

Section 106 Compliance: 11-SCAO-215 Fabian Tract Spoils Reuse License Project

Soule, William

Chuck:

Re: 11-SCAO-215 Section 106 Compliance for the Fabian Tract Spoils Reuse License Project

This undertaking by Reclamation is to grant a license to Reclamation District 773 (RD 773) to access and remove spoils from a Reclamation-owned disposal site at the western end of the Fabian Tract and use this material to repair erosion and degradation that has occurred on the Fabian and Bell Canal levee. This is the type of action that has the potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a).

This use of federal lands constitutes an undertaking in accordance with Section 301(7) of the National Historic Preservation Act (16 U.S.C. 470). The project will involve the removal of spoils from the storage/drying location with an excavator and load them onto trucks for transport to the Fabian and Bell Canal where they will be used to reinforce the landside of the levee. These spoils have accumulated from dredging operations by Reclamation and the Department of Water Resources (DWR) of the Fabian and Bell/Grant Line Canal, the Victoria Canal, the Old River, the Middle River, and the North Canal.

Reclamation's efforts to identify historic properties included a records search and a pedestrian archaeological survey, and Native American consultation completed pursuant to 36 CFR Part 800.4(a). In a letter dated November 19, 2012, Reclamation initiated consultation with the California State Historic Preservation Officer (SHPO), inviting the SHPO's comments regarding our delineation of an area of potential effects (APE) and the appropriateness of our efforts to identify historic properties within that APE. Reclamation also requested the SHPO's concurrence that our finding of no adverse effect was appropriate pursuant to 36 CFR Part 800.5(b).

The SHPO has not responded within the 30 day time limit as prescribed in 36 CFR Part 800.3(c)(4).

As a result, Reclamation has fulfilled its Section 106 responsibilities for the undertaking. We will continue to seek the SHPO's concurrence on our finding of effect and in the event that the SHPO re-enters consultation, Reclamation shall attempt to resolve any objections while the undertaking is allowed to proceed. This email is intended to convey the conclusion of the Section 106 process for this undertaking. Please place a copy of this memo in the administrative record for this undertaking and coordinate with me regarding the completion of the cultural resources section of the EA. Be aware that if there are any changes in project design or if any previously undocumented historic properties are discovered during project implementation, additional Section 106 review, including additional consultation with the SHPO, may be necessary. Thank you for providing the opportunity to comment.

Sincerely,

Bill

William E. Soule, M.A., Archaeologist
U.S. Bureau of Reclamation, Mid-Pacific Region
2800 Cottage Way, Sacramento, CA 95825
Phone: 916-978-4694
Fax: 916-978-5055
Email: wsoule@usbr.gov