

RECLAMATION

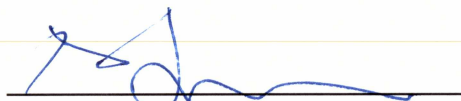
Managing Water in the West

Categorical Exclusion Checklist

Millerton Lake State Recreation Area Earth Day Improvements

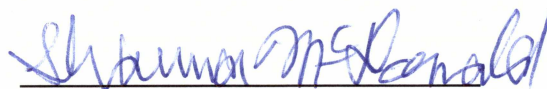
CEC-13-005

Prepared by:


Ben Lawrence
Natural Resources Specialist
South-Central California Area Office


Date: 4-2-13

Concurred by:


Shauna McDonald
Wildlife Biologist
South-Central California Area Office


Date: 4/2/13

Concurred by:


Chuck Siek
Supervisory Natural Resources Specialist
South-Central California Area Office

Date: 4-3-13

Approved by:


for Michael Jackson
Area Manager
South-Central California Area Office

Date: 4/5/13



Background

Millerton Lake is a reservoir owned and operated by the Bureau of Reclamation (Reclamation). The lake is located northeast of the City of Fresno, in Fresno and Madera Counties (See Figure 1). Although the lake's primary purpose is for water storage, a variety of recreational opportunities are also available at Millerton Lake State Park (park). Facilities include campgrounds, interpretive displays, swimming beaches, boat launches and trails for hiking, biking and horseback riding. The State of California's Department of Parks and Recreation operates and maintains the park.

