



— BUREAU OF —
RECLAMATION

Finding of No Significant Impact

Klamath Project Internal Water Transfers (2021-2025)

**Klamath Project, Oregon/California
Interior Region 10 California Great Basin
CGB-FONSI-2021-019**

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Mission Statements

The Department of the Interior (DOI) conserves and manages the Nation's natural resources and cultural heritage for the benefit and enjoyment of the American people, provides scientific and other information about natural resources and natural hazards to address societal challenges and create opportunities for the American people, and honors the Nation's trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated island communities to help them prosper.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

Background

In 2016, the Bureau of Reclamation's (Reclamation) Klamath Basin Area Office prepared the *Klamath Project Internal Water Transfers (2016-2020) Environmental Assessment* (EA; 2016-EA-005) and signed a Finding of No Significant Impact (FONSI; 2016-FONSI-001), in accordance with Section 102(2)(c) of the National Environmental Policy Act of 1969, as amended, to optimize the use of limited Klamath Project (Project) water supplies by approving Project water transfers between contractors for existing irrigated lands within the delivery area of the Project within Klamath County, Oregon, and Siskiyou and Modoc counties, California.

The 2016 FONSI and EA focused on the potential impacts of approving the transfer of available Project water between lands within the Project for a period of five years. Under approved transfers, lands that had been established as irrigated lands-based state water right filings and water service contracts with Reclamation received available Project water, and no new lands or lands outside the Project were irrigated as a result of the approved transfers. Transfers were limited to the 2016 through 2020 irrigation seasons. Analyses and background information from the 2016 EA and FONSI are incorporated by reference and can be located at the following link: https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=21741

Reclamation proposes the continuation of approving the transfer of available Project water between Project lands annually for an additional period of five years. The action will include the continuation of internal Project water transfers between lands established as irrigated lands-based state water right filings and water service contracts with Reclamation, and no new lands or lands outside the Project would become irrigated as a result. Transfers would be limited to the 2021 through 2025 irrigation seasons.

Alternatives Including Proposed Action

No Action Alternative

Under the No Action Alternative, Reclamation would not continue to approve internal water transfers between lands within the Project. Under the No Action Alternative, some agricultural water users may face shortages in the absence of water transfers and have to idle or fallow cropland as a result.

Proposed Action Alternative

The Proposed Action remains unchanged from the 2016 FONSI and EA, except for the updated five-year timeline of the 2021 through 2025 irrigation seasons. Reclamation proposes to continue to optimize the use of limited Project water supplies by approving the transfer of available Project water between existing irrigated lands within the delivery area of the Project in order to result in the most productive use of water (i.e., greatest economic or agricultural output). The Proposed Action area is located within the existing boundaries of the Project within Klamath County, Oregon, and Siskiyou and Modoc counties, California. The lands that would potentially continue to receive Project water under approved transfers have been established as irrigated lands based state water right filings and water service contracts with Reclamation, and no new lands or lands outside the Project would become irrigated as a result. The continuation of transfers would be limited to the 2021 through 2025 irrigation seasons. No additional water would be used than what is currently provided in the U.S. Fish and Wildlife Service's (USFWS) *Biological Opinion on the Effects of the Proposed Interim Klamath Project Operations Plan, effective April 1, 2020, through September 30, 2022, on the Lost River Sucker and the Shortnose Sucker* issued on April 10, 2020 (2020 BiOp), and the National Marine Fisheries Service's *Endangered Species Act Section 7(a)(2) Biological Opinion, and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for Klamath Project Operations from April 1, 2019 through March 31, 2024* issued on March 29, 2019 or any subsequent operational plan and associated environmental compliance documents.

No new construction or modification of existing facilities would occur in order to complete the Proposed Action. Reclamation's action continues to be administrative in nature and continues to serve to optimize the use of limited Project water supplies among existing lands within the Project.

To ensure compliance with Reclamation policy regarding the minimum requirements for the approval of Project water transfers (Reclamation, 2019¹), KBAO would continue to utilize interim guidelines which would address all water transfers equitably and provide flexibility to water users in managing available Project water supplies. The interim guidelines provide the conditions for Reclamation approval of transfers of Project water under the Proposed Action.

Findings

Reclamation considered potential short-term and long-term effects of the Proposed Action, both beneficial and adverse. The following are the reasons why the impacts of the Proposed Action are not significant, with respect to the affected environment and degree of effects of the action (40 CFR 1501.3(b)).

