



— BUREAU OF —
RECLAMATION

Categorical Exclusion Checklist

San Justo Reservoir Bird Observations License CEC-23-002

prepared by

Layne Brazier
Natural Resources Specialist
South-Central Area Office
Interior Region 10 · California – Great Basin, Bureau of Reclamation

concurring by

Mark Carper
Archeologist
Interior Region 10 · California – Great Basin, Bureau of Reclamation
Concurrence with Extraordinary Circumstance 8

concurring by

Lisa Buck
Wildlife Biologist
South-Central Area Office
Interior Region 10 · California – Great Basin, Bureau of Reclamation

concurring by

Lisa Buck
Acting Environmental Branch Chief
South-Central Area Office
Interior Region 10 · California – Great Basin, Bureau of Reclamation
Concurrence with Extraordinary Circumstance 11

approved by

for

Michael P. Jackson, P.E.
Area Manager
South-Central California Area Office
Interior Region 10 · California – Great Basin, Bureau of Reclamation

Proposed Action



Figure 1: Licensed Premises to Conduct Bird Observations at San Justo Reservoir



Legend

- San Benito CO APN - Licensed Premises
- All CGB Facilities



BUREAU OF RECLAMATION

Figure 1. San Justo Reservoir with Licensed Premises for Project

The Bureau of Reclamation (Reclamation) would issue a land use authorization for one-year to Debra Shearwater, and up to three volunteers, to conduct bird counts at San Justo Reservoir (See Figure 1). This authorization may be further extended for up to ten years at Reclamation's determination.

Reclamation would issue access to San Justo Reservoir to conduct bird observations of wintering waterfowl and nesting species during the breeding season. Debra Shearwater would enter all data in a timely manner into the eBird observation data base, Cornell Lab of Ornithology: eBird.org. Debra Shearwater would drive her personal vehicle on the existing paved road around the reservoir/dam in order to count birds (See Figure 1). All observations would be made on the pavement, Debra Shearwater and the volunteers would not be allowed off the road. Up to three additional volunteers may accompany Debra in her personal vehicle. Counts would be made in accordance with eBird guidelines. Equipment would include high-powered binoculars and spotting telescopes for observations. This would be an ongoing project with site visits occurring up to once a week throughout the year.

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.

Environmental Commitments

Debra Shearwater shall implement the following environmental protection measures to avoid environmental consequences associated with the Proposed Action:

- The permittee and associated volunteers and their vehicle and equipment shall remain on existing paved roads.
- The permittee and associated volunteers and their vehicle and equipment shall not come into contact with the waters of San Justo Reservoir.

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

Extraordinary Circumstances

Below is documentation that Reclamation considered whether there were extraordinary circumstances associated with the action as required in 40 CFR 1501.4(b). The criteria reflect the Extraordinary Circumstances detailed in 43 CFR 46.215, the requirements of Executive Orders (EOs), and Reclamation policy on Indian Trust Assets (ITAs).

Extraordinary Circumstance	Yes, No, or Uncertain
(1) This action would have a significant effect on the quality of the human environment (40 CFR 1502.3)	No
(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
(3) This action would have significant impacts on public health or safety (43 CFR 46.215(a)).	No
(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
(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
(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
(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
(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)).	No
(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
(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

Extraordinary Circumstance	Yes, No, or Uncertain
(11) This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993).	No
(12) This action would have a disproportionately high and adverse effect on low income or minority populations (EO 12898) (43 CFR 46.215 (j)).	No
(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)).	No
(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

NEPA Action Recommended

This 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.