

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Panorama Vista Preserve Saltbush Scrub and Riparian Habitat Restoration

FONSI 12-09-MP

Recommended by:

Douglas Kleinsmith
Douglas Kleinsmith
Natural Resource Specialist
Mid-Pacific Regional Office

Date: 5/16/13

Concurred by:

D Strait
Dan Strait
Program Manager, Habitat
Restoration Program
Mid-Pacific Regional Office

Date: 5/16/13

Approved by:

Anastasia Leigh
Anastasia Leigh
Regional Environmental Officer
Mid-Pacific Region

Date: 5/17/2013



U.S. Department of the Interior
Bureau of Reclamation
Mid-Pacific Region

Background

The Bureau of Reclamation (Reclamation) proposes to provide \$235,000 from the Central Valley Project Improvement Act Habitat Restoration Program (HRP) to River Partners to restore habitat on 20 acres of degraded Kern River floodplains at the Panorama Vista Preserve (PVP) in Kern County, California. The project area is owned in fee title by the Kern River Corridor Endowment and Holding Company, Inc., a California 501(c)(3) non-profit public benefit corporation focused on the preservation of open space and natural habitats for the benefit of people and wildlife.

The objective of the project is to restore and enhance 14 acres of alkali scrub habitat and 6 acres of riparian forest habitat along the Kern River at the PVP for federally-listed endangered and threatened species such as the Bakersfield cactus, San Joaquin kit fox, blunt-nosed leopard lizard, Tipton's kangaroo rat, Buena Vista Lake shrew, least Bell's vireo, and southwestern willow flycatcher as well as other special status species at the PVP in Kern County. These species and their habitats have been impacted by the Central Valley Project (CVP), and restoration or enhancement of their habitat is in keeping with the goals of the HRP.

Alternatives Including the Proposed Action

No Action: Reclamation would not contribute \$235,000 of HRP funds to River Partners to restore 14 acres of alkali scrub and 6 acres of riparian forest habitats on 20 acres of degraded Kern River floodplains at the PVP. River Partners would be required to obtain the \$235,000 from other private and public sources.

Proposed Action: Reclamation would contribute \$235,000 of HRP funds to River Partners to restore 14 acres of alkali scrub and 6 acres of riparian forest habitats on 20 acres of degraded Kern River floodplains at the PVP.

Currently these areas are dominated by annual weeds with occasional remnant stands of saltbush on the upper terraces, or cottonwoods on the lower terrace. These remnant stands of native species would be preserved through the restoration period, and would serve as the seed sources for propagation of additional plants for restoration.

Over the four year term of this restoration project, project partners would prepare a water management plan and a habitat restoration plan supporting ecological restoration of the degraded floodplain at the PVP, install booster pump and irrigation infrastructure, collect and propagate native plant material, install and maintain native species plantings, and monitor the performance of the restoration activities.

Findings

Based on the attached Environmental Assessment (EA), Reclamation finds that the Proposed Action is not a major Federal action that would significantly affect the quality of the human environment. The attached EA describes the existing environmental resources in the Proposed Action area, evaluates the effects of the No Action and Proposed Action alternatives on the

resources, and proposes measures to avoid, minimize, or mitigate any adverse effects. This EA was prepared in accordance with the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR 1500-1508), and Department of the Interior Regulations (43 CFR Part 46). Effects on several environmental resources were examined and found to be absent or minor. This analysis is provided in the attached EA, and the analysis in the EA is hereby incorporated by reference.

Following are the reasons why the impacts of the proposed action are not significant:

1. Restoration of 14 acres of alkali scrub habitat at the PVP will enhance conditions for alkali scrubland-dependent species such as Tipton's kangaroo rat and Bakersfield cactus. Restoration of 6 acres of riparian habitat at the PVP will benefit wildlife that require riparian habitat, such as the Buena Vista Lake shrew, yellow-billed cuckoo and the least Bell's vireo. These restoration activities will encourage wildlife dispersal throughout restored areas on PVP and improve habitat connectivity for other CVP-impacted species
2. On June 17, 2011, Reclamation initiated informal consultation with the Fish and Wildlife Service (Service) on the activities for projects to be funded by the HRP in Fiscal Year 2011. The Service concurred on November 8, 2011 that the projects, including this proposed action, are not likely to adversely affect listed species.
3. On July 29, 2011, Reclamation initiated consultation with the California State Historic Preservation Officer (SHPO) pursuant to Section 106 of the National Historic Preservation Act for the proposed action. Reclamation received concurrence from SHPO that the proposed action would result in no effects to historic properties in a letter dated August 10, 2011.
4. The proposed action will not affect any Indian Trust Assets.
5. Implementing the proposed action will not disproportionately affect minorities or low-income populations and communities.
6. The proposed action will not have significant cumulative impacts.
7. There is no potential for the effects to be considered highly controversial.

RECLAMATION

Managing Water in the West

Environmental Assessment

Panorama Vista Preserve Saltbush Scrub and Riparian Habitat Restoration



U.S. Department of the Interior
Bureau of Reclamation
Mid-Pacific Region

May 2013

Introduction

Background

The Bureau of Reclamation (Reclamation) proposes to provide \$235,000 from the Central Valley Project Improvement Act Habitat Restoration Program (HRP) to River Partners to restore alkali shrub lands and riparian woodlands on 20 acres of degraded Kern River floodplains at the Panorama Vista Preserve (Preserve) in Kern County, California. The project area is owned in fee title by the Kern River Corridor Endowment and Holding Company, Inc. (KRCE), a California 501(c)(3) non-profit public benefit corporation focused on the preservation of open space and natural habitats for the benefit of people and wildlife.

The Preserve is located on both sides of the Kern River in north Bakersfield, California in Kern County, Sections 7-9 and 16-18 of Township 29S, Range 28E, Mount Diablo Base Line and Meridian (Figures 1 and 2).

