

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

Land Use Authorization for the Pete Miller Road Bridge Seismic Retrofit Project

CEC-13-002

Prepared by:

for Emerson
Rain L. Emerson
Natural Resources Specialist
South-Central California Area Office

Date: 04/09/2014

Concurred by:

See Attachment
BranDee Bruce
Architectural Historian
Mid-Pacific Regional Office

Date: See Attachment

Concurred by:

See Attachment
Patricia Rivera
Native American Affairs Specialist
Mid-Pacific Regional Office

Date: See Attachment

Concurred by:

Shauna McDonald
Shauna McDonald
Wildlife Biologist
South-Central California Area Office

Date: 4/9/14

Concurred by:

for Emerson
Acting Supervisory Natural Resources Specialist
South-Central California Area Office

Date: 04/09/2014

Approved by:

for Randy English
Michael P. Jackson
Area Manager
South-Central California Area Office

Date: 04/16/14



Background

Stanislaus County Department of Public Works (County), in cooperation with the California Department of Transportation (Caltrans), proposes to seismically retrofit the Pete Miller Road Bridge over the Delta-Mendota Canal (DMC) near milepost 56.6 in Stanislaus County, California (Figure 1). Built in 1949, the County-owned bridge is a two-lane reinforced concrete structure with T-beam girders and simply supported spans. Caltrans has classified the bridge as structurally deficient in the event of a significant seismic event due to the all-pinned connections, high skew angle, rocker type ends of the abutment columns, and the lack of adequate longitudinal resistance at the abutments' backwalls.

