

Categorical Exclusion Checklist (CEC)

Project: Rio Grande

Date: October 24, 2005

Nature of Action: The Elephant Butte Irrigation District (EBID), the City of El Paso, Texas, and the City of Las Cruces, New Mexico, in cooperation with Reclamation, propose to install water measurement devices with telemetric equipment, solar panels, and automation of some facilities to improve water conservation.

As a result of severe drought conditions on the Rio Grande, there is a need to provide improvement of irrigation facilities to increase water management efficiencies. The proposed projects would be partially funded through Reclamation by cooperative agreements (see attached project descriptions at TAB I for a signed copy of three cooperative agreements). Fifty percent of the funds for the Agreements would come from the Western Water Initiative Challenge Grant Program, section 212 P.L. 108-37 (better known as the Water 2025 Program). The other 50% of the funds would come from EBID, and the cities of Las Cruces and El Paso.

The following summarizes the scope of work and number of projects for each of the three proponents (Elephant Butte Irrigation District, the City of El Paso, and the City of Las Cruces):

1. EBID would implement a metering and monitoring plan to accomplish a more efficient water distribution system to conserve water. As a result, installation of telemetric equipment, automation, and water measurement probes at 100 locations would be performed. The instruments would continuously collect and log flow data, and transmit that data back to EBID headquarters. Transmitting would be through a radio telemetry system that would be included in the installation of equipment. This would provide a more reliable method to monitor water usage as a tool toward improving water conservation. Refer to the project descriptions for the information referenced at the following TABs:
 - a. Tab A provides general location maps of the projects.
 - b. Tab B provides a scope of work, an aerial photo, schematics, and representative pictures of each of the 100 projects.
 - c. Tab C shows a drawing of the mounting apparatus for the telemetry instrumentation.
 - d. Tab J includes a Memorandum of Agreement (MOA) between EBID and New Mexico State Historic Preservation Office (NMSHPO). The MOA excludes all the EBID projects from further SHPO consultation.
2. The City of El Paso would install instrumentation stations to monitor flow and water quality (temperature, pH, Total Dissolved Solids (TDS), and conductivity). Telemetric instruments would also be installed at approximately 18 locations to transmit data to the EBID headquarters.
 - a. Three new flumes used for measuring water quality and flow would be installed in the La Mesa Drain, Montoya Interceptor Drain, and the Anthony Drain (see the project descriptions at TABs D and E for

- representative pictures for these locations). Probes and telemetric equipment would be installed at each flume. (An example of the flumes with the instrumentation is shown in the fourth picture at TAB B of the project descriptions)
- b. Fifteen other sites, including flumes, river crossings, and diversion dams, would have the same instrumentation installed as the three new flumes.
3. The City of Las Cruces would install two check structures and two pump sites at Burn Lake and the Mesilla Drain-Mesilla Lateral crossing. The purpose of these installations would allow EBID and the city to utilize Burn Lake and Mesilla Drain as water regulating facilities. Stormwater, operational water spills, and irrigation water could be regulated more efficiently for water conservation purposes.
- a. A check structure and pump at Burn Lake and at the Mesilla Drain-Mesilla Lateral cross would be constructed (see attached general location maps, also refer to TAB F of the project descriptions for aerial photos of the two areas).
 - b. Automation, probes to measure water flow, and telemetric equipment would be installed at each of the two locations.
 - c. TAB H of the project descriptions show a drawing of the check structures that would be installed. Telemetric instrumentation would be attached to the structures.

Installation of telemetry would serve to transmit flow and water quality data to an EBID website. This website would include a hyperlink to the El Paso Del Norte Watershed Council website. The Watershed Council website has been created for public access to view the data transmitted from the telemetry sites of the three proponents.

Since vegetation would not be disturbed, wildlife habitat would not be affected. As a result, Reclamation has determined that the proposed action would have “No Effect” on any endangered species.

Implementation of this action would not affect cultural resources. A copy of the MOA from the NMSHPO office can be found at Tab J of the project descriptions. The MOA exempts any further consultation as a result of these actions.

