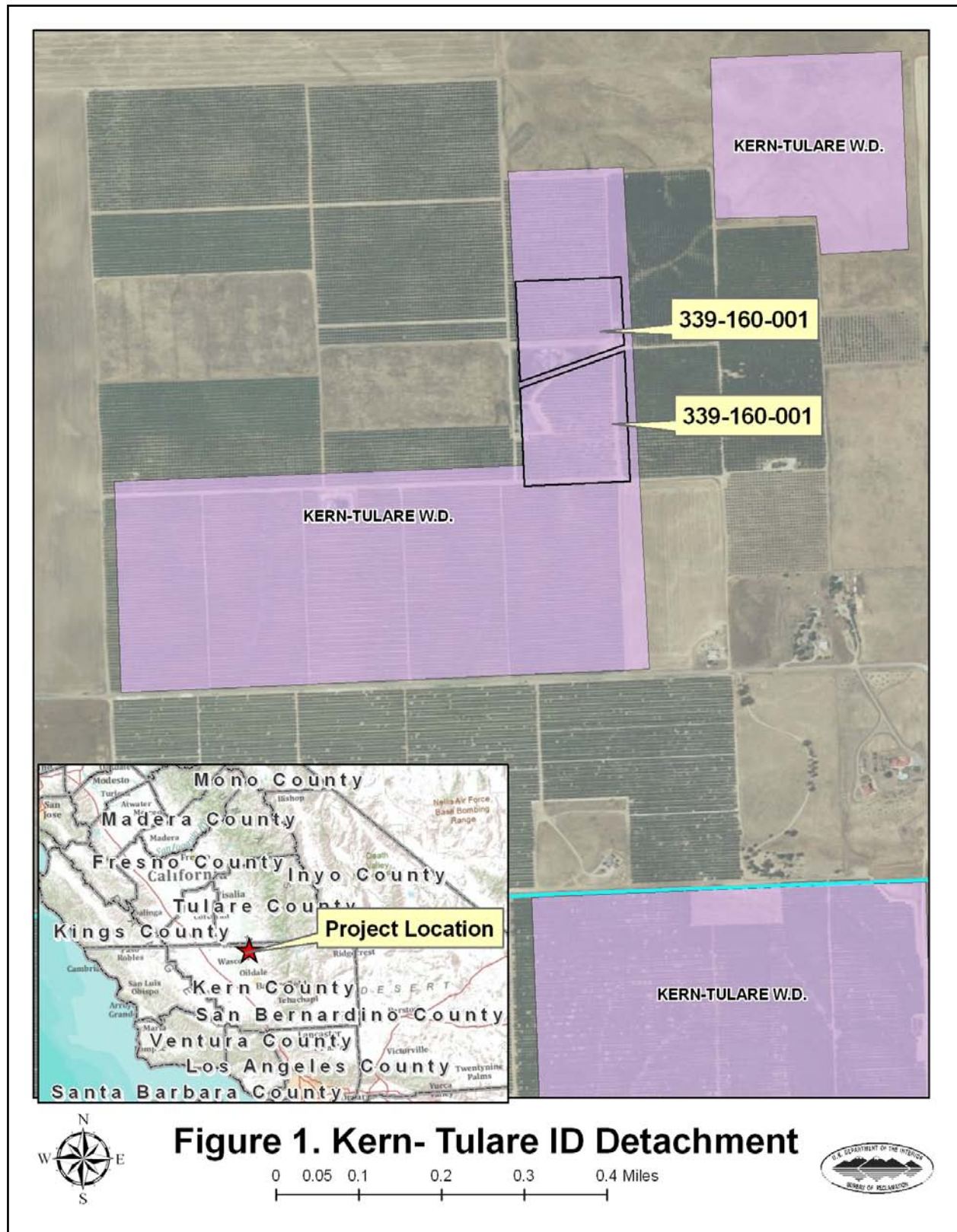
May 1, 2011

**Background:** KTWD has revised their Sphere of Influence with Tulare County Local Agency Formation Commission (LAFCo) by excluding land. The LAFCo action occurred on August 5, 2010. This action will only affect the quantities of water delivered by the appropriate districts for the subject territory. There will be no upgrade needed to existing facilities as a result of the annexation. KTWD has requested that the Bureau of Reclamation (Reclamation) change their contractor service area.

**Purpose and Need for Action:** KTWD has requested that its service area boundaries be condensed to exclude  $\pm 18.51$  acres (Figure 1). KTWD landowners have requested to be removed from the KTWD boundaries in order to avoid any further assessments on the property.