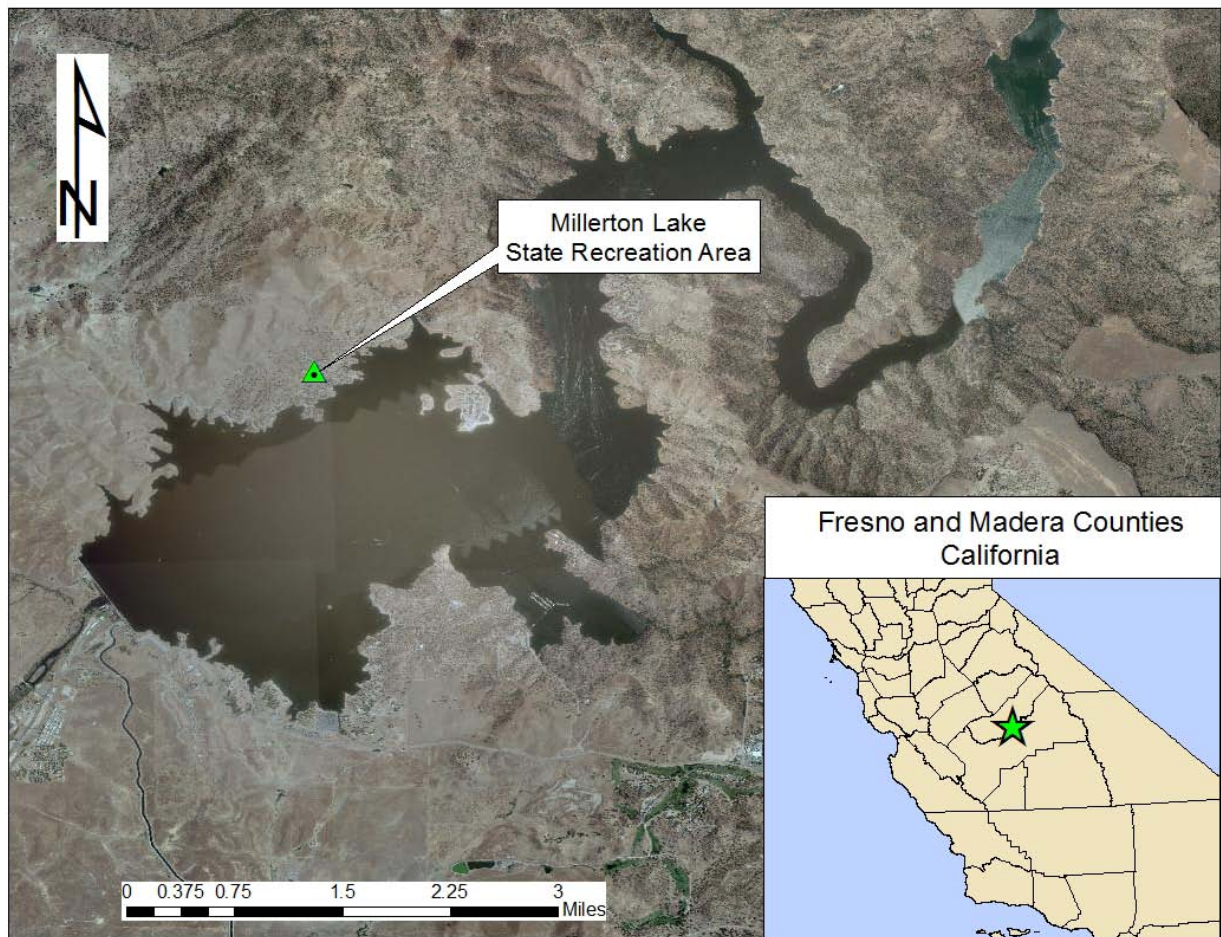


Figure 1 - Project Location

Several improvements were made to the recreational facilities for Earth Day 2012, including new lighting, multimedia hookups and new benches. The park managers would like to make additional improvements during the park's Earth Day 2013 activities, which are scheduled for April 13, 2013.

Purpose and Need for Action

The following needs have been identified to be addressed by volunteers and park staff as part of Earth Day activities:

- 1) Increase availability of shade at the campfire center
- 2) Improve stability of trails and repair erosion damage
- 3) Clean activity areas to prepare for this season's use

Proposed Action

Reclamation proposes to permit repair and upgrades to recreational facilities on property surrounding Millerton Lake. These include campfire center improvements and trail stabilization. Locations are shown in Figure 2.



Figure 2 - Proposed Improvements

Campfire Center Improvements

To provide shade and improve the visitors' interpretive experience during summer months, ten blue oak trees would be planted behind the campfire center. Water for the trees would be

delivered by an underground irrigation line tied to the existing water service east of the campfire center projection screen. See Figure 3 for installation details.