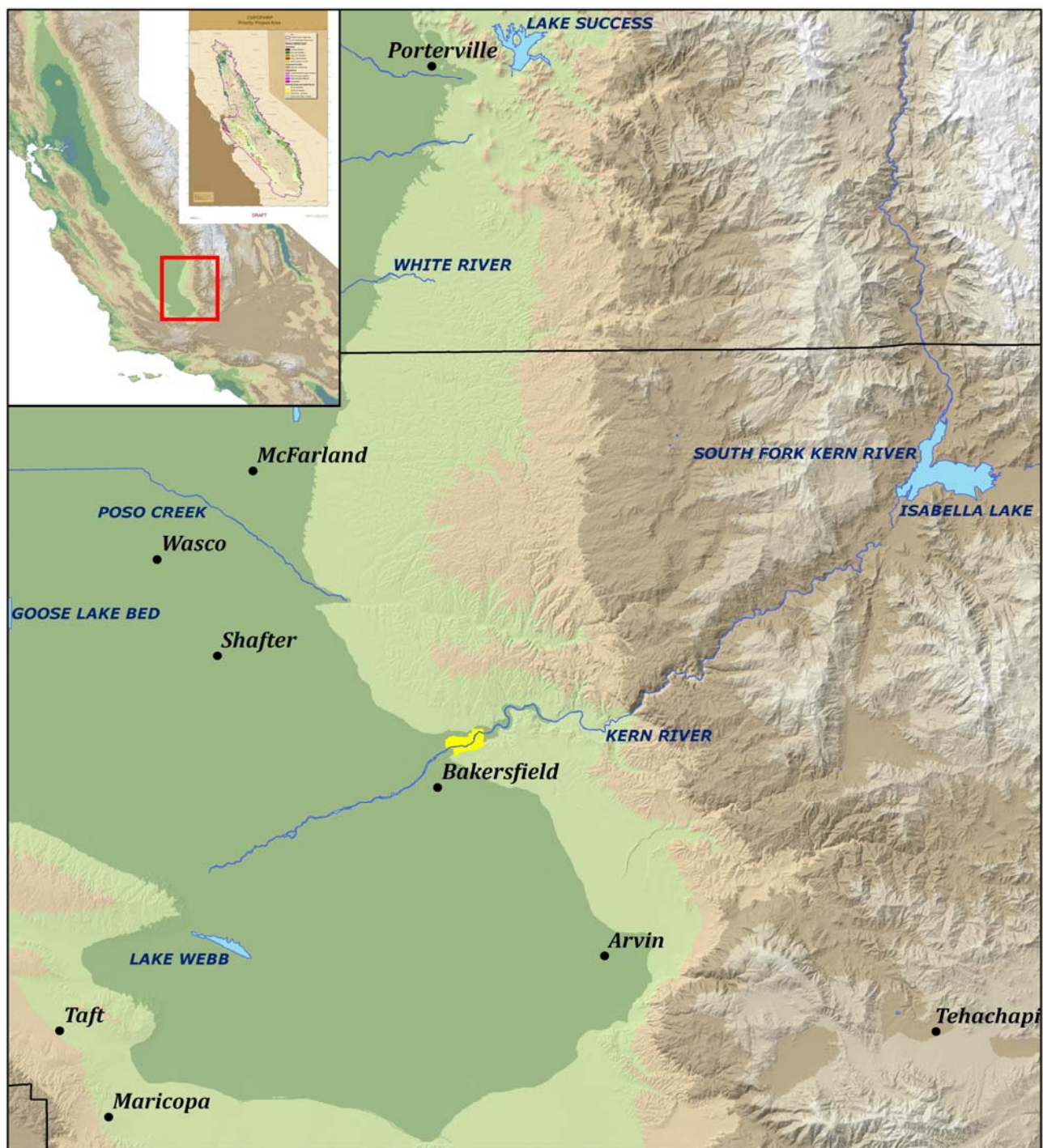
The proposed action is part of the second of three phases of habitat restoration in the Preserve. The first phase of habitat restoration work included a site assessment and preparation of a Conceptual Restoration Plan for the 936-acre Preserve. Additionally, a planting plan and permitting documents were prepared in support of a 30-acre riparian habitat restoration project. Volunteers and the KRCE have been fundraising and working to restore over 50 acres of habitat since 2005.

The third phase of habitat restoration for the Preserve would eventually include 68 acres of alkali scrub restoration, over 200 acres of riparian forest restoration, detailed wildlife monitoring to document project success, and transplanting Bakersfield cactus to suitable areas within the Preserve to expand the species range and longevity at the site.

Need for the Proposed Action

Reclamation's CVP has impacted federally-listed endangered and threatened species such as the Bakersfield cactus, San Joaquin kit fox, blunt-nosed leopard lizard, Tipton's kangaroo rat, Buena Vista Lake shrew, least Bell's vireo, and southwestern willow flycatcher as well as other special status species at the Preserve in Kern County. The restoration or enhancement of their habitat is in keeping with the goals of the HRP to restore and protect species and habitats impacted by the CVP.

While KRCE volunteers have contributed greatly to the conservation of native plant communities at the Preserve, small scale plantings would not provide the needed improvements to wildlife habitat value required to make the Preserve a haven for species recovery. The existing populations of Bakersfield cactus on the Preserve are threatened by disturbance from recreational visitors and high intensity fire. Activities proposed would directly contribute toward



CVPIA Proposal 2011
 Saltbush Scrub and Riparian Habitat Restoration at Panorama Vista Preserve
 Bakersfield, Kern County, California
 Figure 1. Regional Map

