

Dennis Underwood Conservation Area

Draft Environmental Assessment/Initial Study with a Negative Declaration

Appendix C
Consultation Response Letters



**DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION**

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March 30, 2018

In reply refer to: BUR_2018_0302_001

Mr. John Swett, Program Manager Lower Colorado River
U.S. Bureau of Reclamation, Lower Colorado Regional Office
P.O. Box 61470, Boulder City, Nevada 89006-1470

Subject: Section 106 Consultation for the Creation of the Dennis Underwood Conservation Area in support of Lower Colorado River Multi-Species Conservation Program

Dear Mr. Swett:

The State Historic Preservation Officer (SHPO) received on March 02, 2018 your letter initiating consultation on the above referenced undertaking to comply with Section 106 of the National Historic Preservation Act of 1966 (as currently amended) and its implementing regulations found at 36 CFR Part 800. The Bureau of Reclamation (Reclamation) is proposing to develop a conservation area in southeastern California, south of Blythe, CA., by acquiring an easement of 635 acres from the Metropolitan Water District (Metropolitan).

A major component of the Lower Colorado River Multi-Species Conservation Program (LCR MSCP) is creation and management of habitat under a 50-year (2005 to 2055) multi-stakeholder, Federal and non-Federal, partnership formed to balance the use of Lower Colorado River water resources with conservation of native species and their habitats in compliance with the Endangered Species Act. Funding for the Dennis Underwood project is through the LCR MSCP, which is managed by Reclamation, who is the lead agency for compliance, and who is therefore seeking comments on their effect finding of "no historic properties affected." The following documentation was provided:

- *Attachment #1: Dennis Underwood Conservation Area Project: Class III Pedestrian Survey, January 2018 (Project No. 17-05009) [By: B. Campbell, C. Duran, D. Merrick, R. Perzel & M. Strother; Rincon Consultants, Inc., Carlsbad, CA] [For: The Metropolitan Water District of Southern California Environmental Planning Team, Los Angeles, CA & U.S. Bureau of Reclamation, Boulder City, NV] [Rincon 2018]*
- *Attachment #2: copy of Native American Heritage Commission letter with the list of tribes culturally affiliated to the project area (January 22, 2018).*

The project includes planting 235 acres of cottonwood-willow and 400 acres of honey mesquite habitat and providing an irrigation system. The farm field will be excavated, graded, and contoured in preparation for planting (hand and mechanical) of native trees, shrubs, and grasses. The cottonwood-willow plantings will have constructed channels oriented in a north-south direction in alternating fields and may reach a depth of 4 feet. Excavated materials will stay in the project area and be used for contouring. Existing irrigation canals will be repaired; this could include installation of canal gates, field ports; stop logs, and panel replacements where needed.

The horizontal area of potential effects (APE) is the 635-acre easement and planting area. The vertical APE maximum depth is generally three feet, with a few areas potentially extending to four feet deep. Access will be by existing roads and dirt roads

Historic properties identification efforts included archival research, record searches, historic map review and pedestrian surveys that occurred on November 14, 2017 and also from November 27-30, 2017. Results include listings for 22 previously recorded resources, none of which are in the APE. Historic maps indicate the area was originally part of the braided, meandering riverbed of the Colorado River before the river was shifted to the east in the 1950s. Since the early 1960s, the area is used for ongoing agriculture cultivation. These conditions indicate a very low probability for any intact buried archaeological deposits.

A field water conveyance system (Rincon MWD-S-1) consisting of v-shaped concrete canals and adjacent dirt access roads, built circa 1961-1966, was newly recorded on November 28, 2017 (Rincon 2018: Appendix C). This system is a terminus system remotely associated with the Palo Verde Diversion Dam and levee system built between 1954-1958. Reclamation has evaluated this small water system of common materials and structure, and has determined that it does not appear to be eligible for listing in the National Register of Historic Places (NRHP) under any of the criteria. It is far removed from the 1958 Palo Verde Diversion Dam (circa 28 miles), and is of common construction with standard materials and there are many other similar systems in other agriculture production fields in the region.

Metropolitan contacted the Native American Heritage Commission and received negative results for sites of significance in the sacred lands file. Reclamation sent individual letters to the Chemehuevi Indian Tribe, Cocopah Indian Tribe, Fort Mojave Indian Tribe, Colorado River Indian Tribes, Fort Yuma-Quechan Tribe and Hopi Tribe. No responses have been received to date. Should concerns subsequently arise, Reclamation work to address them and make notifications as required.