¹ Bureau of Reclamation, 2019. *Reclamation Manual* (RM), Policy, "Transfers and Conversions of Project Water" (PEC P09) (August 4, 2019). <https://www.usbr.gov/recman/pec/pec-p09.pdf>

1. Water Resources: No impacts to waters of the United States or other water resources are expected to occur as the Proposed Action is administrative in nature, does not involve in-water activities, and is in accordance with Reclamation historic and routine operations for delivery of available water supplies through Reclamation facilities within the Project.
2. Biological Resources: Based on the lists generated from the U.S. Fish and Wildlife Services USFWS Information, Planning, and Conservation website (USFWS, 2021) on the Federally Listed, Proposed, and Candidate species that may occur within the Proposed Action Area (Klamath County, Oregon and Modoc and Siskiyou counties, California) Reclamation determined that the Proposed Action is not expected to have an effect on listed threatened or endangered species or their designated critical habitats as the Proposed Action is administrative in nature and does not change land status or historic water delivery services within or around the Project. However, for any water transfers that may involve lands within the Tulelake or Lower Klamath National Wildlife refuges, Reclamation will coordinate with the USFWS to ensure Proposed Action has no effect on refuge fish and wildlife, migrating birds protected under the Migratory Bird Treaty Act (16. U.S.C. §§ 703-711), and that transfers are consistent with the 2020 BiOp.
3. Cultural Resources: On March 1, 2021, Reclamation determined that the Proposed Action is the type of undertaking that does not have the potential to cause effects on historic properties, should such properties be present, pursuant to Title 54 U.S.C § 306108. As such, Reclamation has no further obligations under Section 106 of the National Historic Preservation Act, pursuant to 36 CFR § 800.3(a)(1).
4. The Proposed Action will not significantly affect public health or safety (40 CFR 1501.3(b)(2)(iii)).
5. The Proposed Action will not violate federal, state, tribal or local law protecting the environment (40 CFR 1501.3(b)(2)(iv)).
6. The Proposed Action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum – July 2, 1993).
7. Implementing the Proposed Action will not disproportionately affect minorities or low-income populations and communities (EO 12898 – February 11, 1994).
8. The Proposed Action will not 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 – May 24, 1996 and 512 DM 3 – June 5, 1998).

RECLAMATION


Managing Water in the West

Finding of No Significant Impact

Klamath Project Internal Water Transfers (2016-2020)

Klamath Reclamation Project, Oregon
Mid-Pacific Region
2016-FONSI-001

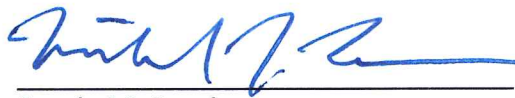
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Acting Area Manager
Klamath Basin Area Office

Background

In accordance with Section 102(2)(c) of the *National Environmental Policy Act of 1969* (NEPA), as amended, the Bureau of Reclamation (Reclamation) has prepared an Environmental Assessment (EA) for approving water transfers between contractors for lands within the delivery area of the Klamath Project. The proposed action area is located within the existing boundaries of the Project within Klamath County, Oregon, and Siskiyou and Modoc counties, California.

Reclamation policy requires Reclamation's approval for transfers of water within a federal reclamation project (Reclamation, 2013). Reclamation policy further identifies minimum requirements for the approval of project water transfers. The Mid-Pacific Regional Director has delegated authority to the Area Manager of the Klamath Basin Area Office (KBAO) to approve short-term transfers of Klamath Project water (Reclamation, 1993).

Alternatives Including the Proposed Action

No Action Alternative

Under the No Action Alternative, Reclamation would not approve internal water transfers between lands within the Klamath Project. Under the No Action Alternative, some agricultural water users may face shortages in the absence of water transfers and have to idle or fallow cropland as a result. Some water users may rely upon alternative water supplies when Klamath Project water is not available, such as supplemental groundwater. These subsequent actions under this No Action Alternative do not require Reclamation approval and are outside the scope of this EA analysis.

Proposed Action Alternative

Reclamation is proposing to allow the transfer of available Project water between Project lands. The lands potentially receiving Project water under approved transfers have been established as irrigated lands based state water right filings and water service contracts with Reclamation, and no new lands or lands outside the Project would become irrigated as a result. Transfers would be limited to the 2016 through 2020 irrigation seasons. No additional water would be used than what is currently provided in the *Biological Opinions on the Effects of Proposed Klamath Project Operations from May 31, 2013, through March 31, 2023, on Five Federally-Listed Threatened and Endangered Species* (2013 BiOp) (USFWS and NMFS, 2013).

No new construction or modification of existing facilities would occur in order to complete the Proposed Action. Reclamation's action is administrative in nature and serves to optimize the use of limited Klamath Project water supplies among existing irrigated lands within the Klamath Project.

To ensure compliance with Reclamation policy regarding the minimum requirements for the approval of project water transfers (Reclamation, 2013), KBAO would develop and utilize Interim Guidelines similar to those sample guidelines identified in the EA within Appendix A. These guidelines would address all water transfers equitably and provide flexibility to water users in managing available Project water supplies. The Interim Guidelines would establish the conditions for Reclamation's approval of transfers of Project water under the Proposed Action.

Findings

Based on the attached EA, Reclamation finds that the Proposed Action is not a major Federal action that will significantly affect the quality of the human environment. The attached EA describes the existing environmental resources in the Proposed Action area and evaluates the effects of the No Action and Proposed Action alternatives on various resources. This EA was prepared in accordance with Council on Environmental Quality regulations (40 C.F.R. §§1500-1508) and Department of the Interior regulations (43 C.F.R. Part 46) implementing NEPA. Effects on several environmental resources were examined and found to be absent or minor. That analysis is provided in the attached EA, and the analysis in the EA is hereby incorporated by reference.

Water Resources

No impacts to waters of the United States are expected to occur as the Proposed Action is administrative in nature and is in accordance with Reclamation historic and routine operations for delivery of available water supplies through Reclamation facilities within the Project.