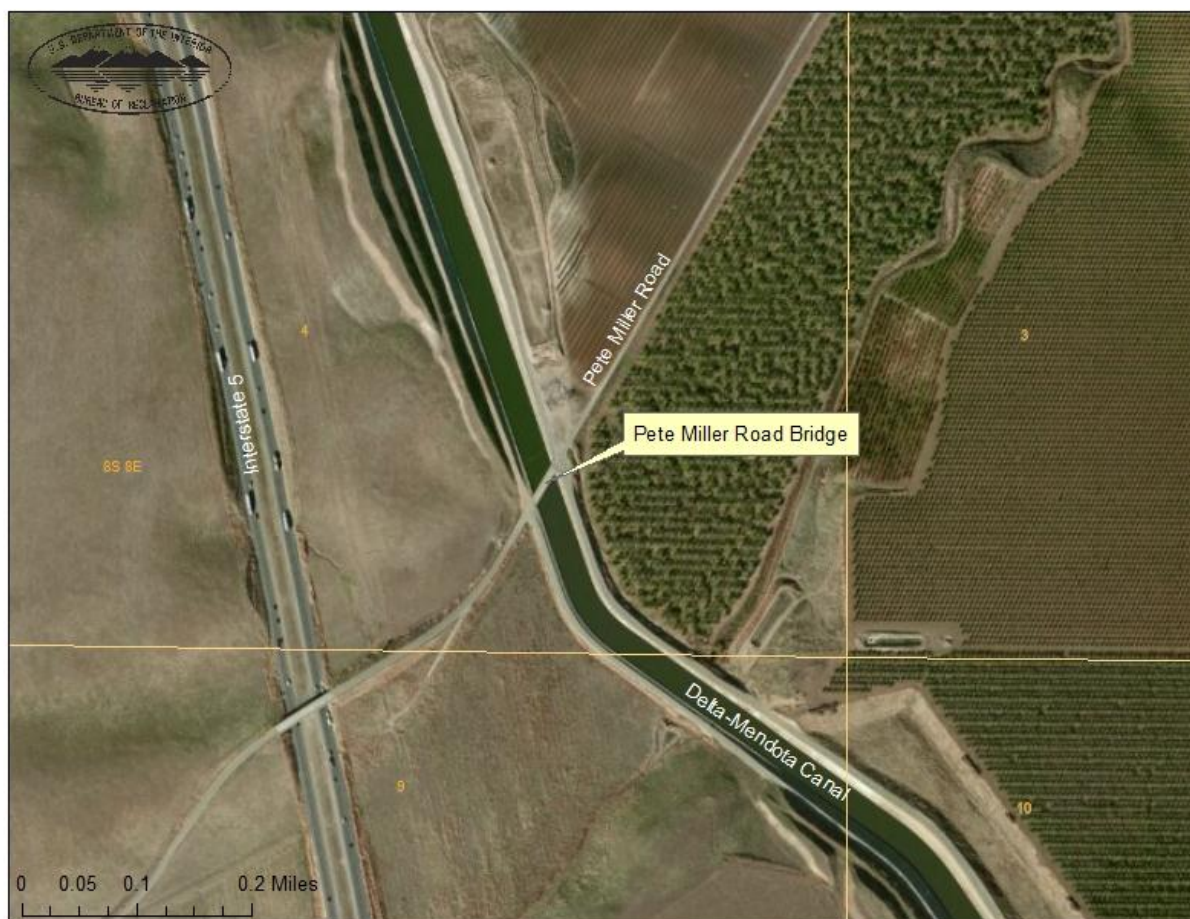


Figure 1 Pete Miller Road Bridge

Funds for the Pete Miller Road Bridge Seismic Retrofit Project (Project) will be provided through State Proposition 1B administered through the Caltrans Local Bridge Seismic Retrofit Account and through the Federal Highway Bridge Program. The County is the lead agency for processing the Project pursuant to the California Environmental Quality Act and Caltrans is the assigned National Environmental Policy Act (NEPA) lead agency for the Project on behalf of the Federal Highway Administration.

The Project would block Reclamation's current DMC service road access at all four corners of the bridge due to longer guardrails. As such, the County has requested permission to: (1) realign Reclamation's canal service roads where they abut and cross over Pete Miller Road, (2) realign appurtenant canal service road fencing and gates, and (3) temporarily use Reclamation right-of-way (ROW) for a staging area during bridge construction.

Reclamation's federal discretionary action is the issuance of land use authorization to the County for the Project area that falls within Reclamation ROW. Although Caltrans is completing NEPA for the entire Project as the Federal Highway Administration's designee, its NEPA documentation does not include Reclamation's federal discretionary action. As such, Reclamation is preparing separate NEPA documentation to cover the issuance of temporary land use authorization to the County for access to Reclamation ROW for construction and staging. Project details are included below.

Purpose and Need for Action

The County needs access to Reclamation ROW in order to complete the Project. The purpose of the Proposed Action is to provide authorization for access to Reclamation ROW for the Project.

Proposed Action

Reclamation will issue temporary land use authorization to the County to cover construction and staging within Reclamation ROW for the duration of the Project.

Pete Miller Road Bridge Seismic Retrofit Project Details

The County and Caltrans will retrofit the existing bridge to an acceptable level per current Caltrans seismic design criteria. The retrofitted bridge will provide similar vehicular capacity and travel as the existing bridge. The length of the project along Pete Miller Road extends approximately 500 feet, centered over the DMC (Figure 2). The seismic retrofit will consist of work to the abutments, barriers, pier caps, and guardrails. All retrofit work will take place either on the bridge deck, or behind the abutments. No work will be done below the deck of the bridge or within the channel of the DMC. Improvements to the guardrails will require realignment of the existing DMC access roads at each corner of the bridge. No other changes to approaches will be made.

The Project will have approximately two acres of ground disturbing activities, which includes proposed construction limits and staging areas within existing County or Reclamation ROW as shown in Figure 2. Almond trees within the Project footprint will not be removed. The sparse vegetation in the staging areas (approximately 1.4 acres) located along Pete Miller Road and the canal banks on the northeast, northwest, and southwest of the bridge will be removed. A small amount of adjacent privately owned land may be needed to accommodate the modified access roads.

