

# RECLAMATION

*Managing Water in the West*

## Categorical Exclusion Checklist

# San Luis Reservoir Recreation Areas Parking Control Access Gates

**CEC-13-071**

Prepared by:



Ben Lawrence  
Natural Resources Specialist  
South-Central California Area Office

Date: 4-21-14

Concurred by:

See Attachment A  
Archaeologist/Architectural Historian  
Mid-Pacific Regional Office

Date: See Attachment A

Concurred by:

See Attachment B  
Native American Affairs Specialist  
Mid-Pacific Regional Office

Date: See Attachment B

Concurred by:



Lisa Carlson  
Wildlife Biology Technician  
South-Central California Area Office

Date: 4-22-2014

Concurred by:



Kain Emerson

Acting Supervisory Natural Resources Specialist  
South-Central California Area Office

Date: 04/22/2014

Approved by:

for   
Michael Jackson  
Area Manager  
South-Central California Area Office

Date: 02 May 2014





## Background

The San Luis Reservoir State Recreation Area (SLRSRA) consists of the major water-storage reservoir, San Luis Reservoir, the equalizing basin, O'Neill Forebay, and the detention reservoir, Los Banos Reservoir. The Bureau of Reclamation (Reclamation) owns the land surrounding the SLRSRA which is managed on behalf of Reclamation by the California Department of Parks and Recreation (DPR) and is used for various recreational activities.

As part of a statewide program, DPR personnel inspect boats entering the reservoir and forebay in order to limit the spread of invasive zebra and quagga mussels. They have requested permission from Reclamation to install new power sliding gates at two locations (shown in Figure 1) in order to facilitate these inspections and control access to the SLSRA during off hours.