Biological Resources

Based on the lists generated from the U.S. Fish and Wildlife Services Ecological Services' website (USFWS, 2016) on the Federally Listed, Proposed, and Candidate species that may occur within the Proposed Action Area (Klamath County, Oregon and Modoc and Siskiyou counties, California) (Appendix A of the attached EA), Reclamation determined that the Proposed Action is not expected to have an effect on these species or their habitats as the Proposed Action is administrative in nature and does not change land status or historic water delivery services within or around the Project. However, for any water transfers that may involve lands within the Tulelake or Lower Klamath National Wildlife refuges, Reclamation will coordinate with the USFWS to ensure Proposed Action has no effect on refuge fish and wildlife, migrating birds protected under the Migratory Bird Treaty Act (16 U.S.C. §§703-711), and that transfers are consistent with the 2013 BiOp.

Indian Trust Assets (ITAs)

The Klamath Basin Area Office Native American coordinator, Natural Resource Specialist, Kristen Hiatt on the Proposed Action, determined on June 23, 2016, that it is reasonable to assume that the Proposed Action will not have any impacts on ITAs (Appendix B of the attached EA).

Indian Sacred Sites

No Indian Sacred sites were identified within the footprint of the Proposed Action.

Environmental Justice

There are no economically disadvantaged or minority populations within the affected environment that would be subject to disproportionate impacts by the Proposed Action.

Cultural Resources

No Impacts to cultural resources would result from the Proposed Action and Reclamation has no further obligations under Title 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act.

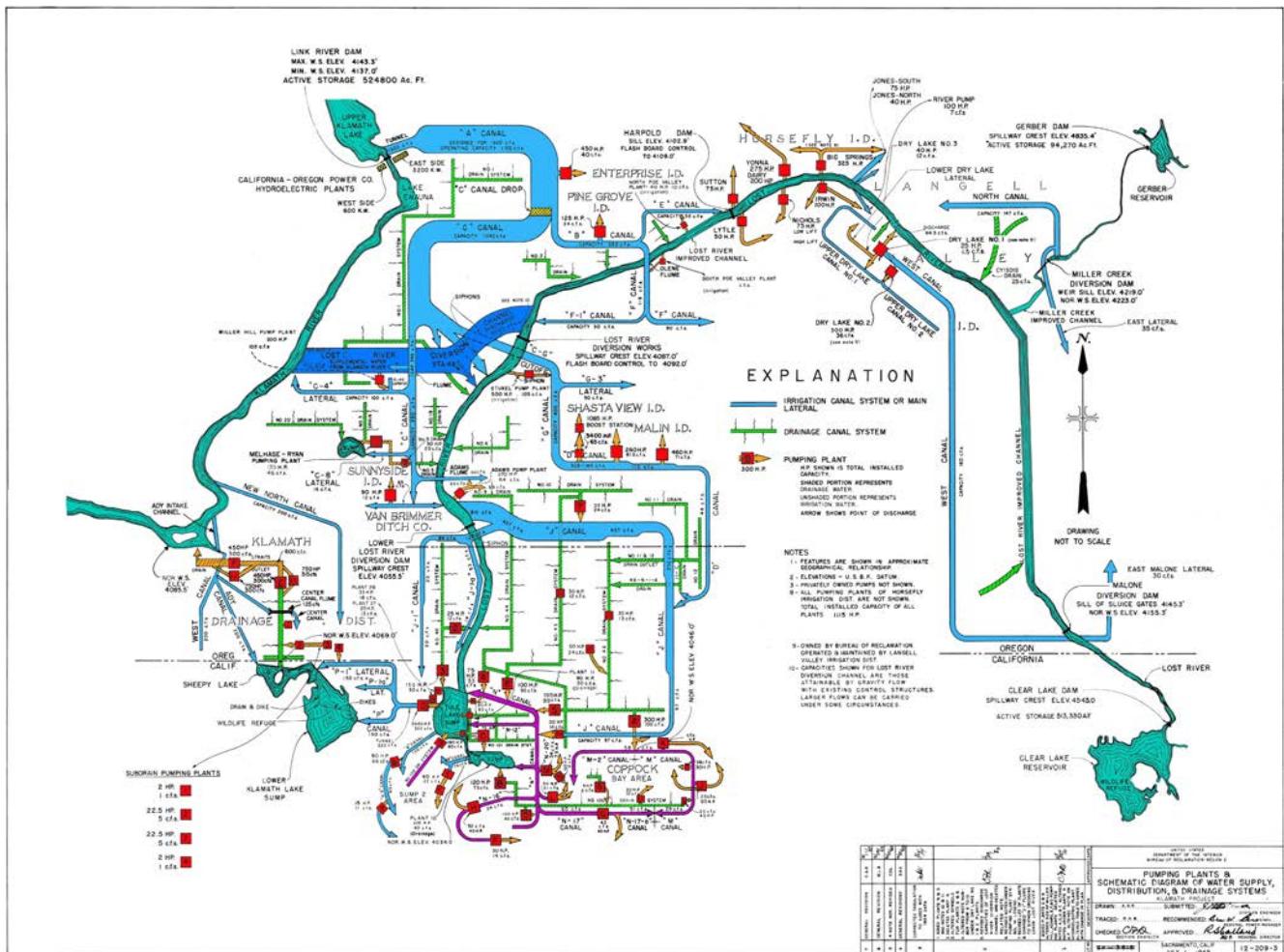
RECLAMATION

Managing Water in the West

Environmental Assessment

Klamath Project Internal Water Transfers (2016-2020)