The Corp of Engineers was contacted regarding the proposed actions. They determined, that since all the water is associated with irrigation, that the actions are exempt from sections of the Clean Water Act.

Exclusion Category: 9.4.C.3 Minor construction activities associated with authorized projects which correct unsatisfactory conditions or which merely augment or supplement, or are enclosed within existing facilities.

Evaluation of Criteria for Categorical Exclusion

1. This action or group of actions would have a significant effect on the quality of the human environment.

No X Uncertain Yes

2. This action or group of actions would involve unresolved conflicts concerning alternative uses of available resources.

No X Uncertain Yes

Evaluation of Exceptions to Actions Within Categorical Exclusion

- 1. This action would have significant adverse effects on public health or safety. No X Uncertain _____ Yes _____
- 2. This action would affect unique geographical features such as: wetlands, wild or scenic rivers, refuges, flood plains, rivers placed on the nationwide river inventory or prime and unique farmlands. No X Uncertain _____ Yes _____
- 3. The action will have highly controversial environmental effects. No X Uncertain _____ Yes _____
- 4. The action will have highly uncertain environmental effects or involve unique or unknown environmental risk. No X Uncertain _____ Yes _____
- 5. This action will establish a precedent for future actions. No X Uncertain _____ Yes _____
- 6. This action is related to other actions with individually insignificant but cumulatively significant effects. No X Uncertain _____ Yes _____
- 7. This action will affect properties listed or eligible for listing in the National Register of Historic Places. No X Uncertain _____ Yes _____
- 8. This action will adversely affect a species listed or proposed to be listed as Endangered or Threatened. No X Uncertain _____ Yes _____
- 9. This action threatens to violate Federal, State, and local, or tribal law or requirements imposed for protection of the environment. No X Uncertain _____ Yes _____
- 10. The action will affect Indian Trust Assets. No X Uncertain _____ Yes _____
- 11. The action will affect Indian Sacred Sites or access to such sites. No X Uncertain _____ Yes _____
- 12. This action will disproportionately affect minority or low-income populations. No X Uncertain _____ Yes _____

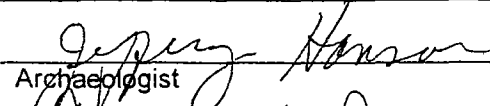
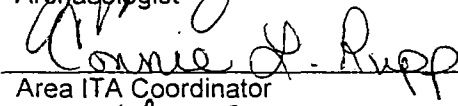
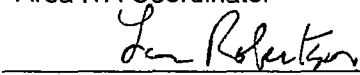
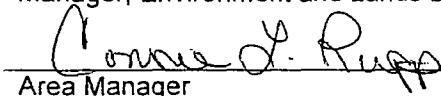
NEPA Action Taken:

- X CE Checklist - This action will not significantly affect the quality of the human environment. It is excluded from documentation in an environmental assessment (EA) or environmental impact statement (EIS).
- _____ Further environmental review and analysis is required. The following document should be prepared:
 - _____ EA
 - _____ EIS

Environmental Commitments, Explanation, and/or Remarks:

- Should evidence of possible scientific, prehistorical, historical, or archeological data be discovered during the course of this action, work shall cease at that location and the Area archaeologist shall be notified by phone immediately, with the location and nature of the findings. Care shall be exercised so as not to disturb or damage artifacts or fossils uncovered during operations, and the proponents shall provide such cooperation and assistance as may be necessary to preserve the findings for removal or other disposition by the Government.

Discovery of Human Remains. Any person who knows or has reason to know that he or she has inadvertently discovered human remains on Federal or tribal lands, must provide immediate telephone notification of the inadvertent discovery, with written confirmation, to the responsible Federal agency official with respect to Federal lands, and, with respect to tribal lands, to the responsible Indian tribe official. The requirement is prescribed under the Native American Graves Protection and Repatriation Act (P.L. 101-601; 104 Stat. 3042) of November 1990 and National Historic Preservation Act, Section 110(a)(2)(E)(iii) (P.L. 102-575, 106 Stat. 4753) of October 1992.

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