Map Created By: J Rentner
 Date: November 2010

Source: California Spatial Information Library



0 3.75 7.5 15 Miles

Panorama Vista Preserve
 County Lines

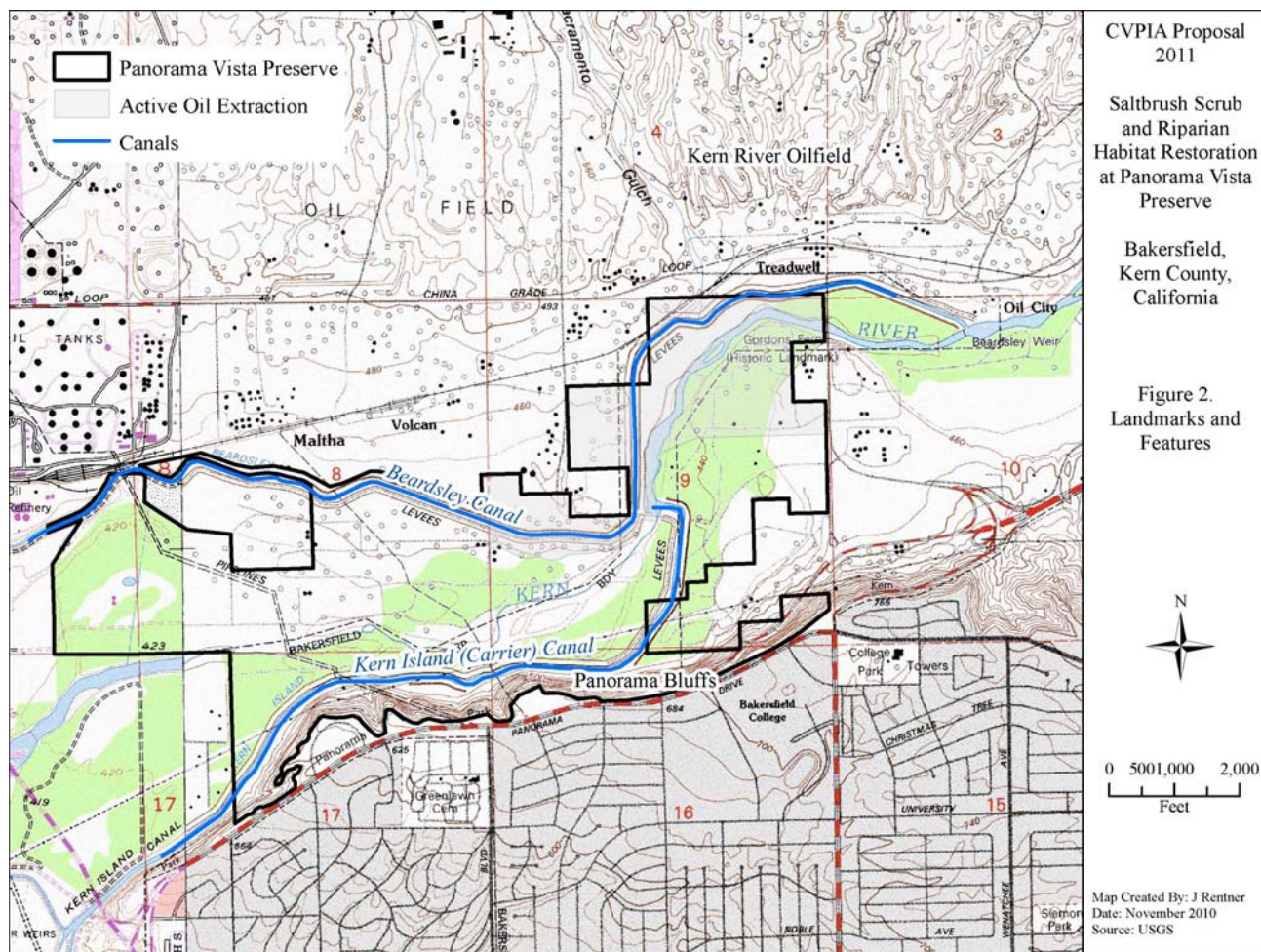


Figure 2. Panorama Bluffs Vicinity

preservation of this existing population and to the habitat value of the Preserve in the next four years

Alternatives Including Proposed Action

No Action: Reclamation would not contribute \$235,000 of HRP funds to River Partners to restore 14 acres of alkali scrub and 6 acres of riparian forest habitats on 20 acres of degraded Kern River floodplains at the Preserve. River Partners would try to obtain the \$235,000 from other private and public sources.

Proposed Action: Reclamation would contribute \$235,000 of HRP funds to River Partners to restore 14 acres of alkali scrub and 6 acres of riparian forest habitats on 20 acres of degraded Kern River floodplains at the Preserve. Figure 3 shows the specific areas to be restored.