Klamath Reclamation Project, Oregon
 Mid-Pacific Region
 2016-EA-005



Mission Statements

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian Tribes and our commitments to island communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

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Section 1 - Introduction

This Environmental Assessment (EA) has been prepared to examine the potential direct, indirect, and cumulative impacts to the affected environment associated with the Bureau of Reclamation, Klamath Basin Area Office (KBAO) approving Klamath Project (Project) water transfers between lands within the existing delivery area of the Klamath Project. The proposed action area is located within the existing boundaries of the Project within Klamath County, Oregon, and Siskiyou and Modoc counties, California (see Figure 1-1).

Reclamation policy requires approval for transfers of water within a Reclamation project (Reclamation, 2013). Reclamation policy further identifies minimum requirements for the approval of Project water transfers. The Mid-Pacific Regional Director has delegated authority to the Area Manager of KBAO to approve short-term transfers of Project water (Reclamation, 1993).

1.1 Need for the Proposal

Reclamation needs to approve internal water transfers between lands within the Project to optimize the use of limited Project water supplies.

Section 2 - Proposed Action and Alternatives

2.1 No Action Alternative

Under the No Action Alternative, Reclamation would not approve internal water transfers between lands within the Project. Under the No Action Alternative, some agricultural water users may face shortages in the absence of water transfers and have to idle or fallow cropland as a result. Some water users may rely upon alternative water supplies if Project water is not available, such as supplemental groundwater. These subsequent actions under this No Action Alternative do not require Reclamation approval and are outside the scope of this EA analysis.