Based on a review of geologic processes, past land use, and the scope of current project activities, Reclamation finds that the project is a *no historic properties affected* outcome and is seeking concurrence with this effect finding for this undertaking. Following OHP staff review of the documentation, the following comments are offered.

- Pursuant to 36 CFR 800.4(a)(1), there are no objections to the APE as documented.
- Pursuant to 36 CFR 800.4(b), it is considered that Reclamation has made a reasonable and good faith effort to identify historic properties within the area of potential effects.
- Pursuant to 36 CFR 800.4(c)(2), **I do not object** that Reclamation has determined that the concrete canal/ditch system (Rincon MWD-S-1), a locally built, common-type structure lacking historic context, is not eligible for listing in the National Register of Historic Places.
- Reclamation finds that the proposed undertaking will result in *no historic properties affected*. Pursuant to 36 CFR 800.4(d)(1), **I do not object**.

Please be advised that under certain circumstances, such as unanticipated discovery or a change in project description, Reclamation may have additional future responsibilities for this undertaking under 36 CFR Part 800 (as currently amended). Should you require further information, please contact Jeanette Schulz at Jeanette.Schulz@parks.ca.gov or her desk phone is: (916) 445-7031.

Sincerely,



Julianne Polanco
State Historic Preservation Officer



United States Department of the Interior

BUREAU OF RECLAMATION
Lower Colorado Regional Office
P.O. Box 61470
Boulder City, NV 89006-1470

IN REPLY REFER TO:

LC-2633
2.2.1.06

FEB 15 2018

CERTIFIED – RETURN RECEIPT REQUESTED

Stewart B. Koyiyumtewa
Director, Cultural Preservation Office
Hopi Tribe
P.O. Box 123
Kykotsmovi, AZ 86039

Subject: Proposed Creation of the Dennis Underwood Conservation Area in Support of Lower Colorado River Multi-Species Conservation Program

Dear Mr. Koyiyumtewa:

The Bureau of Reclamation is proposing to develop a conservation area in southeastern California, south of Blythe, California (Figure 1). Reclamation will acquire an easement of 635 acres from the Metropolitan Water District (Metropolitan) for the establishment of the Dennis Underwood Conservation Area.

The project will include planting 235 acres of cottonwood-willow and 400 acres of honey mesquite habitat. The creation and management of habitat is a major component of the Lower Colorado River Multi-Species Conservation Program (LCR MSCP); the LCR MSCP is a 50-year (2005 to 2055) multi-stakeholder Federal and non-Federal partnership created to balance the use of Lower Colorado River water resources with the conservation of native species and their habitats in compliance with the Endangered Species Act. Funding for the Project is through the LCR MSCP. Reclamation is the lead agency for compliance with Title 54 USC 306108, commonly referred to as the National Historic Preservation Act.

Location

The proposed Project is in Imperial County, California in portions of Sections 25 and 36, Township 9 South, Range 21 East, San Bernardino Meridian. The project site is on agricultural land within the Palo Verde Irrigation District, between Colorado River Miles 97 and 99 (Figure 1), and approximately 18 miles south of Blythe, California. The Colorado River and Cibola National Wildlife Refuge border the project to the east.

Cultural Resources

The project area is within fallow agricultural fields. No cultural resources were identified during a check of the previous records (Class I). Pedestrian survey of the property (Class III) identified a single irrigation system and supporting features (i.e., dirt access roads). The concrete canal/ditch system was developed sometime in the early 1960s to irrigate the agricultural fields.

Finding

Agriculture practices, the past movement and scouring of the flood plain by the Colorado River, and the development of irrigation canals and roads, significantly transformed the land within the project area. Reclamation determined, under NHPA, "no historic properties affected". While it is unlikely that cultural resources will be identified in the former river channel and farm fields, if encountered work will halt in the locality of the discovery and it will be examined to see if further work is needed. Appropriate consultations will then be undertaken. If you have questions regarding this proposed project please contact Mr. Mark Slaughter, Archaeologist, at 702-293-8143 or via electronic email at mslaught@usbr.gov.

Sincerely,

concur
 Margaret
 for
 Kaitlyn Peters
 2-23-18



John Swett
 Program Manager
 Lower Colorado River

Enclosures

Identical Letters Send To:

Dr. Jay Cravath Ph.D.
 Director, Cultural Center
 Chemehuevi Indian Tribe
 P. O. Box 1976
 Havasu Lake, CA 92363

H. Jill McCormick
 Cocopah Cultural Resource Manager
 Cocopah Indian Tribe
 County 15 & Avenue G
 Somerton, AZ 85350

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