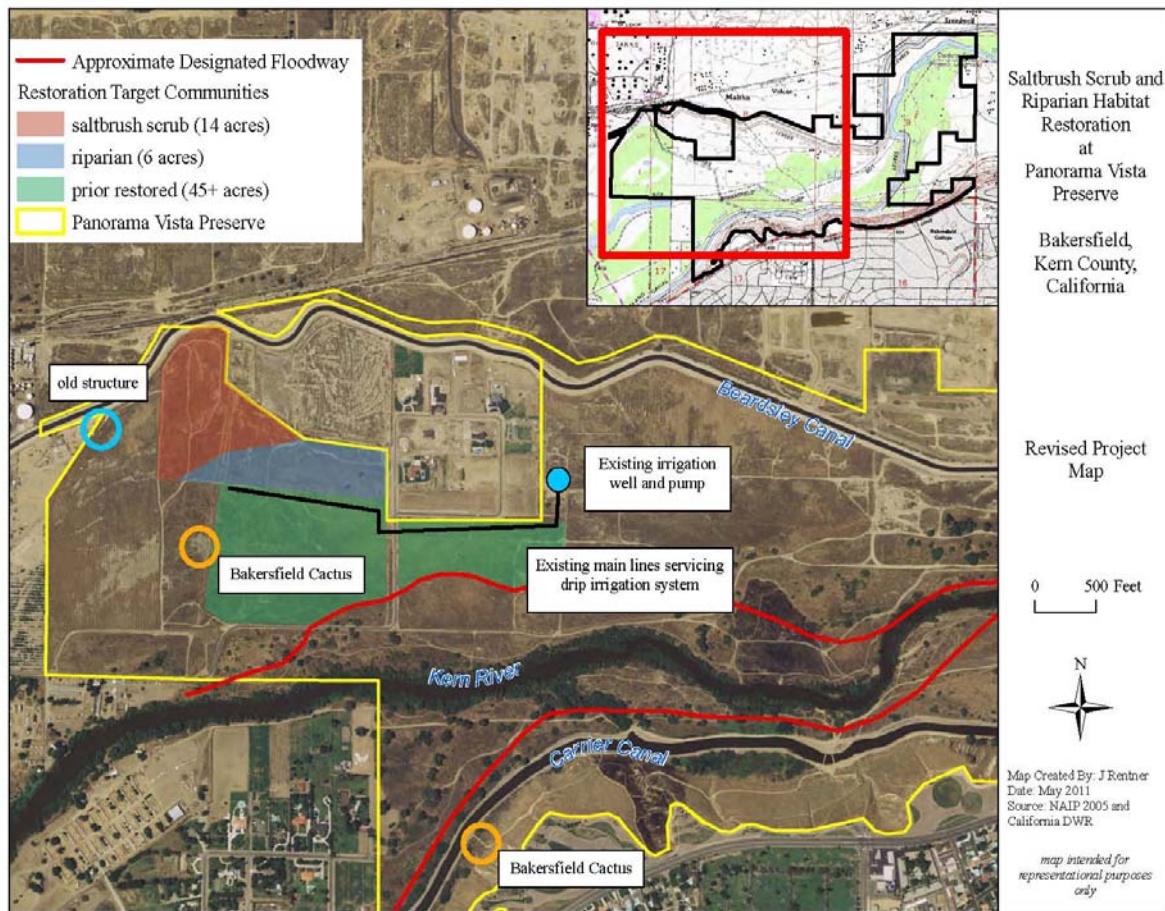


Figure 3. Proposed 20 Acre Restoration Areas at Panorama Vista

Currently these areas are dominated by annual weeds with occasional remnant stands of saltbush on the upper terraces, or cottonwoods on the lower terrace. These remnant stands of native species would be preserved through the restoration period, and would serve as the seed sources for propagation of additional plants for restoration.

Over the four year term of this restoration project, project partners would prepare a water management plan and a habitat restoration plan supporting ecological restoration of the degraded floodplain at the Preserve, install booster pump and irrigation infrastructure, collect and propagate native plant material, install and maintain native species plantings, and monitor the performance of the restoration activities. Additionally, project partners would complete a Central Valley Flood Protection Board Encroachment Permit application supporting future habitat restoration objectives for the 936-acre Preserve. Table 1 shows the tasks associated with the proposed action.

**Table 1 - List of Tasks and Activities for
Saltbush Scrub and Riparian Restoration at Panorama Vista Preserve**

Task	Activities
Management	River Partners would manage and administer the project, host informational meetings for interested parties, such as local residents and other stakeholders, and maintain good communication with neighbors throughout project. River Partners would continue to work closely with KRCE, Reclamation, the U.S. Fish and Wildlife Service (FWS), and the Endangered Species Recovery Program.
Planning	The planting plan would detail planting composition and density patterns based on the hydrologic, edaphic (soil), biologic (baseline special status species, migratory birds, plants and vegetation) and historic conditions at the sites. The planning phase for this project would benefit from previous background and planning work already performed by River Partners at the Preserve for previous projects. The plan would detail implementation activities and monitoring efforts including collaboration with other conservation organizations.
Irrigation Installation	This task assumes that River Partners can use the existing irrigation infrastructure (well and pump) that currently services the first phase of habitat restoration at the Preserve. Additional drip lines and main lines would be installed to expand the existing infrastructure to service the 20-acre planting area, and a new filter would be installed on the existing pump to increase irrigation efficiency.
Field Preparation	Prepare the 20-acre site for planting, including clearing weeds and debris as well as mowing.
Planting	Collect and propagate local plant material needed for restoration of 14 acres of alkali scrub habitat and 6 acres of riparian forest. Plant cuttings and potted stock in the field. Native grasses and a perennial forb understory would be planted where appropriate. The project would be designed to minimize the replanting effort.
Maintenance	Operate and repair the irrigation system during the growing season. Plants would be drip irrigated using water drawn from an existing well at the Preserve. Conduct routine weed control operations to allow the plants to become established.
Monitoring	Measure project performance through plant survival and growth, and a post-project evaluation of habitat for targeted species. In addition to semi-annual reporting, report project activities and monitoring results in annual end of season reports (2012, 2013, 2014) and a final report (2015).

Affected Environment and Environmental Consequences

Due to the potential for impacts, the following resources are analyzed in detail in this Environmental Assessment (EA): Biological Resources and Cultural Resources. Indian Trust Assets and Environmental Justice are also analyzed due to requirements of Presidential executive orders and Department of the Interior and Reclamation requirements.

Biological Resources

Affected Environment

Water diversions and land clearing for oil extraction and agricultural uses have greatly diminished the value of Preserve landscapes for wildlife species. The Preserve is a keystone piece in the Kern River Parkway, a network of trails, parks and waterways which runs for 30 miles from the mouth of Kern Canyon to Highway 5. This network covers over 6,000 acres and includes Bakersfield and the surrounding county. The Parkway runs the length of the Lower Kern River to its current terminus at the Kern Water Bank. Species migrations along this protected parkway are critical to recovery efforts.