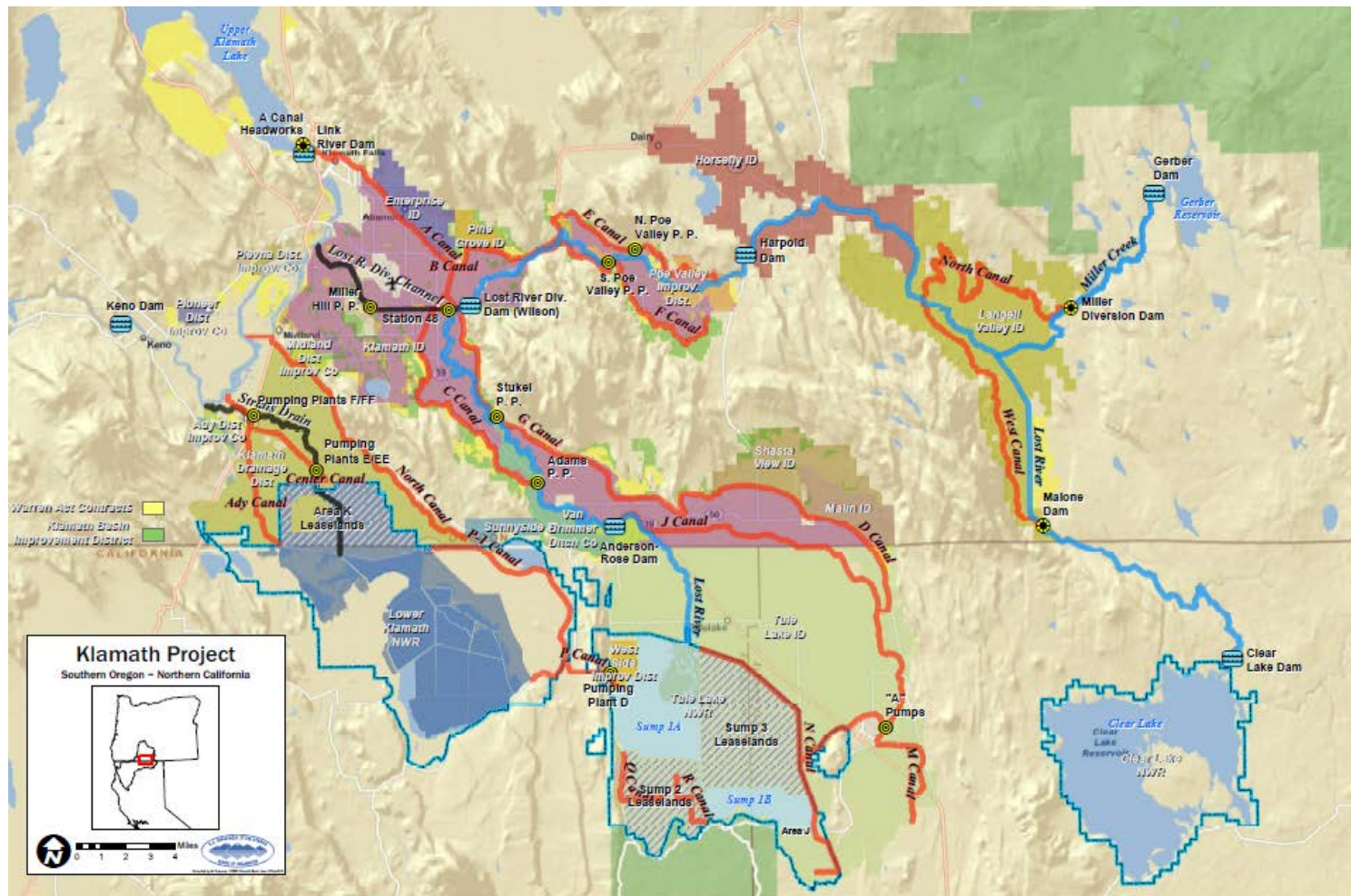
2.2 Proposed Action

Reclamation is proposing to allow the transfer of available Project water between Project lands. The lands potentially receiving Project water under approved transfers have been established as irrigated lands based state water right filings and water service contracts with Reclamation, and no new lands or lands outside the Project would become irrigated as a result. Transfers would be limited to the 2016 through 2020 irrigation seasons. No additional water would be used than what is currently provided in the *Biological Opinions on the Effects of Proposed Klamath Project Operations from May 31, 2013, through March 31, 2023, on Five Federally-Listed Threatened and Endangered Species* (2013 BiOp) (USFWS and NMFS, 2013).

No new construction or modification of existing facilities would occur in order to complete the Proposed Action. Reclamation's action is administrative in nature and serves to optimize the use of limited Project water supplies among existing lands within the Project.

To ensure compliance with Reclamation policy regarding the minimum requirements for the approval of project water transfers (Reclamation, 2013), KBAO would develop and utilize interim guidelines which would all water transfers equitably and provide flexibility to water users in managing available Project water supplies. The interim guidelines would establish the conditions for Reclamation approval of transfers of Project water under the Proposed Action.

Figure 1-1. Boundaries of the Proposed Water Transfers within the Klamath Project



Section 3 - Affected Environment and Environmental Consequences

Impacts on the following resources were considered and found to be minor, and as a result were eliminated from further discussion. Brief explanations for the impacts are provided below:

- **Water Resources:** No impacts to waters of the United States are expected as the Proposed Action is in accordance with Reclamation historic and routine operations for delivery of available water supplies through Reclamation facilities within the Project.
- **Biological Resources:** Appendix A contains a list generated from the U.S. Fish and Wildlife Services Ecological Services' website (USFWS, 2016) on the Federally Listed, Proposed, and Candidate species that may occur within the Proposed Action area (Klamath County, Oregon and Modoc and Siskiyou counties, California). It has been determined that the Proposed Action is not expected to have an effect on these species or their habitats as the Proposed Action is administrative in nature and does not change land status or historic water delivery services within or around the Project. However, for any water transfers that may involve lands within the Tulelake or Lower Klamath National Wildlife refuges, Reclamation will coordinate with the USFWS to ensure Proposed Action has no effect on refuge fish and wildlife, migrating birds protected under the *Migratory Bird Treaty Act* (16. U.S.C. §§703-711), and that transfers are consistent with the 2013 BiOp.
- **Indian Trust Assets (ITA):** ITAs are legal interests in property or rights held in trust by the United States for Indian Tribes or individuals. Reclamation considered impacts to ITAs by consulting with the Klamath Basin Area Office Native American coordinator, Natural Resource Specialist, Kristen Hiatt on the Proposed Action. On June 23, 2016, Hiatt stated that "it is reasonable to assume that the Proposed Action will not have any impacts on ITAs" (Appendix B).
- **Indian Sacred Sites:** No Indian sacred sites have been identified within the footprint of the Proposed Action.
- **Environmental Justice:** There are no economically disadvantaged or minority populations within the affected environment that would be subject to disproportionate impacts by the Proposed Action.
- **Cultural Resources:** Reclamation has determined that the approval of water transfers, using existing facilities with no resulting changes in land use, is the type of activity that has no potential to cause effects on historic properties, assuming such properties are present, pursuant to 36 CFR §800.3(a)(1). No impacts to cultural resources would result from the Proposed Action and Reclamation has no further obligations under Title 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act (NHPA).

3.1 No Action Alternative

Under the No Action Alternative, limited water supplies could not be transferred between lands within the Project. Irrigated croplands without access to Project water may experience increases in the presence of noxious weeds.

3.2 Proposed Action

Under the Proposed Action, limited Project water supplies could be transferred between existing irrigated lands in order to result in the most productive use of water (i.e., greatest economic or agricultural output). As no ground disturbing or in-water activities would occur under the Proposed Action, implementation of the action has been determined to have no impact on the environment than has historically occurred through normal water delivery services and operations and maintenance of Project facilities.

3.3 Cumulative Impacts

There are no other known past, present, and reasonably foreseeable future actions that would cumulatively result in significant impacts to the human environment when taking into consideration the alternatives analyzed within this EA.

Section 4 - Consultation and Coordination

4.1 National Historic Preservation Act (54 U.S.C. 300101 et seq.)

The NHPA is the primary Federal legislation that outlines the Federal government's responsibilities related to cultural resources. 54 U.S.C. §306108, commonly known as Section 106 of the NHPA, requires the Federal agencies to take into account the effects of their undertakings on cultural resources listed on or eligible for inclusion in the National Register of Historic Places.