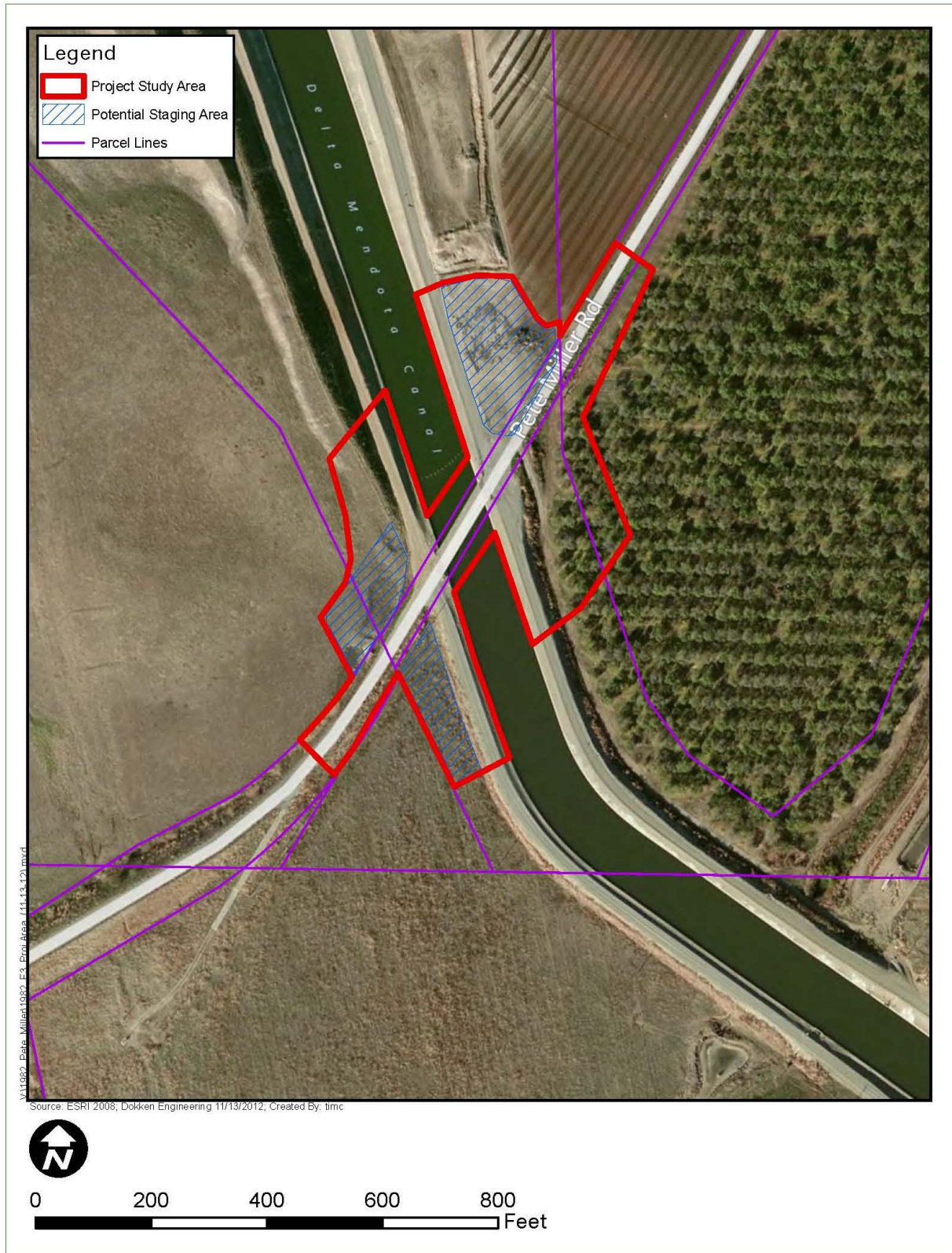


Figure 2 Project Footprint (outlined in red)

Excavations for the project are anticipated to be no more than 6 feet deep and would occur within the existing roadway adjacent to either end of the bridge for a length of 21 feet, in order to construct the proposed concrete waffle slab thrust blocks. Additional excavations for Pete Miller Road or the realigned canal access roads would be approximately 2 feet deep.

Construction equipment would consist of asphalt pavers, sweepers, concrete mixers, fork lifts, graders, loaders, pavement grinders, water trucks, rollers, cranes and various contractor trucks. It is anticipated that the construction would take approximately 5 months. During that time, the bridge and roadway would have one lane remaining open at all times.

Environmental Commitments

In addition to the measures specified in the environmental documentation prepared by the County and Caltrans for the Project, the County and/or Caltrans, or their designees, shall implement the following environmental protection measures:

Resource	Protection Measure
Biological Resources	A preconstruction survey of potentially suitable habitat shall be conducted by a qualified biologist to locate any active burrowing owl burrows within 500-feet of the construction sites. The survey shall also aim to identify if any other sensitive species that may have moved into the project area. The burrowing owl survey shall be conducted in accordance with the California Department of Fish and Game Staff Report on Burrowing Owl Mitigation ¹ . Prior to any disturbance of a burrowing owl a Burrowing Owl Mitigation and Monitoring Report must be reviewed and approved by DFW (California Department of Fish and Wildlife ²).
Biological Resources	All staging areas and borrow sites would be returned to preconstruction conditions.
Biological Resources	If work on or immediately adjacent to the bridge is planned to occur during the nesting season, measures shall be taken to avoid impacts to swallows. To protect swallows, unoccupied nests would be removed from the existing bridge structure prior to the nesting season (February 15 – September 1). During the nesting season, the bridge structure shall be maintained either through use of exclusion devices and/or the active removal of partially constructed nests. After a nest is completed, it can no longer be removed until nesting season is over. If active and occupied nests are discovered, disruptive work in proximity to the active nest would stop.
Biological Resources	Erosion Control Measures for this project shall be designed to prevent the spread of invasive plant species. Landscaping designs for this project shall not contain invasive species in the plant selections or seed mixtures. Construction equipment shall be cleaned before mobilizing to arrive at the project site and before leaving the project site.
Biological Resources	Erosion Control Measures shall be implemented during construction. To minimize the mobilization of sediment to adjacent water bodies, the following erosion-control and sediment-control measures would be included in the Storm Water Pollution Prevention Plan (SWPPP) to be included in the construction specifications, based on standard County measures and standard dust-reduction measures. <ul style="list-style-type: none"> • Soil exposure would be minimized through the use of temporary best management practices (BMPs), groundcover, and stabilization measures; • All stockpile areas within 200 feet of the canal would be surrounded by a filter fabric fence and interceptor dike. Side slopes shall not be steeper than 2:1; • Where appropriate, bare areas would be covered with mulch and cleared areas would be revegetated with native species; and, • The contractor shall conduct periodic maintenance of erosion- and sediment-control measures.
Biological	To conform to water quality requirements, a SWPPP would be required, and would include the

¹ California Department of Fish and Game . 2012. Staff Report on Burrowing Owl Mitigation. Sacramento, CA.

² Formerly the California Department of Fish and Game.

Resource	Protection Measure
Resources	<p>following:</p> <ul style="list-style-type: none"> • Vehicle maintenance and staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants shall be outside of the DMC. Any necessary equipment washing shall occur where the water cannot flow into the DMC; • Construction equipment would not be operated in flowing water; • Construction work shall be conducted according to site-specific construction plans that minimize the potential for sediment input to the DMC; • Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering the DMC; • Equipment used in and around the canal shall be in good working order and free of dripping or leaking engine fluids; and, • Any surplus concrete rubble, asphalt, or other rubble from construction shall be taken to an approved disposal site.
Biological Resources	Methods would be used during construction activities to ensure that bridge railing materials would not enter waters of the United States or State; no material shall be allowed to enter the waters of the United States or State during demolition or construction. These methods may include netting, scaffolding, or some other barrier to catch falling debris.
Biological Resources	Where appropriate, the project boundaries including the temporary and permanent construction impact areas, shall be staked with an Environmentally Sensitive Area (ESA) fencing in order to contain construction activities. The staking and ESA fencing shall be done in coordination with a biologist, who is qualified and knowledgeable of biological resources in the action area.
Biological Resources	Project-related vehicles shall observe a 20-mph speed limit in all project areas, except on County roads and State and Federal highways; this is particularly important at night when San Joaquin kit foxes are most active. To the extent possible, night-time construction would be minimized. Off-road traffic outside of designated project areas shall be prohibited.
Biological Resources	Preconstruction surveys for San Joaquin kit fox shall be conducted no more than 30 days prior to the beginning of ground disturbance and/or construction activities.
Biological Resources	To prevent inadvertent entrapment of kit foxes and other wildlife during the construction phase of a project, all excavated, steep-walled holes or trenches more than two feet deep would be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape, or the U.S. Fish and Wildlife Service (Service) and DFW would be contacted for advice.
Biological Resources	San Joaquin kit foxes are attracted to den-like structures such as pipes and may enter stored pipe becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be capped or covered so that a kit fox cannot enter them.
Biological Resources	All trash shall be kept in wildlife-proof receptacles, and no non-natural food or water would be left unattended for the duration of the project construction. All trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from the project site.
Biological Resources	No firearms shall be allowed on the project site.
Biological Resources	To prevent harassment or mortality of wildlife by dogs or cats, no pets would be permitted on the project site.
Biological Resources	An employee education program shall be conducted for construction personnel. The program shall consist of a brief presentation by persons knowledgeable in burrowing owl and San Joaquin kit fox and legislative protection to explain species concerns to contractors, their employees, and agency personnel involved in the project. The program shall include the following: a description of burrowing owls and San Joaquin kit fox and their habitat needs; a report of the occurrence of burrowing owls and San Joaquin kit fox near the project area; an explanation of the status of the species and its protection; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information shall be prepared for distribution to the above-mentioned people and anyone else who may enter the project site.