**Proposed Action:** Reclamation proposes to approve the exclusion of  $\pm 18.51$  acres from KTWD. The assessor parcel number is 339-160-001. KTWD could make changes to their service area upon approval from Reclamation

**Exclusion Category:** 516 DM 14.5 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 of lands in these contracts.



**Evaluation of Criteria for Categorical Exclusion**

- |   |             |                |     |
|---|-------------|----------------|-----|
| 1. This Action will have a significant effect on the quality of human environment   | No <u>X</u> | Uncertain ____ | Yes |
| 2. This action would have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources | No <u>X</u> | Uncertain ____ | Yes |

**Evaluation of Exemptions to Actions within Categorical Exclusion**

- |   |             |                |     |
|---|-------------|----------------|-----|
| 1. This action would have significant impacts on public health or safety  | No <u>X</u> | Uncertain ____ | Yes |
| 2. 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 (E.O. 11990); floodplains (E.O. 11988); national monuments; migratory birds; and other ecologically significant or critical areas | No <u>X</u> | Uncertain ____ | Yes |
| 3. This action will have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks  | No <u>X</u> | Uncertain ____ | Yes |
| 4. This action would establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects   | No <u>X</u> | Uncertain ____ | Yes |

- |  |                 |                         |     |
|--|-----------------|-------------------------|-----|
| 5. This action would have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects  | No <u>  X  </u> | Uncertain <u>      </u> | Yes |
|  |                 |                         |     |
| 6. This action would have significant impacts on properties listed, or eligible for listing, on the National Register or Historic Places (National Register) as determined by the bureau (in coordination with a Reclamation cultural resources professional, LND 02-01 D(1)(a)) | No <u>  X  </u> | Uncertain <u>      </u> | Yes |
|  |                 |                         |     |
| 7. 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   | No <u>  X  </u> | Uncertain <u>      </u> | Yes |
|  |                 |                         |     |
| 8. This action would violate a Federal, State, local, or tribal law or requirement imposed for protection of the environment   | No <u>  X  </u> | Uncertain <u>      </u> | Yes |
|  |                 |                         |     |
| 9. This action would affect ITAs (To be completed by Reclamation official responsible for ITAs)  | No <u>  X  </u> | Uncertain <u>      </u> | Yes |
|  |                 |                         |     |
| 10. This action would have a disproportionately high and adverse effect on low income or minority populations  | No <u>  X  </u> | Uncertain <u>      </u> | Yes |
|  |                 |                         |     |
| 11. 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   | No <u>  X  </u> | Uncertain <u>      </u> | Yes |

12. 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 Weeds Control Act)

No X      Uncertain \_\_\_\_      Yes

**NEPA Action:**      Categorical Exclusion X

**Environmental commitments, explanation, and/or remarks:**

☐ Yes      ☒ No      Environmental commitments are required and attached.

☐ San Joaquin Kit Fox Avoidance and Minimization Measures

☐ Giant Garter Snake Avoidance and Minimization Measures

☐ California Tiger Salamander Avoidance and Minimization Measures

☐ California Red-Legged Frog Avoidance and Minimization Measures

☐ Other:

Prepared by:

Danielle Oliviera

Date: 05/17/2011

South-Central California Area Office

Regional Archeologist concurrence with Item 7:  
See attachment.

ITA Designee concurrence with Item 10:  
See attachment.

Concur:

DeBrett

Date: 05/17/11

Wildlife Biologist, South-Central California Area Office

Concur:

C. Lopez

Date: 6/9/11

Supervisory Natural Resources Specialist, South-Central California Area Office

Concur:

Randy J. English

Date: 6/24/11

Chief, Resources Management Division, South-Central California Area Office

Approved:

Laura Myers

Date: 6/28/2011

Deputy Area Manager, South-Central California Area Office

**From:** [Overly, Stephen A](#)  
**To:** [Oliveira, Danielle M](#)  
**Cc:** [Perry, Laureen \(Laurie\) M](#); [Nickels, Adam M](#); [Bruce, Brandee E](#); [Barnes, Amy J](#); [Dunay, Amy L](#); [Goodsell, Joanne E](#); [Fogerty, John A](#)  
**Subject:** KTWD 18.51 Acre Detachment Section 106 Complete  
**Date:** Friday, March 25, 2011 2:54:59 PM

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11-SCAO-112

Hi Danielle,

The proposed action for Reclamation to amend an existing contract with the Kern-Tulare Water District (KTWD) without any subsequent change in land use does not have the potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1).