Reclamation's Mid-Pacific Region Cultural Resources Branch reviewed the Proposed Action in accordance with the requirements of Section 106 of the NHPA and determined the Proposed Action has no potential to cause effects on historic properties. Written documentation of this determination was provided on June 24, 2016 (Appendix C).

References

Bureau of Reclamation, 1993. Mid-Pacific Regional Letter No. 93-20 (Dec. 14, 1993).

Bureau of Reclamation, 2013. *Reclamation Manual* (RM), Policy, “Transfers and Conversions of Project Water” (PEC P09) (July 24, 2013). <http://www.usbr.gov/recman/>

U.S. Fish and Wildlife Service, 2016. Information Resources: Listed, proposed, and Candidate Species Lists (Klamath County, Oregon, Modoc and Siskiyou counties, California) Website accessed on June 23, 2016.
<http://www.fws.gov/klamathfallsfwo/es/es.html>

U.S. Fish and Wildlife Service and National Marine Fisheries Services, 2013. *Biological Opinions on the Effects of Proposed Klamath Project Operations from May 31, 2013, through March 31, 2023, on Five Federally-Listed Threatened and Endangered Species* (May 31, 2013). <http://www.usbr.gov/mp/kbao/programs/ops-planning.html>

Appendix A - Special Status Species that May Occur within the Proposed Action Area

Listed, Endangered, Threatened, Proposed and Candidate Species that May Occur in Klamath County, Oregon



United States Department of the Interior

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kfalls@fws.gov



LISTED, PROPOSED, AND CANDIDATE SPECIES THAT MAY OCCUR IN KLAMATH COUNTY, OREGON

Status: Endangered

| Phylum | Common Name | Scientific Name | Critical Habitat |
|--------|------------------------|--------------------------------|------------------|
| Fish | Lost River sucker | <i>Deltistes luxatus</i> | Designated |
| Fish | Shortnose sucker | <i>Chasmistes brevirostris</i> | Designated |
| Mammal | Gray wolf | <i>Canis lupus</i> | |
| Plant | Applegate's milk-vetch | <i>Astragalus applegatei</i> | |
| Plant | Green's tuctoria | <i>Tuctoria greenei</i> | Designated |

Status: Threatened

| Phylum | Common Name | Scientific Name | Critical Habitat |
|-----------|------------------------------------|---|------------------|
| Bird | Northern spotted owl | <i>Strix occidentalis caurina</i> | Designated |
| Bird | Yellow-billed cuckoo (Western DPS) | <i>Coccyzus americanus occidentalis</i> | Proposed |
| Fish | Bull trout (Klamath River DPS) | <i>Salvelinus confluentus</i> | Designated |
| Amphibian | Oregon spotted frog | <i>Rana pretiosa</i> | Designated |
| Mammal | Canada lynx | <i>Lynx canadensis</i> | |
| Plant | Slender Orcutt grass | <i>Orcuttia tenuis</i> | Designated |

Status: Candidate

| Phylum | Common Name | Scientific Name |
|--------|----------------|-------------------------|
| Plant | Whitebark Pine | <i>Pinus albicaulis</i> |

Listed, Proposed, and Candidate Species that May Occur in Siskiyou County, California



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LISTED, PROPOSED, AND CANDIDATE SPECIES THAT
 MAY OCCUR IN SISKIYOU COUNTY, CALIFORNIA

Status: **Endangered**

| Phylum | Common Name | Scientific Name | Critical Habitat |
|--------------|----------------------|--------------------------------|------------------|
| Fish | Lost River sucker | <i>Deltistes luxatus</i> | Designated |
| Fish | Shortnose sucker | <i>Chasmistes brevirostris</i> | Designated |
| Mammal | Gray wolf | <i>Canis lupus</i> | |
| Invertebrate | Shasta crayfish | <i>Pacifistacus fortis</i> | |
| Plant | Yreka phlox | <i>Phlox hirsute</i> | |
| Plant | Greene's tuctoria | <i>Tuctoria greenei</i> | Designated |
| Plant | Gentner's fritillary | <i>Fritillaria gentneri</i> | Designated |

Status: **Threatened**

| Phylum | Common Name | Scientific Name | Critical Habitat |
|-----------|------------------------------------|---|------------------|
| Bird | Northern spotted owl | <i>Strix occidentalis caurina</i> | Designated |
| Bird | Yellow-billed cuckoo (Western DPS) | <i>Coccyzus americanus occidentalis</i> | Proposed |
| Amphibian | California red-legged frog | <i>Rana aurora draytonii</i> | Designated |
| Amphibian | Oregon spotted frog | <i>Rana pretiosa</i> | |
| Plant | Slender Orcutt grass | <i>Orcuttia tenuis</i> | Designated |

Status: **Candidate**

| Phylum | Common Name | Scientific Name |
|--------|----------------|-------------------------|
| Plant | Whitebark Pine | <i>Pinus albicaulis</i> |

Listed, Proposed, and Candidate Species that May Occur in Modoc County, California