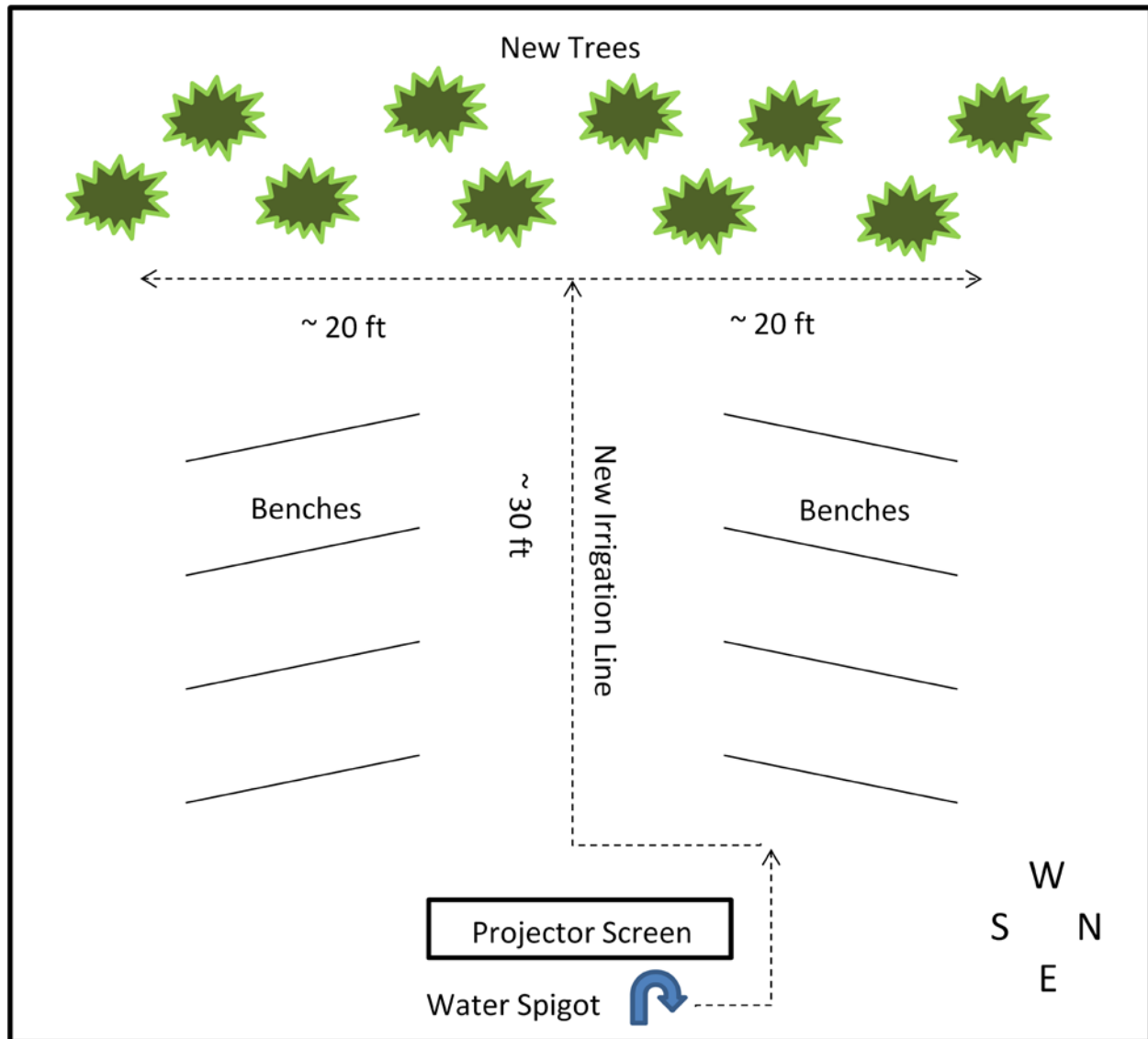


Figure 3 - Campfire Center Layout

Trail Stabilization

The nature trail which runs through Fort Miller Campground is exhibiting signs of erosion. To stabilize the trail, Earth Day volunteers would help rangers and maintenance workers install steps. Eight steps are proposed, each of which would be one foot long by two feet wide by six inches high.

In addition to facility improvements, general campground cleanup is also planned. Volunteers would remove ash from fire pits and collect trash for disposal. Cleanup would be throughout the park.

Environmental Commitments

The proponent shall implement the following environmental protection measures:

Resource	Protection Measure
Biological	Avoid disturbing any existing burrows.
Biological	If holes or trenches are left open overnight, they will be covered to avoid trapping wildlife.

Environmental consequences for resource areas assume the measures specified would be fully implemented.

Exclusion Category

516 DM 14.5 paragraph C (3): *Minor construction activities associated with authorized projects which correct unsatisfactory environmental conditions or which merely augment or supplement, or are enclosed within existing facilities.*

Evaluation of Criteria for Categorical Exclusion:

- | | | | | | | |
|---|----|-------------------------------------|-----------|--------------------------|-----|--------------------------|
| 1. This action would have a significant effect on the quality of the human environment (40 CFR 1502.3). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 2. This action would have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA Section 102(2)(E) and 43 CFR 46.215(c)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 3. This action would have significant impacts on public health or safety (43 CFR 46.215(a)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 4. This action would have significant impacts on such natural resources and unique geographical characteristics as historic or cultural resources; parks, recreation, and refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (EO 11990); flood plains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas (43 CFR 46.215 (b)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 5. This action would have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks (43 CFR 46.215(d)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 6. This action would establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects (43 CFR 46.215 (e)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 7. This action would have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects (43 CFR 46.215 (f)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 8. This action would have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by Reclamation (LND 02-01) (43 CFR 46.215 (g)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 9. This action would have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated critical habitat for these species (43 CFR 46.215 (h)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |

- | | | | | | | |
|--|----|-------------------------------------|-----------|--------------------------|-----|--------------------------|
| 10. This action would violate a Federal, tribal, State, or local law or requirement imposed for protection of the environment (43 CFR 46.215 (i)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 11. This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 12. This action would have a disproportionately high and adverse effect on low income or minority populations (EO 12898) (43 CFR 46.215 (j)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 13. This action would limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007, 43 CFR 46.215 (k), and 512 DM 3)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 14. This action would contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act, EO 13112, and 43 CFR 46.215 (l)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |

Regional Archeologist concurred with Item 8. Their determination has been attached.