The Kern River Corridor has been identified by the Service as a critical habitat linkage for the recovery of the endangered species of the San Joaquin Valley (U.S. Fish and Wildlife Service 1998). At the boundary of the San Joaquin Valley and Sierra ecoregions (Miles and Goudy 1997), the Preserve provides a migratory corridor for resident and seasonal wildlife visitors primarily moving from east to west, but also for migratory wildlife traveling north to south. The river corridor through Bakersfield connects specialty reserves in the west (Tule Elk State Preserve, Buena Vista Lake County Aquatic Park) to open space and agricultural areas in the east (Lake Ming, Kern River State Park). The remnant riparian vegetation along the river corridor provides cover habitat for mammals who feed at the water's edge, or who travel east to west between valley and foothill habitats for various life activities. The Kern River, Carrier Canal, and Beardsley Canal support breeding, wintering, and foraging habitat for migratory birds and waterfowl. The grassland and scrub habitats of the Preserve provide connectivity for reptiles, foraging mammals, and rodents who also use the oil fields to the north, and the bluffs to the south.

In 2009, KRCE and River Partners signed a Memoranda of Agreement to work collaboratively to plan and fundraise for habitat restoration at the Preserve. KRCE raised funds and hired River Partners to prepare a *Conceptual Restoration Plan for the Preserve* in 2009. River Partners performed a detailed site assessment and reviewed historic accounts of land disturbance, wildlife usage, and water management. Based upon their assessment, habitats that once existed on the Preserve include cottonwood-sycamore riparian forest, willow scrub, elderberry savanna, and valley saltbush scrub. Currently, remnants of these habitats still exist on site; however, most of the area supports non-native grasslands dominated by weeds which provide little habitat value for target species. Target wildlife identified in that plan includes San Joaquin kit fox, Tipton's kangaroo rat, Blunt-nosed leopard lizard, Buena Vista Lake shrew, western yellow-billed

cuckoo, least Bell's vireo, southwestern willow flycatcher, valley elderberry longhorn beetle, and various Riparian Focal Species of the Riparian Habitat Joint Venture. Additionally, a population of Bakersfield cactus has been known on the Preserve for some time (south of the River at the toe of the Bluffs), and a new population was discovered in October 2010 (north of the River near the current restoration area).

Environmental Consequences – No Action

If Reclamation does not provide funding to help restore the site, River Partners would have to find additional funds from potential funding sources. The effects of no action would be the same as the proposed action if these funds were obtained. If not, River Partners may not be able to restore the site. The site would remain in the Preserve as non-native grassland with little habitat for target wildlife.

Environmental Consequences - Proposed Action

Restoration of 14 acres of alkali scrub habitat at the Preserve would enhance conditions for alkali scrubland-dependent species such as Tipton's kangaroo rat and Bakersfield cactus. Restoration of 6 acres of riparian habitat at the Preserve would benefit wildlife that require riparian habitat, such as the Buena Vista Lake shrew, yellow-billed cuckoo and the least Bell's vireo. These restoration activities would encourage wildlife dispersal throughout restored areas on the Preserve and improve habitat connectivity for other CVP-impacted species as well.

Riparian restoration efforts at the Preserve would also likely aid in ameliorating the future effects of climate change. In a recent review of the potential role for riparian restoration to prepare ecological systems for the threats posed by climate change, riparian ecosystems are found to be naturally resilient, provide linear habitat connectivity, link aquatic and terrestrial ecosystems, and create thermal refugia for wildlife. These are all characteristics that can contribute to ecological adaptation to climate change.

The composition of planted lower terrace areas would include black willow, arroyo willow, Fremont cottonwood, western sycamore, elderberry, California blackberry, wild rose, box elder, arrowweed, Oregon ash, valley oak and many other native riparian forest species that are known to benefit native wildlife. This restored habitat would provide food, resting and thermal cover for an abundance of wildlife including listed species described above and the more common wildlife at the Preserve.

Special-status bird species expected to benefit from the restored habitat include the federally endangered southwestern willow flycatcher, the state endangered yellow-billed cuckoo, and the Federal and state-listed endangered least Bell's vireo - a species which is likely to use the restored project area in the future as foraging or resting habitat during migration, and potentially as nesting habitat. Enhancing vegetative cover and the moist microclimate necessary for invertebrates and herbaceous vegetation would create the niche that riparian obligate nesting bird species like the least Bell's vireo require. The Preserve may also be used as habitat for the federally endangered Buena Vista Lake shrew, Tipton's kangaroo rat, blunt-nosed leopard lizard,

and would likely be used for feeding and migration habitat by the federally endangered/state threatened San Joaquin kit fox.

Increasing the amount of soil moisture available for plant growth, along with the substantial increase in shaded tree canopy and reduction in air temperature at ground level, would result in significant improvements in insect production available to all trophic levels in the food chain. This would have significant positive benefits to avian species nesting at the Preserve as well as for mammals foraging there. Adjacent uplands would also benefit resident and migratory wildlife.

The project would result in no major earthwork activities. Plant material collection would occur on site from remnant stands of native trees and shrubs. Care would be taken to minimize impacts to remnant plants during material collections, and collections of vegetative material would not occur during the breeding bird season. Restoration fields would not be disked or leveled in order to avoid any potential impacts to listed rodents; however planting holes may be augured prior to planting to facilitate root development. Plantings would be drip irrigated with above-ground lines, however some quantity of buried mainline would be installed. Prior to trenching for mainline installation, areas would be surveyed for evidence of rodent burrows and avoidance measures would be taken if necessary.

Weed control would commence via repeated mowing and spot treatment with herbicides. Application of herbicides would be overseen by a Certified Pesticide Applicator per state and county code. No listed species are known to occur at the Preserve except for the San Joaquin kit fox and Bakersfield cactus. River Partners has searched the specific restoration area for Bakersfield cactus but has not found any; therefore herbicide or mowing activity would not affect this species. If any cactus are found, River Partners would implement avoidance protocols including consulting with the FWS and California Department of Fish and Wildlife and implementing an avoidance buffer of suitable size. If any San Joaquin kit fox dens are found, they will be avoided with mowing or herbicide application. The valley elderberry longhorn beetle has never been documented at or near the Preserve, but the Preserve is within the range of this species. Elderberry shrubs on the restoration site were mapped and River Partners would keep herbicide application out of the 100 foot buffer; weeds would be pulled by hand within the buffer.