United States Department of the Interior



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LISTED, PROPOSED, AND CANDIDATE SPECIES THAT
 MAY OCCUR IN MODOC COUNTY, CALIFORNIA

Status: **Endangered**

| Phylum | Common Name | Scientific Name | Critical Habitat |
|--------|-------------------|--------------------------------|------------------|
| Fish | Lost River sucker | <i>Deltistes luxatus</i> | Designated |
| Fish | Shortnose sucker | <i>Chasmistes brevirostris</i> | Designated |
| Plant | Green's tuctoria | <i>Tuctoria greenei</i> | Designated |

Status: **Threatened**

| Phylum | Common Name | Scientific Name | Critical Habitat |
|-----------|------------------------------------|---|------------------|
| Bird | Northern spotted owl | <i>Strix occidentalis caurina</i> | Designated |
| Bird | Yellow-billed cuckoo (Western DPS) | <i>Coccyzus americanus occidentalis</i> | Proposed |
| Amphibian | Oregon spotted frog | <i>Rana pretiosa</i> | |
| Plant | Slender Orcutt grass | <i>Orcuttia tenuis</i> | Designated |

Status: **Candidate**

| Phylum | Common Name | Scientific Name |
|--------|----------------|-------------------------|
| Plant | Whitebark Pine | <i>Pinus albicaulis</i> |

Note:

The gray wolf (*Canis lupus*) is listed as endangered in portions of Washington (west of State Route 97 from the Canadian border to Highway 17, west of Highway 17 to State Route 395, and west of State Route 395 to the Oregon border), Oregon (west of the center line of Highway 395 and Highway 78 north of Burns Junction and that portion of Oregon west of the center line of Highway 95 south of Burns Junction), and all of California [see 73 FR 10514]. One radio-collared wolf (OR-7) is known to have dispersed from northeastern Oregon through portions of many counties including Klamath and Jackson County in southern Oregon, and through portions of Siskiyou, Modoc, Shasta, Lassen, Plumas, and Tehama Counties in California. Please contact the U.S. Fish and Wildlife Service office issuing this list (see letterhead for contact information) with questions about the potential for gray wolf presence in proposed project areas.

Appendix B - Indian Trust Assets Coordination

04/13/2015

Indian Trust Assets Request Form (MP Region)

Submit your request to your office's ITA designee or to MP-400, attention Deputy Regional Resources Manager.

Date:

| | |
|--|--|
| Requested by (office/program) | Klamath Basin Area Office (KBAO) |
| Fund | |
| WBS | |
| Fund Cost Center | |
| Region # (if other than MP) | |
| Project Name | Klamath Project Internal Water Transfers |
| CEC or EA Number | 2015-EA-007 |
| Project Description (attach additional sheets if needed and include photos if appropriate) | <p>Reclamation is proposing to allow the transfer of available Project water between Project water users. The lands potentially receiving Project water under approved transfers have been established as irrigated lands based state water right filings and water service contracts with Reclamation, and no new lands or lands outside the Project would become irrigated as a result. Transfers would be limited to the 2016 through 2021 irrigation seasons. No additional water would be used than what is currently provided in the Biological Opinions on the Effects of Proposed Klamath Project Operations from May 31, 2013, through March 31, 2023, on Five Federally-Listed Threatened and Endangered Species (NMFS and USFWS, 2013).</p> <p>No new construction or modification of existing facilities would occur in order to complete the Proposed Action. Reclamation action is administrative in nature and serves to optimize the use of limited Project water supplies among existing lands within the Project.</p> <p>To ensure compliance with Reclamation policy regarding the minimum requirements for the approval of project water transfers (Reclamation, 2013), KBAO would develop and utilize interim guidelines which would all water transfers equitably and provide flexibility to water users in managing available Project water supplies. The interim guidelines would establish the conditions for Reclamation approval of transfers of Project water under the Proposed Action.</p> |

04/13/2015

| | |
|--|--------------------------------------|
| *Project Location (Township, Range, Section, e.g., T12 R5E S10, or Lat/Long cords, DD-MM-SS or decimal degrees). Include map(s) | Klamath Project, See map for details |
|--|--------------------------------------|



Signature

Tyler Hammersmith

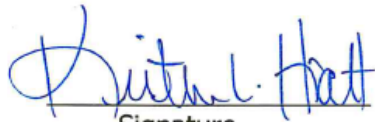
Printed name of preparer

6/23/16

Date

ITA Determination:

The closest ITA to the proposed **Klamath Project Internal Water Transfers** activity is the Klamath TDSA. This ITA is within the project area, however, this action is administrative in nature and based on the nature of the planned work it does not appear to have an impact on Indian hunting or fishing resources or water rights. It is reasonable to assume that the proposed action will not have any impacts on ITAs.



