

Appendix B

Reclamation's Cultural Resources Determination

CULTURAL RESOURCES COMPLIANCE
Division of Environmental Affairs
Cultural Resources Branch (MP-153)

MP-153 Tracking Number: 16-SCAO-082

Project Name: San Felipe Pipeline Road/Levee and Culvert Repair Project

NEPA Contact: Stacy Holt, Natural Resource Specialist

MP 153 Cultural Resources Reviewer: Mark Carper, Archaeologist

Date: April 26, 2016

**MARK
CARPER**

Digitally signed by MARK CARPER
DN: c=US, o=U.S. Government,
ou=Department of the Interior,
ou=Bureau of Reclamation,
cn=MARK CARPER,
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Reclamation proposes to authorize the Santa Clara Valley Water District (SCVWD) to replace four culverts under a raised access road at the Calaveras Fault, south of San Felipe Lake, Santa Clara County, California. The levee and associated features are owned by Reclamation as part of the San Felipe Division of the Central Valley Project, while the SCVWD operates and maintains these facilities. This action constitutes an undertaking with the potential to cause effects to historic properties, assuming such properties are present, requiring compliance with Section 106 of the National Historic Preservation Act (NHPA) as amended.

The levee road contains a buried telemetry cable that allows SCVWD engineers to monitor conditions so that they can control operations of the conduit. The first of the four culverts, the westernmost at Tequisquita Slough, has failed. Failure of this type endangers the telemetry cable and therefore endangers the ability of the SCVWD to enact appropriate monitoring and make informed operations decisions regarding conduit operation. This monitoring is a necessary process that may be needed on a continual, around-the-clock basis. Maintaining the monitoring capabilities will help prevent a catastrophic breach of the conduit, which would potentially endanger property, cause the loss of scarce and valuable drinking water supplies, and endanger continued provision of necessary services to areas served by the SCVWD. The other three culverts have also weakened and risk failure without immediate replacement. In addition, the levee road itself is eroding, making it unpassable.

In an effort to identify historic properties within the APE, Reclamation reviewed internal documents associated with multiple projects conducted in the area associated with the Reclamation owned Santa Clara and Pacheco Conduits and conducted in-field investigations. On March 10, 2016 Reclamation Archaeologists conducted an in-field visit and surveyed the accessible portions of the APE.

Due to recent rains and the partial failure of one of the culverts, both the north and south sides of the levee were inundated with water. San Felipe Lake, next to the levee, is an artificially constructed lake indicating a low sensitivity for the presence of intact cultural resource sites. Other repeated filling with water, sedimentation, and exposure actions next to the levee also

indicate a low sensitivity for the presence of intact cultural resources. The proposed staging area is in agricultural land and ground visibility was excellent exceeding 80% throughout. The levee/road is of modern construction, less than 50 years in age, so it was not recorded. No other cultural resources were identified.

Pursuant to 36 CFR § 800.3(f), Reclamation identified four non-federally recognized Native American organizations that may have an interest in the project area: the Amah Mutsun Tribal Band, the Indian Canyon Mutsun Band of Costanoan, the Salinan Nation Cultural Preservation Association, and the Salinan Tribe of Monterey and San Luis Obispo Counties. Letters were sent to each group, affording them the opportunity to assist in the identification of cultural resources of concern that may be affected by this undertaking. No federally-recognized Indian tribes were identified for this area

Reclamation initiated consultation with California the State Historic Preservation Officer (SHPO) on April 15, 2016 with a determination of no historic properties affected for the proposed project. SHPO concurred with the determination in a letter dated April 21, 2016.

Reclamation has concluded the NHPA Section 106 process for this undertaking. After reviewing the EA for the proposed project Reclamation finds that this action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places

This memorandum is intended to convey 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 this project, additional NHPA Section 106 review, possibly including consultation with the State Historic Preservation Officer, may be necessary. Thank you for providing the opportunity to comment.

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

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April 21, 2016

Reply in Reference To: BUR_2016_0415_001

Anastasia T. Leigh
Regional Environmental Officer
United States Department of the Interior
Bureau of Reclamation
Mid-Pacific Regional Office
2800 Cottage Way, Sacramento, CA 95825-1898

Re: National Historic Preservation Act (NHPA) Section 106 Consultation for the San Felipe Pipeline Road Levee and Culvert Repair, Santa Clara County, California (Project #16-SCAO-082) [Expedited Review Request]

Dear Ms. Leigh:

On April 15, 2016 the Office of Historic Preservation received your letter requesting to initiate consultation for the above-referenced undertaking and asking for an expedited review due to the critical nature of water supply serviced by the project. The Bureau of Reclamation (Reclamation) is consulting pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations found at 36CFR Part 800 (as amended). The following additional documentation was provided with the letter:

- *Figure 1: Project Location; Figures 2, 2a and 2b- Area of Potential Effects and Details*
- *Reclamation MP-153 Cultural Resources Post Field Summary Report San Felipe Pipeline Road/Levee and Culvert Repair Project (M.A. Carper, March 15, 2016)*

Reclamation proposes to authorize the Santa Clara Valley Water District (SCVWD) to replace four culverts located under a raised access road at the Calaveras Fault, south of San Felipe Lake, an artificial lake created for water-holding capabilities. The road and associated features are owned by Reclamation and managed by the SCVWD.

Additional repair work will be required for the levee and levee road due to erosion and slumping. At risk is a buried telemetry cable that allows SCVWD engineers to monitor conditions to operate the conduit system. The first culvert has failed and is endangering the overall system and SCVWD's ability to properly monitor valuable drinking water supplies.

The Area of Potential Effects (APE) includes two separate locations: the main levee road and culverts at Tequisquita and a staging area for construction located approximately 500 meters (ca. 1/3 mile) to the west at an access road intersection. Vertical APE will extend to the depth necessary to remove the old culverts and properly bed the new ones.

Reclamation's efforts to identify historic properties included comprehensive record and archival searches and an on-site pedestrian survey. Except for some flooded areas, ground visibility was excellent for the survey and no resources were identified. Given the locale's recent construction history, there appears to be a low probability of sub-surface deposits.

As no federally-recognized Indian Tribes were identified for the area Reclamation sent letters to four non-federally recognized Native American organizations who may have an interest in the project area: Amah Mutsun Tribal Band, Indian Canyon Mutsun Band of Costanoan, the Salinan National Cultural Preservation Association and the Salinan Tribe of Monterey and San Luis Obispo Counties to afford them an opportunity to assist in identifying potential cultural resources of concern. Reclamation will follow through where necessary with consultation as appropriate for any concerns that may arise.

Based on the information and documentation examined and provided and a detailed analysis of the site locale Reclamation finds that the proposed undertaking would result in no historic properties being affected.

Reclamation is requesting review and comment on the delineation of the APE, efforts to identify historic properties, and is seeking concurrence with the effect finding for this undertaking.

Following staff review of the submitted documentation, I have the following comments:

- Pursuant to 36 CFR 800.4(a)(1), I have no objections to the APE as defined
- Pursuant to 36 CFR 800.4(b), I find that Reclamation has made a reasonable and good faith effort to identify historic properties within the area of potential effects.
- Reclamation has determined that the proposed undertaking would 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 amended). Should you require further information, please contact Jeanette Schulz at Jeanette.Schulz@parks.ca.gov or (916) 445-7031.

Respectfully,



Julianne Polanco
State Historic Preservation Officer