Cumulative Impacts

According to Council on Environmental Quality regulations for implementing the procedural provisions of National Environmental Policy Act (NEPA), a cumulative impact is defined as *the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions*. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time. Prior to initiation of the proposed project, River Partners, the Kern River Corridor Endowment, and other partners undertook a variety of habitat restoration and enhancement efforts at the Panorama Vista Preserve. That first phase of habitat improvement work, prior to the initiation

of the proposed project, included a site assessment and preparation of a Conceptual Restoration Plan for the 936-acre Preserve. Additionally, a vegetation planting plan and permitting documents were prepared in support of a 30-acre riparian habitat restoration project at the Preserve. Volunteers and the KRCE have worked to restore more than 50 acres of habitat since 2005.

Another Kern River restoration project is the Kern River Preserve. This is a 2,894-acre joint Audobon California and The Nature Conservancy riparian restoration and conservation effort on the South Fork Kern River above Isabella Dam.

There are other local habitat conservation actions which are contributing to the cumulative habitat restoration in the vicinity of Panorama Vista. Conservation planning for the Kern River in the region has been facilitated by FWS' Endangered Species Recovery Division. The Preserve is located within three planning units for species recovery: the Basin and Mojave Recovery Unit for the southwestern willow flycatcher; the habitat range for California Condor, between two areas of critical habitat; and the planning area of the Recovery Plan for Upland Species of the San Joaquin Valley.

In addition, the Conservation chapter of the Metropolitan Bakersfield General Plan established a policy to "preserve areas of riparian vegetation and wildlife habitat within floodways along rivers and streams, in accordance with the Kern River Plan Element and channel maintenance programs designed to maintain flood flow discharge capacity." Restoration of habitats at the Preserve will support this policy directly. The floodplain management portion of the 1985 Kern River Plan links restoration of riparian vegetation and wildlife habitat in the floodway with groundwater recharge efforts.

Because the above conservation planning and habitat restoration activities at, and in the vicinity of, the Preserve have had a beneficial impact on the environment, and there are few adverse impacts associated with implementing the proposed action, there are no adverse cumulative effects to consider.

Cultural Resources

Environmental Consequences – No Action

The No Action alternative would result in no impact to cultural resources by Reclamation.

Environmental Consequences – Proposed Action

Reclamation completed an investigation and report entitled *Historical Resource Evaluation Finding of Effect for the Panorama Vista Preserve, Saltbrush Scrub and Riparian Habitat Restoration* and appended documents *MP-153 Cultural Resources Post Field Summary*. There was one newly recorded historic-era archaeological site, Preserve-Site 1, within the Area of Potential Effects (APE). The reporting provided natural and cultural context, inventory methods and results, evaluation of eligibility to the National Register of Historic Places (NRHP) for the

archaeological site , project finding of effects, recommendations, and conclusions. In summary, Reclamation determined that the historic-era archaeological site Preserve-Site 1 does not meet the standard of significance set forth in Criterion D of the criteria for evaluation (36 CFR Part 60.4) of NRHP eligibility, nor does it meet any other NRHP eligibility criteria. Reclamation has determined that a finding of no historic properties effected is appropriate for the project, pursuant to 36 CFR Part 800.4(d)(1) of the implementing regulations for Section 106 of the National Historic Preservation Act (NHPA).

Indian Trust Assets

Indian Trust Assets (ITAs) are legal interests in property or rights held in trust by the United States for Indian Tribes or individual Indians. Indian reservations, Rancherias, and Public Domain Allotments are common ITAs in California. The nearest ITA is a Public Domain Allotment approximately 33 miles east of the project location. Therefore, the Proposed Action would not adversely affect ITAs.

Environmental Justice

Executive Order 12898 requires each Federal Agency to identify and address disproportionately high and adverse human health or environmental effects, including social and economic effects of its program, policies, and activities on minority populations and low-income populations. Since there would be no change in existing or similar land uses, there would be no adverse human health or environmental effects to minority or low-income populations.

Consultation and Coordination

Meetings

The HRP and the Central Valley Project Conservation Program (CVPCP) Technical Team reviewed and ranked the proposal during the HRP and CVPCP proposal review period. The proposal ranked in the top tier of proposals and was selected for funding following this evaluation of the project. CVPCP and HRP program managers also conducted a site visit as part of this review.

Applicable Laws and Regulations

Endangered Species Act (16 USC. 1521 et seq.)

Section 7 of this Act requires Federal agencies to ensure that all federally associated activities within the United States do not jeopardize the continued existence of threatened or endangered species or result in the destruction or adverse modification of the critical habitat of these species. Action agencies must consult with the FWS, which maintains current lists of species that have been designated as threatened or endangered, to determine the potential impacts a project may have on protected species.

On June 17, 2011, Reclamation initiated informal consultation with the FWS on the activities for projects to be funded by the HRP and CVPCP in Fiscal Year 2011. The FWS concurred on November 8, 2011 that the projects, including this proposed action, are not likely to adversely affect listed species. This EA was not completed until 2013 but the project description has not changed since 2011.

National Historic Preservation Act (16 USC 470 et. seq.)

Section 106 of the NHPA requires the Federal Government to take into consideration the effects of an undertaking listed on cultural resources on or eligible for inclusion in the NRHP. Those resources that are on or eligible for inclusion on the NRHP are referred to as historic properties. The 36 CFR Part 800 regulations that implement Section 106 of the NHPA describe how Federal agencies address these effects.

Reclamation invited the California State Historic Preservation Officer (SHPO) to comment on the delineation of the APE and the appropriateness of the identification efforts. Additionally, Reclamation requested concurrence that the historic-era archaeological site Preserve-Site 1 does not meet the standard of significance set forth in Criterion D of the criteria for evaluation, nor does it meet any other NRHP eligibility criteria, and with our finding that the undertaking results in no historic properties effected, pursuant to 36 CFR Part 800.5(b). Reclamation received concurrence on all points from SHPO in a letter dated August 10, 2011. Attached are the Reclamation archeologist review memo and the SHPO concurrence.