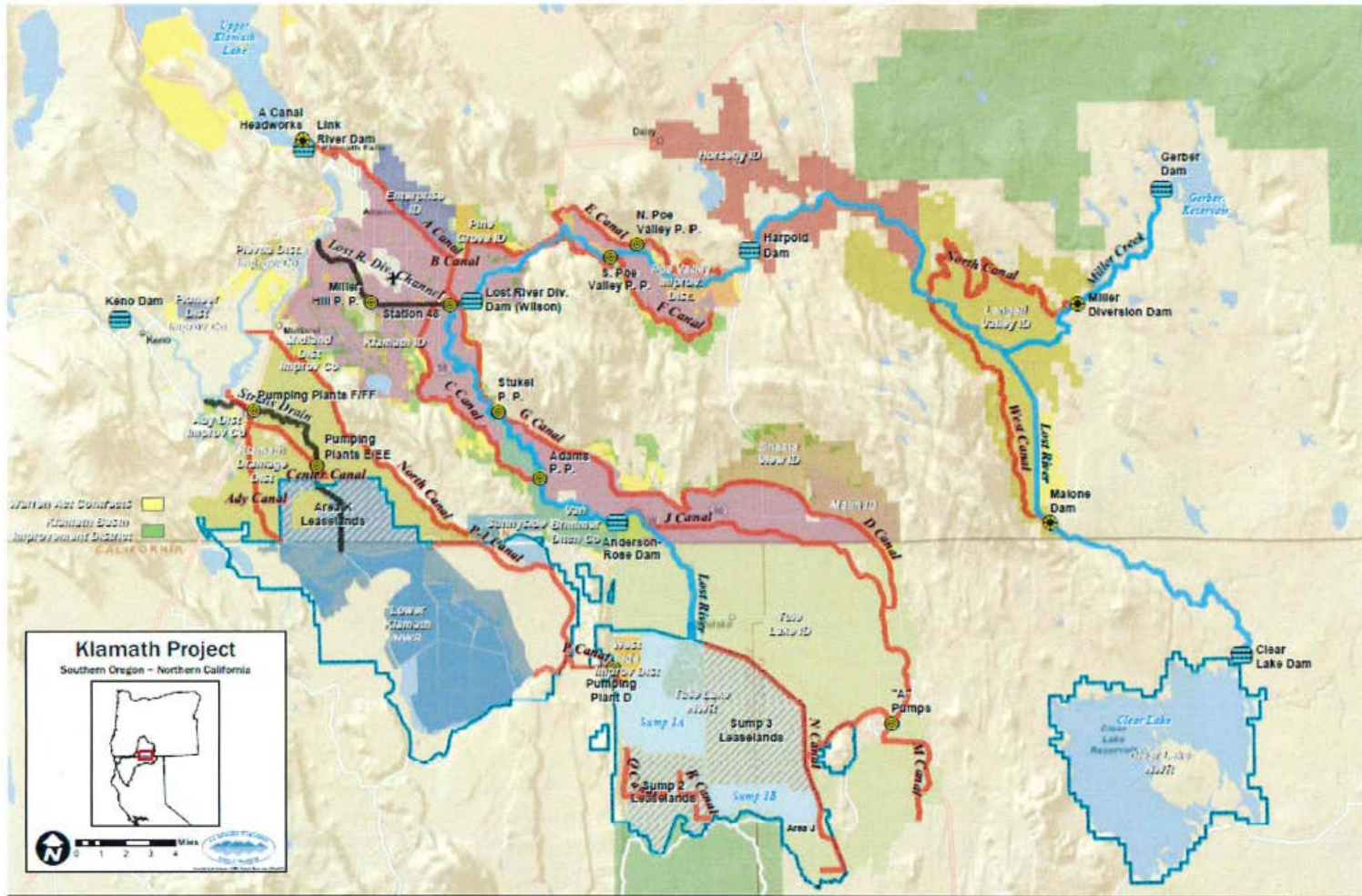
Signature

Kristen L. Hiatt

Printed name of approver

6/23/16

Date



04/13/2015



Appendix C - National Historic Preservation Act Compliance

CULTURAL RESOURCE COMPLIANCE Mid-Pacific Region Division of Environmental Affairs Cultural Resources Branch

MP-153 Tracking Number: 16-KBAO-157

Project Name: Klamath Project Internal Water Transfers

NEPA Contact: Tara Jane Campbell Miranda, Natural Resource Specialist

NEPA Document: 2016-EA-005

MP 153 Cultural Resources Reviewer: Joanne Goodsell, Archaeologist

Date: June 24, 2016

JOANNE GOODSSELL

Digitally signed by JOANNE GOODSSELL
DN: c=US, o=U.S. Government, ou=Department of the Interior, ou=Bureau of
Reclamation, ou=JOANNE GOODSSELL, o.2.3.42.19.2000300.100.1.1:14001000645482
Date: 2016.06.24 08:49:46 -0700

Reclamation proposes to allow the transfer of available Klamath Project (Project) water between existing Project water users, beginning in 2016 through the 2020 irrigation season. The proposed action would not require new construction or modification to existing facilities and no new lands or lands outside the Project would become irrigated as a result of this approval.

Reclamation determined that the proposed action is an Federal undertaking, as defined at 36 CFR § 800.16(y), and involves the type of activity that has no potential to cause effects on historic properties to 36 CFR § 800.3(a)(1). As such, Reclamation has no further obligations under 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act (NHPA).

This document conveys the completion of the NHPA Section 106 process for this undertaking. Please retain a copy in the administrative record for this action. Should changes be made to the proposed action, additional NHPA Section 106 review, possibly including consultation with the State Historic Preservation Officer, may be necessary.