ITA Designee concurred with Item 11. Their determination has been attached.



Lawrence, Benjamin <blawrence@usbr.gov>

ADMIN KRISTI--sent the determination around 6:00 this morning - mystery but here is another

RIVERA, PATRICIA <privera@usbr.gov>

Mon, Apr 1, 2013 at 11:04 AM

To: "Lawrence, Benjamin" <blawrence@usbr.gov>

Ben,

I reviewed the proposed action to approve the California Department of Parks and Recreation's request to make improvements to Millerton State Recreational Area for their Earth Day activities on April 13, 2013.

Work will include:

- 1) 10 Native Blue Oaks from the local nursery will be planted behind the campfire center.
- 2) Water for Blue Oaks will be delivered through an irrigation system. Water service exists on North Shore just behind (east) the Campfire Center projection screen.
- 3) A ditch will be dug to accommodate the new irrigation system. The length will be approximately 150' from the existing water source to the trees on the west end of the campfire center. It will run from the projection screen up the middle of the aisle to the rear of the campfire center. It will branch off in a "T" formation to reach all the groves of trees. The depth of the ditch will be approximately 10" and its width 8".
- 4) 8 Steps will be installed on the NatureTrail. Step dimensions are 1'(L) x 2' (W) x 6" (H).
- 5) Cleanup of various campgrounds. Ash from the fire pits will be removed to mitigate any potential fire hazard. Trash will be collected and disposed of to beautify the park.

Other Federal Agencies Involved/Cooperating Agencies and Roles: No Federal agencies. Project proponent is California Department of Parks and Recreation

The proposed action does not have a potential to affect Indian Trust Assets.

Patricia Rivera
Native American Affairs Program Manager
US Bureau of Reclamation
Mid-Pacific Region
2800 Sacramento, California 95825
(916) 978-5194

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

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SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov / www.ohp.parks.ca.gov



March 22, 2013

Reply in Reference to: BUR_2013_0227_002

BUREAU OF RECLAMATION OFFICIAL FILE COPY RECEIVED	
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CASE	DATE
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Anastasia 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: Section 106 consultation for the *Millerton Lake State Recreation Area (MLSRA) Earth Day Improvements Project, Madera County, California* (13-SCAO-089)

Dear Ms. Leigh:

Thank you for your letter of 26 February 2013 initiating consultation pursuant to 36 CFR Part 800 (as amended 8-05-04) regulations implementing Section 106 of the National Historic Preservation Act (NHPA). BUR determined the above cited action (granting permission to the Department of Parks and Recreation for minor construction and clean-up work) constitutes a Federal undertaking and is seeking my comments on the Area of Potential Effect (APE), historic property identification efforts, and concurrence on a proposed finding of "No Historic Properties Affected."

BUR has proposed to grant permission to California Department of Parks and Recreation (DPR) to conduct "minor construction and campground cleanup actions" at the North Shore Recreation Area campfire center, MLSRA. Millerton Lake (reservoir) is owned by BUR and the SRA is administered by DPR on behalf of BUR. Proposed work involves planting 10 native blue oak seedlings in an area behind the campfire center, installation of a buried irrigation line between the plantings and an existing spigot at the campfire center, and installation of eight wood-plank steps on an existing nature trail located approximately 450-ft southeast of the campfire center. The buried irrigation pipe is 150-ft long by 8 to 10-in deep and each step is 24-in long by 12-in wide by 6-in high. BUR determined the APE includes two discontinuous areas (consisting of the tree planting/irrigation pipe and step construction locales) encompassing a total of 0.50 of an acre. The APE is depicted in Figure-1 and -2 of the following study you provided as evidence of historic property identification and evaluation efforts:

- *Reclamation, Managing Water in the West, MP-153 Cultural Resources Post Field Summary Record, Millerton Lake SRA Earth Day Improvement* (BUR/Soule 2013)

The study documents searches of BUR's cultural resources database for Millerton Lake, consultation with six BUR identified (Federally recognized) Native American (NA) contacts, and 5.0-m transect field-survey of the APE. BUR has received no responses from the NA contacts and will take into consideration any comments they may provide. This work identified no cultural resources in the APE and the presence of six prehistoric sites within a 0.5-mile radius.