References

- Miles, S.R., C.B. Goudey (eds.). 1997. Ecological Regions of California, Section and Subsection Descriptions. USDA, Forest Service Pacific Southwest Region San Francisco, CA
- U.S. Fish and Wildlife Service. 1998. Recovery Plan for Upland Species of the San Joaquin Valley, California. Region 1, Portland Oregon. 319 pp.

Attachment A

Cultural Resources Memo

From: Williams, Scott A
Sent: Monday, August 15, 2011 8:17 AM
To: Stefani, Rosemary A; Kleinsmith, Douglas H
Cc: Perry, Laureen (Laurie) M; Overly, Stephen A; Bruce, Brandee E; Barnes, Amy J; Nickels, Adam M; Soule, William E; Goodsell, Joanne E; Fogerty, John A; Dunay, Amy L
Subject: **Panorama Vista Saltbrush Scrub and Riparian Habitat Restoration (11-SCAO-143)**
Attachments: 11-SCAO-143 Panorama Vista SHPO Concur.pdf

Project Tracking #: 11-SCAO-143
Panorama Vista Saltbrush Scrub and Riparian Habitat Restoration

Rose,

Reclamation is providing funding for specific activities involved in implementing the restoration of the saltbrush and riparian habitat on 20 acres within the Panorama Vista Preserve, in Kern County, California. The Panorama Vista Preserve is not a Federal agency and there are no Federal lands involved in the project. Funding will be provided by Reclamation for ground preparation, planting, irrigation, and weed control. Prior to planting the vegetation, the area will be disked/cultivated six inches deep, clearing weeds and debris. The 12 inch deep holes for the plants will be augured and young shrubs planted. A drip system will be installed on the ground surface after planting. During the establishment period, routine weed control will be implemented as necessary. There will be approximately 227 plant holes per acre, set on a grid pattern. Total augured holes will not exceed 3000 in the project APE. Below-ground mainlines have been installed previously, prior to this action. The expenditure of Federal funds by Reclamation constitutes an undertaking as defined in Section 301(7) of the NHPA (16 U.S.C. 470), as amended. Reclamation has been designated as the lead agency for Section 106.

Reclamation completed an investigation and report entitled *Historical Resource Evaluation Finding of Effect for the Panorama Vista Preserve, Saltbrush Scrub and Riparian Habitat Restoration* and appended documents *MP-153 Cultural Resources Post Field Summary* and archaeological site record for the Preserve-Site 1. The reporting provided natural and cultural context, inventory methods and results, evaluation of eligibility to the NRHP for archaeological site the Preserve-Site 1, project finding of effects, recommendations, and conclusions. In summary, Reclamation determined that the historic-era archaeological site the Preserve-Site 1 does not meet the standard of significance set forth in Criterion D of the NRHP, nor does it meet

any other National Register criteria. Reclamation has determined that a finding of no historic properties effected is appropriate for the project, pursuant to 36 CFR Part 800.4(d)(1).

Reclamation invited the California Office of Historic Preservation to comment on the delineation of the APE and the appropriateness of the identification efforts. Additionally, we requested their concurrence that the historic-era archaeological site the Preserve-Site 1 does not meet the standard of significance set forth in Criterion D of the NRHP, nor does it meet any other National Register criteria and with our finding that the undertaking results in no historic properties effected, pursuant to 36 CFR Part 800.5(b). Reclamation received concurrence on all points from the California Office of Historic Preservation within a letter dated August 10, 2011 (OHP Ref No. 110801A; Attached).

Receipt of SHPO concurrence completes the Section 106 process for this action. Please retain a copy of this e-mail and the attached letter for your files. Also note that if the project activities or footprint changes, additional Section 106 review, including further consultation with SHPO, may be necessary. Finally, as a reminder, in the event of an inadvertent discovery of cultural material during project implementation, Reclamation's cultural resources staff should be contacted to assess the find pursuant to 36 CFR Part 800.13.

Sincerely,

Scott A. Williams, M.A. Archaeologist
Bureau of Reclamation, Mid-Pacific Region
2800 Cottage Way, MP-153
Sacramento, CA 95825
916-978-5042

Attachment B

State Historic Preservation Officer Concurrence

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

1725 23rd Street, Suite 100
SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov



BUREAU OF RECLAMATION OFFICIAL FILE COPY RECEIVED		
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August 10, 2011

Reply in Reference To: BUR110801A

Russell W. Grimes - Acting 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 Compliance for the Panorama Vista Preserve Saltbrush Scrub and Riparian Habitat Restoration Undertaking (Project #11-SCAO-143)

Dear Mr. Grimes:

Thank you for consulting pursuant to 36 CFR Part 800 (as amended 8-05-04) regulations implementing Section 106 of the National Historic Preservation Act (NHPA). The Bureau of Reclamation (BUR) is seeking my comments on the above noted Undertaking concerning (1) the proper delineation of the Area of Potential Effect (APE), (2) the appropriateness of resource identification efforts, (3) concurrence on a determination of ineligibility under Criterion D for historic archaeological site PVP-Site 1, and (4) a finding of "No Historic Properties Affected" pursuant to 36 CFR Part 800.4(d)(1).

The BUR is providing funding to the Panorama Vista Preserve (PVP) for a saltbush and riparian habitat restoration project adjacent the Kern River. The APE encompasses 20 of the PVP's 160-acres and is located between Bakersfield and Oildale. Restoration work involves disking the APE to a depth of 6-in, auguring approximately 3,000 12-in diameter by 12-in deep holes for planting native shrubs, and installing a drip irrigation system. Resource identification efforts included searches of pertinent records on file at the Southern San Joaquin Valley Information Center and the BUR; a Native American Heritage Commission (NAHC) sacred lands and contacts search; consultation with the Tule River Tribe and Kern Valley Indian Council; and, intensive (15-meter wide transect) survey of the APE. Though the BUR has yet to receive any replies from the NA contacts, these efforts identified one newly recorded historic archaeological site within the APE and seven previously recorded archaeological sites within a 0.25-mile radius.