Environmental consequences for resource areas assume the measures specified will be fully implemented. All permits needed for the Project shall be provided to Reclamation.

Exclusion Category

516 DM 14.5 paragraph D (10): *Issuance of permits, licenses, easements, and crossing agreements which provide right-of-way over Bureau lands where the action does not allow for or lead to a major public or private action.*

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"/> |

Attachment A Cultural Resources Determination

CULTURAL RESOURCE COMPLIANCE
Mid-Pacific Region
Division of Environmental Affairs
Cultural Resources Branch

MP-153 Tracking Number: 13-SCAO-072

Project Name: Pete Miller Road Bridge Land Use Authorization

NEPA Document: CEC

NEPA Contact: Rain Emerson, Natural Resources Specialist, SCAO

MP 153 Cultural Resources Reviewer: BranDee Bruce, Architectural Historian, MP-153

Date: March 24, 2014

Reclamation proposes to issue a land use authorization to the Stanislaus County Department of Public Works (County) for their proposed project with the California Department of Transportation (Caltrans) to seismically retrofit the Pete Miller Road Bridge over the Reclamation-owned Delta-Mendota Canal (DMC) at Milepost 45.6 in Stanislaus County, California. Reclamation's authorization and the modification of Federal property constitutes an undertaking [pursuant to Section 301(7) of the NHPA (16 U.S.C. 470)] with the potential to effect historic properties which requires compliance with Section 106 of the NHPA. Reclamation conducted consultations under 36 CFR Part 800, the implementing regulations for Section 106 of the NHPA.

Caltrans and the County conducted a cultural resources survey of their project area, including some coordination with Reclamation on historic property identification. However no lead agency for NHPA Section 106 consultations was designated. Caltrans consulted with the State Historic Preservation Office (SHPO) on eligibility (July 2013) and a finding of no adverse effect (December 2013), with concurrence received by SHPO in both consultations. Reclamation's undertaking only consists of its Federal discretionary action, the issuance of the land use authorization to the County (as the project proponent), which will allow Caltrans and the County to cross Reclamation's right-of-way and modify the access roads on the DMC.

Reclamation identified the DMC as the only historic property within the area of potential effect (APE) and considers it eligible for listing on the National Register of Historic Places under Criterion A. Reclamation also found that a finding of no adverse effects to historic properties pursuant to 36 CFR §800.5(b) was appropriate for the undertaking.

Reclamation initiated consultation with the SHPO on March 4, 2014. As SHPO has previously concurred with Caltrans' findings and Reclamation's finding of no adverse effect is the same as Caltrans', Reclamation has concluded the NHPA Section 106 process for this undertaking. This memo serves as concurrence with the environmental assessment that there are no significant impacts to historic properties from this action. If NHPA Section 106 responses are received after

CULTURAL RESOURCE COMPLIANCE
Mid-Pacific Region
Division of Environmental Affairs
Cultural Resources Branch

the date of this memo, documentation will be provided to you for your files. If project activities change or circumstances are altered after the date of this memo, additional NHPA Section 106 consultations or other cultural resources compliance review may be required.

Attachment:

Letter: Reclamation to SHPO dated March 4, 2014

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



United States Department of the Interior

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

MAR 04 2014

IN REPLY REFER TO:

MP-153
ENV-3.00

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Ms. Carol Roland-Nawi
State Historic Preservation Officer
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Subject: National Historic Preservation Act (NHPA) Section 106 Compliance for the Land Use Authorization for the Peter Miller Road Bridge Improvement Project over the Delta-Mendota Canal (DMC), Stanislaus County, California (13-SCAO-072)

Dear Ms. Roland-Nawi:

