

DEPARTMENTAL MANUAL



TRANSMITTAL SHEET

PART 516 DM 14	SUBJECT Environmental Quality Programs National Environmental Policy Act of 1969 Managing the NEPA Process-Bureau of Reclamation	RELEASE NUMBER 5011
FOR FURTHER INFORMATION, CONTACT Bureau of Reclamation		DATE April 3, 2020

EXPLANATION OF MATERIAL TRANSMITTED:

This Departmental Manual Release, Part 516, Chapter 14 revision establishes a new categorical exclusion (CE) for the Bureau of Reclamation (Reclamation), under implementing regulations of the National Environmental Policy Act. The new CE covers transfers of title for a limited set of simple, noncontroversial/uncomplicated projects and/or project facilities from Reclamation to qualifying non-Federal entities. It streamlines environmental review title transfers that meet CE Qualification Factors and do not trigger extraordinary circumstances under 43 CFR 46.215.

Title transfer is a voluntary conveyance of ownership for water projects/project facilities to beneficiaries of those facilities. Title transfer divests Reclamation of responsibility for the operation, maintenance, management, and regulation of, and liability for the project, lands, and facilities to be transferred. It also provides the non-Federal entity with greater autonomy to manage the facilities to meet their needs. The transfer of title to a project or set of facilities will, in effect, sever Reclamation's ties with that project or those conveyed facilities.

The new CE is set forth at 516 DM 14.5 paragraph F, as follows:

F. Title Transfer Activities.

Transfer from Federal ownership of facilities and/or interest in lands to a qualifying entity where there are no competing demands for use of the facilities; where the facilities are not hydrologically integrated; where, at the time of transfer, there would be no planned change in land or water use, or in operation, or maintenance of the facilities; and where the transfer would be consistent with the Secretary's responsibilities, including but not limited to existing contracts or agreements, the protection of land resources and water rights held in trust for Federally recognized Indian tribes and Indian individuals, and ensuring compliance with international treaties and interstate compacts.

This revision also includes updates made to reflect Reclamation's current organizational structure.

Assistant Secretary – Policy, Management and Budget

FILING INSTRUCTIONS

Remove:
516 DM 14 (6 sheets)

Insert:
516 DM 14 (6 sheets)