Identified as PVP-Site 1, the newly recorded site is a moderately large (11,805.0-m²) scatter of historic refuse that contains one locus, or concentration, of debris and two pipe valve features. Dominated by fragmentary remains of bottle glass, the locus contains broken remains of window and decorative glass, ceramics and brick. The pipe valve features are connected to discontinuous sections of pipe that's temporal and functional origins could not be determined through historic research. Though described as containing few diagnostic artifacts, the sample of debris appears to date between the 1920s and 1970s and was likely the product of random trash dumping.

Based on a review of your letter and report titled *Historical Resource Evaluation and Finding of Effect for the Panorama Vista Preserve Saltbrush Scrub and Riparian Habitat Restoration* prepared by Williams and Dunay (2011); I have the following comments:

1. Pursuant to 36 CFR Parts 800.4(a)(1) and 800.16(d), I find the Area of Potential Effect (APE) properly determined and documented.

SCANNED

Classification	ENV300
Project	214
Control No.	11063226
Folder I.D.	1147982-7
Date Input & Initials	8-12-2011 [Signature]

2. Pursuant to 36 CFR Part 800.4(b)(1), I have concerns about the *Level of Effort* completed in support of the proposed undertaking for the following reason:
 - Submitted materials indicate you received a sacred land and contacts list from the NAHC but only consulted with two NA groups; the Federally recognized Tule River Tribe and the non-Federally recognized Kern Valley Indian Council. The latter of which was identified as an interested party. Please be advised that consultation with all contacts provided by the NAHC is imperative and, as such, I respectfully request the BUR to include copies of the commission's contact list and a log of NA consultations in future submittals for Section 106 review. I recommend that the BUR engage in consultation with the aforementioned NA contacts prior to implementing the proposed undertaking.
3. I **concur** with your evaluation of ineligibility for PVP-Site 1 primarily because the debris appears to be the product of random dumping and not on-site habitation, is physically mixed, and contains scant diagnostic information; and, because the valve features could not be associated with any past or present cultural phenomena. However, I am compelled to add the following comment on the evaluation discussion found in section 4.1 (National Register Criteria for Evaluation) of your report:
 - Please be advised that, though not exhibited in the subject site, Criterion C is not singularly restricted to the built environment. For example, archaeological sites may exhibit Criterion C values if they retain intact spatial and/or stratigraphic features that delineate their original configurations - such as with industrial mining sites and prehistoric villages.
4. Based on the above comments, I **concur** with the finding of "*No Historic Properties Affected*", pursuant to 36 CFR Part 800.4(d)(1), as background and field work indicated the single cultural resource (PVP-Site 1) identified in the current APE is not a historic property eligible for listing on the National Register of Historic Places (NRHP).
5. Please be advised that under certain circumstances, such as an unanticipated discovery or a change in project description, the BUR may have additional future responsibilities for this undertaking under 36 CFR Part 800.

Thank you for considering historic properties as part of your project planning. Please contact Jeff Brooke at (916) 445-7003 or jbrooke@parks.ca.gov of my staff if you have any questions or concerns about the above review.

Sincerely,

Susan H. Stratton for

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

Attachment C

Indian Trust Assets Evaluation Memo

From: Rivera, Patricia L
Sent: Friday, July 08, 2011 6:29 AM
To: Kleinsmith, Douglas H
Subject: FW: ITA request for all 6 2011 CVPCP projects

Doug,

I reviewed the proposed actions and determined that there are no potential affects to Indian Trust Assets as a result of any of the actions.

1. **Panorama Vista Preserve Habitat Restoration**
2. **Riparian Brush Rabbit Propagation, Reintroduction and Monitoring**
3. **Merced Vernal Pool Education Program Santa Theresa County Park Serpentine**
4. **Soils Grazing**
5. **Peek Ranch Conservation Easement**
6. **Kelsey Ranch Conservation Easement**

1. Restoration of alkali shrub and riparian woodlands on 20 acres of degraded Kern River floodplain and adjacent upland at the Panorama Vista Preserve in Bakersfield. The nearest ITA is a Public domain Allotment approximately 33 miles E of the project location.

2. Complete the controlled propagation and reintroduction of riparian brush rabbits onto the San Joaquin River NWR and adjacent lands. The nearest ITA is Chicken Ranch Rancheria approximately 41 miles NE of the project location.

3. Create a vernal pool outdoor education program in Merced County based on the award-winning Sacramento Splash curriculum. Pilot the program in classrooms and in the field. The nearest ITA is a Public Domain Allotment approximately 25 miles NE of the project location.

4. Installation of grazing infrastructure (fencing, water troughs, water tanks, well and solar pump, etc.) to introduce cattle to three pastures containing 492 acres at Santa Teresa County Park for management and enhancement of serpentine grasslands and associated species. The nearest ITA is Lytton Rancheria approximately 58 miles NW of the project location.

5. Acquisition of a conservation easement on the 2,407-acre Peek Ranch. The property is actively grazed. The native habitats on the property are primarily grasslands containing vernal pools, along with riparian habitats along Deer Creek. The nearest ITA is Paskenta Rancheria approximately 9 miles SW of the project location.

6. Acquisition of a conservation easement on the 6,148-acre Kelsey Ranch north of the town of Snelling. The property is actively grazed, and contains some farmed crops. The native habitat on the property is primarily grasslands containing vernal pools, along with a year-round creek and some land in active agriculture. The nearest ITA is a Public Domain allotment approximately 21 miles east of the project location.

Patricia