The Bureau of Reclamation is proposing to issue a land use authorization to the Stanislaus County Department of Public Works (County) for their proposed project to seismically retrofit the Pete Miller Road Bridge over the DMC at Milepost (MP) 45.6 in Stanislaus County, California (Figure 1). The California Department of Transportation (Caltrans) and the County have recently consulted on the seismic retrofit project with your office, and have received concurrence for their project. Caltrans coordinated historic property identification efforts with Reclamation but no lead agency for NHPA Section 106 consultations was designated. As the DMC is owned by Reclamation, and our action includes both an issuance of a land use authorization and modification to Federal property, these actions constitute an undertaking as defined by Section 301(7) of the NHPA (16 USC 470), as amended. Reclamation is consulting with your office in accordance with the regulations at 36 CFR Part 800 implementing Section 106 of the NHPA. Reclamation's effort to identify historic properties resulted in the identification of one historic property, the DMC. Reclamation has reached a finding of no adverse effect for the proposed undertaking and is seeking your concurrence with the finding.

Caltrans and the County have proposed a project to seismically retrofit the Pete Miller Road Bridge over the DMC near milepost 56.6 in Stanislaus County. Constructed in 1949, the County-owned bridge is a two-lane reinforced concrete structure with T-beam girders and supported spans. In addition to needing a land use authorization from Reclamation, the proposed project would block our DMC service road access at all four sides of the bridge due to longer guardrails. As such, the County has requested permission to: realign Reclamation's canal service roads where roads abut and cross over Pete Miller Road; realign appurtenant canal service road fencing and gates; and temporarily use Reclamation right-of-way (ROW) for turnarounds during bridge construction.

Caltrans previously consulted with your office on the assumption of eligibility for listing on the National Register of Historic Places (National Register) for the DMC and of the project area in a letter dated July 22, 2013, with concurrence from your office dated August 20, 2013 (see enclosed consultation letters). A finding of effect consultation letter was sent from Caltrans to your office on December 5, 2013, with your office sending a concurrence letter dated December 24, 2013. In the eligibility submission letter to your office, Caltrans mistakenly contends that Reclamation does not include the service roads as part of the DMC. Reclamation has very clearly established in consultation letters between our agency and your office that we define the boundaries of our canals as including the prism, the berms/embankments, and the service roads located on top of the berms. Features of the canal such as checks, weirs, overchutes, inlets and outlets, and bridges also have the potential to contribute to the significance of the canal.

Initially, Caltrans coordinated with Reclamation on their historic properties identification efforts, providing Reclamation with opportunities to review cultural resources reports. The two agencies disagree on evaluation of bridges which cross canals resulting in Reclamation's comments not being addressed in final Caltrans reports. Reclamation evaluates bridges as possibly having historic significance under more than one context, either as a component of a larger whole (as part of a road, farm complex, canal, etc.), or individually, and that all aspects of a resource's potential eligibility need to be addressed. Caltrans' response was a general statement that they only evaluate bridges over canals as a contributor to the canal. There were no further communications prior to the Caltrans submissions to your office. We assume the cultural resources reports were submitted to you as supporting documentation.

As Caltrans has already consulted with you on their action and you have concurred with those findings, Reclamation's undertaking only consists of its Federal discretionary action, the issuance of the land use authorization to the County (as the project proponent), which will allow Caltrans and the County to cross Reclamation's ROW and modify the access roads.

The area of potential effects (APE) for Reclamation's undertaking is a segment of the DMC, 656 feet in length on both sides of the canal with an average width of 250 feet. The legal description for the proposed project is Section 4 of T. 8 S., R. 8 E., Mount Diablo Meridian, as depicted on the Newman 7.5' U.S. Geological Survey topographic quadrangle map. The APE will encompass the canal prism and service roads that the County proposes to use for the seismic retrofit project, both of which are considered components of the DMC (Figure 2-3). The APE totals approximately 2.85 acres.

In an effort to identify historic properties within the APE, Reclamation reviewed our site index records and project data which indicated the only cultural resource within the APE is the DMC. In 2006, Reclamation began a National Register Multiple Property Listing (MPL) for the Central Valley Project (CVP) which identified the DMC as a National Register-eligible property under Criterion A (36 CFR § 60.4), for its contribution to the development of agriculture and irrigation in California and its association to the CVP. Although no formal evaluation has occurred under this MPL since 2007, Reclamation has treated the DMC as an eligible historic property and, for the purposes of this undertaking, is assuming that the DMC is eligible for inclusion in the National Register under Criterion A. The Pete Miller Road Bridge does not meet any of the criteria for eligibility as contributing to any of the characteristics that make the DMC or the CVP

eligible for listing on the National Register. Even though the bridge was built when the canal was constructed, its purpose of continued transportation along Pete Miller Road is not within the CVP's theme of water conveyance for agricultural development. This undertaking is narrowly confined to the built DMC prism and its constructed embankments with no potential to affect sites of religious or cultural significance to Native Americans. No consultations with Indian tribes were considered necessary for this undertaking.