My following comments are based on a review of submitted materials:

1. Pursuant to 36 CFR Part 800.4(a)(1), I have no objections to your APE delineation.
2. Pursuant to 36 CFR Part 800.4(b)(1), I find the *Level of Effort* identifying historic properties is appropriate for the APE but advise BUR to obtain a list from the Native American Heritage Commission (NAHC) and consult with contacts they identify in future consultations with my office.

SCANNED

Classification	ENV-3.00
Project	214
Control No.	13012869
Folder I.D.	1222172
Date Input & Initials	3-25-13 PM

3. Pursuant to 36 CFR Part 800.4(d)(1), I **concur** with "*No Historic Properties Affected*" but advise BUR to provide archaeological monitoring for ground disturbing activities due to the high frequency of prehistoric sites within a 0.5-mile radius of the APE and in the LMSRA itself. BUR should consult with my office pursuant to 36 CFR Part 800.13 for *Post-Review Discoveries* if archaeological remains are identified during project implementation.

Be aware you may have additional future Section 106 responsibilities for conditions such as changes in project scope or unanticipated discoveries. Thank you for including historic properties and my comments as part of your project planning. Please direct questions to Jeff Brooke at (916) 445-7003/Jeff.Brooke@parks.ca.gov.

Sincerely,

A handwritten signature in cursive script, reading "Susan H. Stratton for".

Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825-1898

IN REPLY
REFER TO:
MP-153
ENV-3.00

VIA ELECTRONIC MAIL ONLY

03/28/13

MEMORANDUM

To: Ben Lawrence
Natural Resource Specialist, South-Central California Area Office

From: William E. Soule
Archaeologist, Division of Environmental Affairs

Subject: 13-SCAO-089 Completion of Section 106 Compliance for the Millerton Lake State Recreation Area Earth Day Improvement Project, Madera County, California

This proposed undertaking by Reclamation is to grant permission to the California Department of Parks and Recreation to conduct minor construction activities and campground clean-up associated with the 2013 Millerton Lake State Recreation Area Earth Day Event. Reclamation determined that this is the type of undertaking that had the potential to cause effects to historic properties pursuant to the National Historic Preservation Act (NHPA) Section 106 regulations codified at 36 CFR Part 800. Reclamation determined that the Area of Potential Effects (APE) consisted of an area of 0.43 acre that encompassed proposed locations for both a tree-planting and irrigation activity and the installation of wood plank steps in an eroded section of a nature trail.

Reclamation's efforts to identify historic properties included a review of the Mid-Pacific Region cultural resource reports and site records database for Millerton Lake and the completion of a pedestrian cultural resource survey, by a Reclamation archaeologist, of the project APE. No historic properties were identified in the APE. Reclamation also sent letters to six federally recognized tribes; the Table Mountain Rancheria, the Cold Springs Rancheria of Mono Indians, the Big Sandy Rancheria of Mono Indians, the North Fork Rancheria of Mono Indians, the Picayune Rancheria of Chukchansi Indians, and the Santa Rosa Tachi-Yokut Tribe; to invite their participation in the Section 106 process and to request their assistance in identifying sites of religious and cultural significance pursuant to 36 CFR § 800.4(a)(4). No responses have been received to date.

In a letter dated February 26, 2013, Reclamation initiated consultation with the California State Historic Preservation Officer (SHPO) and requested the SHPO's concurrence regarding our finding of no historic properties affected. In a letter of March 22, 2013, the SHPO concurred that our finding was appropriate pursuant to 36 CFR § 800.4(d)(1). As the SHPO has concurred with our finding, Reclamation's Section 106 responsibilities for this undertaking have been fulfilled.

Based on the SHPO's concurrence with our finding of no historic properties affected, I concur with a statement in SCCAO CEC 13-005 which affirms 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 further consultation with the SHPO, may be necessary.

CC: Cultural Resources Branch (MP-153), Anastasia Leigh – Regional Environmental Officer (MP-150)