Project Description: Reclamation proposes to approve the detachment of 18.51 acres from the KTWD service area. The detachment involves parcel 339-160-001 and will only affect the quantities of water delivered by the appropriate district for the subject territory. The KTWD landowners have requested to be removed from the KTWD boundaries in order to avoid any further assessments on the property.

Location: Section 25, Township 24S, Range 27E of the Mount Diablo Meridian.

NEPA Exclusion Category: 516 DM 14.5 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 of lands in these contracts.

I concur with Item 6 of CEC 10-108. This concludes the Section 106 review process. Please retain a copy of this transmittal with the project file.

Thank you for providing the opportunity to comment.

Tony

Stephen (Tony) Overly, M.A. Archaeologist  
U.S. Bureau of Reclamation, Mid-Pacific Region  
2800 Cottage Way, MP-153  
Sacramento, CA 95825  
916-978-5552



**From:** [Rivera, Patricia L](#)  
**To:** [Oliveira, Danielle M](#)  
**Cc:** [Robbins, Eleanor J \(Ellie\)](#); [Williams, Mary D \(Diane\)](#)  
**Subject:** RE: ITA Request for CEC-10-100----ELLIE THIS IS ADMIN PATRICIA  
**Date:** Friday, March 25, 2011 2:46:15 PM

---

Danielle,

I reviewed the proposed action to approve the detachment of ±18.51 acres from Kern Tulare Water District. The assessor parcel number is 339-160-001. Kern Tulare Water District could make changes to their service area upon approval from Reclamation.

The proposed action does not have a potential to affect Indian Trust Assets.

Patricia

**From:** [Hyatt, David E](#)  
**To:** [Oliveira, Danielle M](#)  
**Subject:** RE: ESA Approval for CEC-10-100 Exclusion of 18.51 acres in KTWD  
**Date:** Monday, May 16, 2011 12:12:22 PM  
**Attachments:** [image001.jpg](#)

---

I have not heard back from USFWS regarding the action described in CEC-10-100.

ESA has been completed.

David E. Hyatt  
Supervisory Biologist  
South-Central California Area Office  
Bureau of Reclamation  
Desk 559.487.5139  
Fax 559.487.5397



---

**From:** Oliveira, Danielle M  
**Sent:** Monday, May 16, 2011 11:42 AM  
**To:** Hyatt, David E  
**Subject:** ESA Approval for CEC-10-100 Exclusion of 18.51 acres in KTWD

Hi Dave,

We have hit the 30 day mark since we sent a letter to US Fish and Wildlife Service regarding the exclusion of ±18.51 acres in Kern Tulare Water District.

Could you please email me that this document has ESA approval.

Have a great day and welcome back!

Danielle M. Oliveira  
Biological Science Technician  
Resource Management Division  
U.S. Bureau of Reclamation  
1243 "N" Street  
Fresno, CA 93721  
Office: (559)487-5295



# United States Department of the Interior



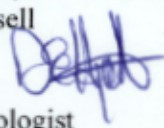
BUREAU OF RECLAMATION  
South-Central California Area Office  
1243 N Street  
Fresno, California 93721-1813

IN REPLY REFER TO:  
SCC-420  
ENV-7.00  
Friant Division

APR 14 2011

## MEMORANDUM

To: Field Supervisor, U.S. Fish and Wildlife Service, Sacramento, CA  
Attn: Dan Russell

From: David E. Hyatt   
Supervisory Biologist

Subject: Exclusion of Lands from Kern-Tulare Water District (District)

Pursuant to Bureau of Reclamation's (Reclamation) commitment on inclusions and exclusions presented on pages 2-40 and 2-57 of the Biological Opinion on Implementation of the Central Valley Project Improvement Act and Continued Operation and Maintenance of the Central Valley Project (CVP) (1-1-01-1-0311), Reclamation is hereby notifying the U.S. Fish and Wildlife Service of an exclusion.

The District revised their sphere of influence with Tulare County Local Agency Formation Commission (LAFCo) on August 5, 2010 by detaching land (Figure 1). The District has requested that its service area boundaries be condensed to exclude  $\pm 18.51$  acres (parcel number 339-160-001) and Reclamation's action is the approval of the exclusion.

The proposed action will only affect the quantities of water delivered by the District to the subject properties. Reclamation has made a No Effect determination under the Endangered Species Act (16 U.S.C. §1531 et. seq.) for the proposed federal action of approving the exclusion. Reclamation is not seeking concurrence with this determination. If the Service has any comments on this action, please notify Reclamation in writing within 30 days of receipt of this memo.