Reclamation applied the criteria of adverse effect (36 CFR Part 800.5(a)(1) and the Secretary of the Interior Standards for the Treatment of Historic Properties (36 CFR Part 68.3) to the DMC and found the proposed undertaking will result in no adverse effect to historic properties pursuant to 36 CFR Part 800.5(b). No work will be conducted within the prism of the canal, and all work on the service roads will retain historic characteristics of the DMC. Reclamation and their designees will continue to use these service roads to conduct operations and maintenance activities along the canal. All construction work will be confined to previously disturbed soils within and adjacent to the DMC. The proposed activities will not affect the qualities that make the DMC eligible for listing on the National Register under Criterion A, as the function to deliver water will not be affected.

Based on the discussion above, Reclamation invites your comments on our delineation of the APE and the appropriateness of our identification efforts. We also request your concurrence on our finding of no adverse effect to historic properties for our undertaking pursuant to 36 CFR § 800.5(b). If you have any questions or concerns regarding this information, please contact Ms. BranDee Bruce, Architectural Historian, at 916-978-5039 or bbruce@usbr.gov.

Sincerely,



Anastasia T. Leigh
Regional Environmental Officer

Enclosures – 7

References:

- 2013 California Department of Transportation. *Historic Property Survey Report for the Pete Miller Road Bridge Seismic Retrofit Project near the Town of Gustine, Stanislaus County, California.*

Attachment B Indian Trust Assets Determination



Emerson, Rain <remerson@usbr.gov>

13-002 ITA Determination Request

RIVERA, PATRICIA <privera@usbr.gov>
To: Rain Emerson <remerson@usbr.gov>

Tue, Dec 10, 2013 at 7:54 AM

Rain,

I reviewed the proposed action to issue temporary land use authorization to the Stanislaus County Department of Public Works (County) to cover construction and staging within Reclamation rights-of-way (ROW) for the duration of the Project.

Pete Miller Road Bridge Seismic Retrofit Project Details

The County and Caltrans will retrofit the existing bridge to an acceptable level per current Caltrans seismic design criteria. The retrofitted bridge will provide similar vehicular capacity and travel as the existing bridge. The length of the project along Pete Miller Road extends approximately 500 feet, centered over the Delta Mendota Canal. The seismic retrofit will consist of work to the abutments, barriers, pier caps, and guardrails. All retrofit work will take place either on the bridge deck, or behind the abutments. No work will be done below the deck of the bridge or within the channel of the Delta-Mendota Canal. Improvements to the guardrails will require realignment of the existing Delta-Mendota Canal access roads at each corner of the bridge. No other changes to approaches will be made.

The Project will have approximately two acres of ground disturbing activities, which includes proposed construction limits and staging areas within existing County or Reclamation ROW as shown in Figure 2. Agricultural almond trees within the Project footprint will be removed. The sparse vegetation in the staging areas (approximately 1.4 acres) located along Pete Miller Road and the canal banks on the northeast, northwest, and southwest of the bridge will also be removed. A small amount of adjacent privately owned land may be needed to accommodate the modified access roads.

Excavations for the project are anticipated to be 6 feet at deepest and would occur within the existing roadway adjacent to either end of the bridge for a length of 21 feet, in order to construct the proposed concrete waffle slab thrust blocks. Additional excavations for Pete Miller Road or the realigned canal access roads would be approximately 2 feet deep.

Construction equipment would consist of asphalt pavers, sweepers, concrete mixers, fork lifts, graders, loaders, pavement grinders, water trucks, rollers, cranes and various contractor trucks. It is anticipated that the construction would take approximately 5 months. During that time, the bridge and roadway would have one lane remaining open at all times.

The proposed action does not have a potential to impact Indian Trust Assets. The nearest ITA is a Public Domain allotment approximately 41 miles Southwest of the project location.

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