Table 1

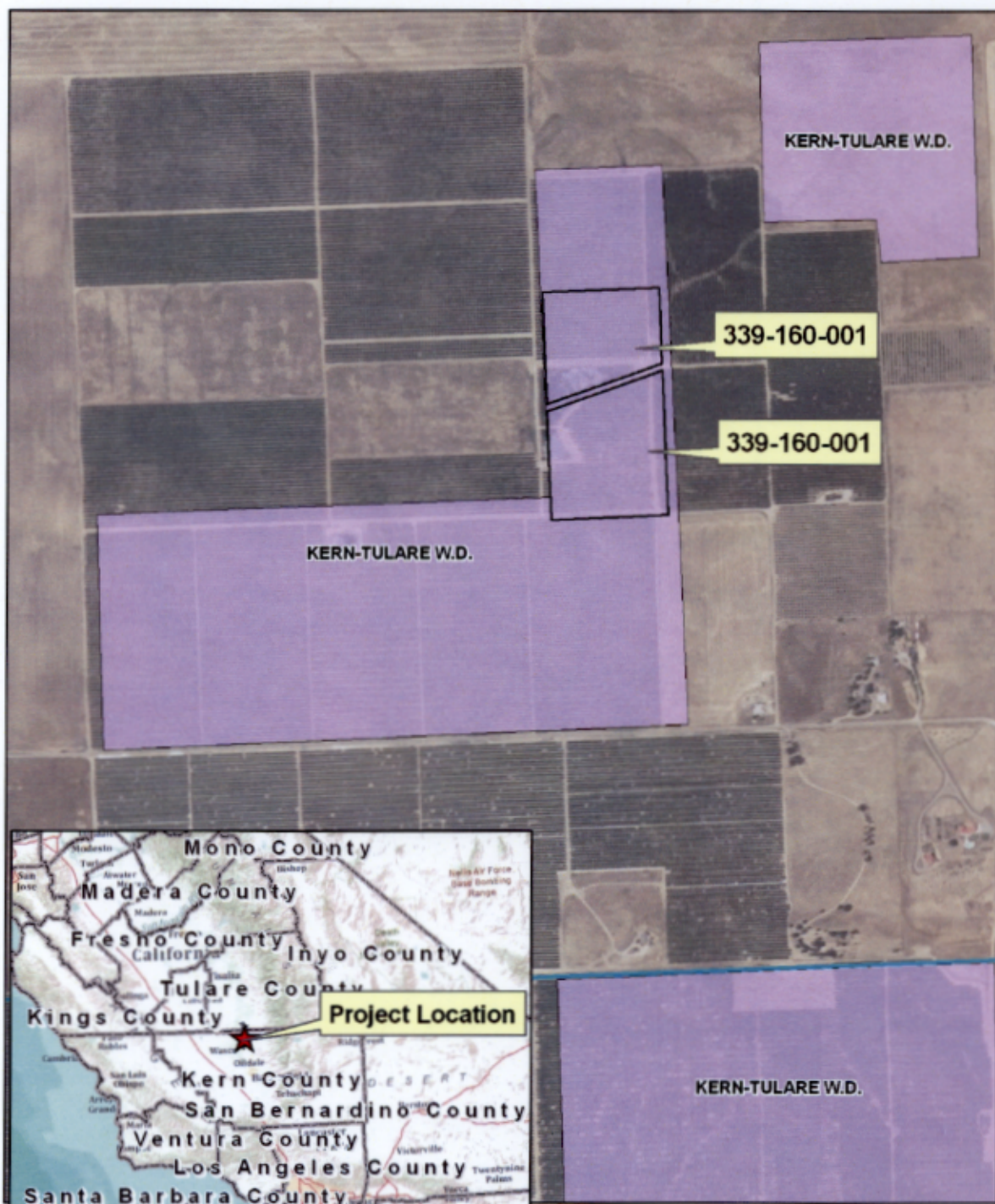
Parcel(s) to be Excluded from KTWD

Assessor's Parcel Number	Acreage	Parcels within District	Section	Township	Range
339-160-001	18.51	Yes	25	24 South	27 East

If you have any questions, please contact David E. Hyatt, Supervisory Wildlife Biologist, at 559-487-5139, dhyatt@usbr.gov, or for the hearing impaired at 800-735-2929.

Attachment





**Figure 1. Kern- Tulare ID Detachment**