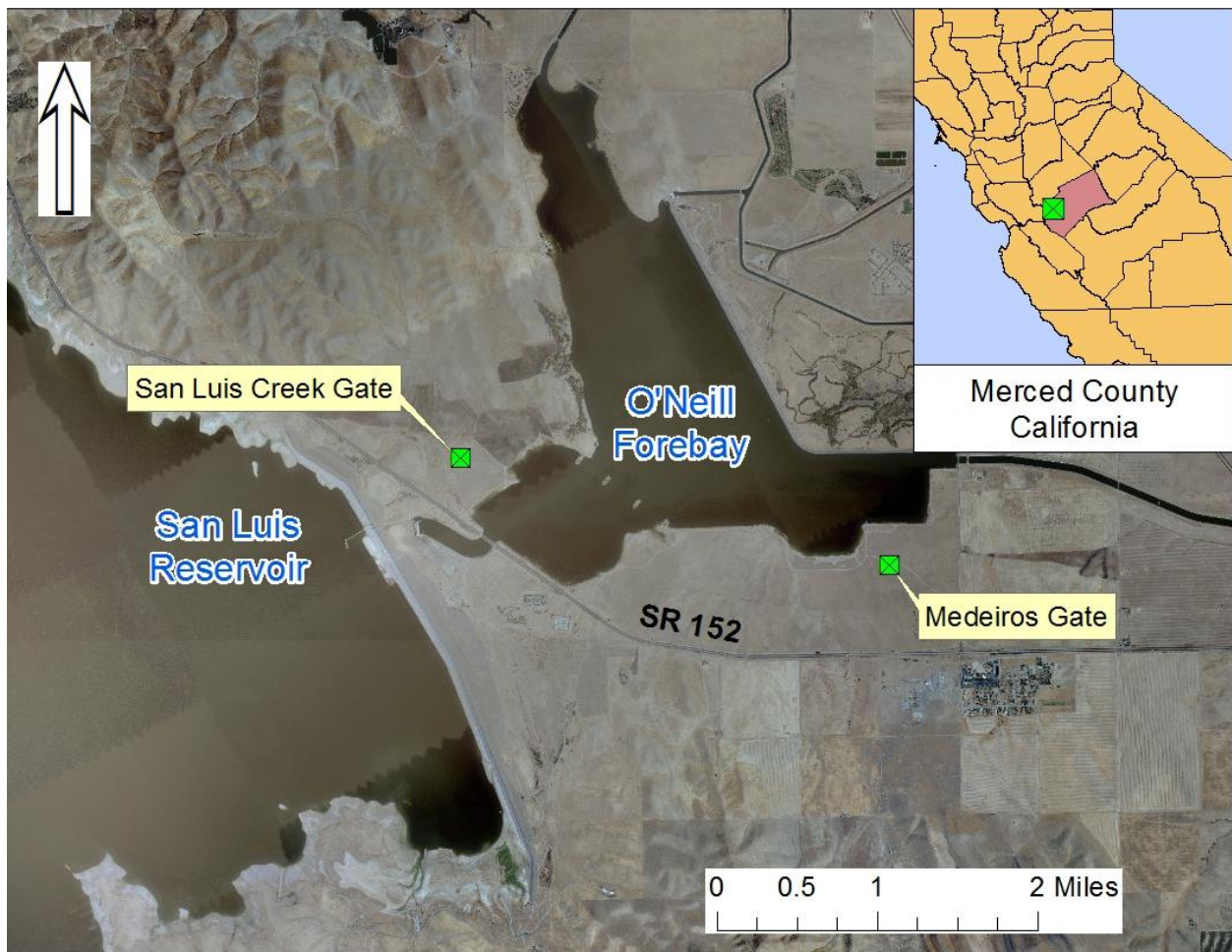


Figure 1 - Project Location

## Purpose and Need for Action

Access control is needed at two locations within the SLRSRA in order to limit access during off hours and to allow for boat inspection in support of the quagga mussel inspection program.

## Proposed Action

Reclamation proposes to allow DPR to install power sliding gates at two locations within the SLRSRA, consistent with the operating agreement between the two agencies. The planned improvements consist of the following:

### Medeiros Campground Gate

The gate at this location would be 35 feet across, with a concrete support pad of 12' by 6' by 18" deep. The pad would also have two (6" by 60") posts and a control system for the gate. Trenching would be required for keypad control wiring. The trench is estimated at 30 linear feet by 6" wide and 12" deep. An additional trench would be needed for receiving existing power from the entrance kiosk to the gate. This trench is estimated at 60 linear feet by 6" wide by 12" deep.

### San Luis Creek Gate

The gate at this location would also be 35' across, with a concrete support pad of 12' by 6' by 18" deep. The pad would also have two (2" by 48") posts for a control panel. Two additional posts (2" by 48") would be needed at the opposite end of the gate to support the closed position. Trenching would be required for control panel power, 30 linear feet by 6" wide by 12" deep. Additional trenching would be needed to provide power from the kiosk to the gate controls. This would be 150 linear feet by 6" wide by 18" deep.

All work would be within existing pavement or gravel areas. No equipment staging would be necessary, since the work would be completed within one workday.

## Environmental Commitments

DPR would implement the following environmental commitments to avoid any environmental consequences associated with the Proposed Action (Table 1). Environmental consequences for resource areas assume the measures specified would be fully implemented.

**Table 1 Environmental Commitments**

Resource	Protection Measure
Biological	Before the initiation of any ground-disturbing activities for the Proposed Action, the person in charge of work shall survey the site for any small mammal burrows that are located close enough to the action areas that a burrow may extend underneath the roadway, or close enough that it may be destroyed during excavation (about 50 feet). If such burrows are present, and cannot reasonably be avoided, ground-disturbing activities shall not begin until Reclamation biologists have been contacted for further guidance.

<b>Resource</b>	<b>Protection Measure</b>
Biological	If any federally listed species are observed in the action area during construction, work shall stop and Reclamation shall be contacted immediately. Work on the Proposed Action shall be suspended until Reclamation determines the appropriate course of action.
Biological	Work on the project shall begin no earlier than a half hour before sunrise and shall cease at least a half hour before sunset.
Biological	No work shall take place during or within 3 days after which half an inch or more of precipitation has fallen.
Biological	A qualified biologist shall conduct pre-construction surveys for the San Joaquin kit fox, its sign and burrows in the action area and a 200-foot area outside of the project footprint. The survey shall be conducted no less than 14 days and no more than 30 days prior to the initiation of any construction activities on the proposed action. A letter report documenting survey methods and findings shall be submitted to Reclamation at least 5 days before construction. If kit foxes, kit fox sign, or kit fox burrows are found during the survey, construction on the proposed project shall not begin until Reclamation has been contacted and appropriate consultation has been completed.
Biological	Off-road traffic outside of designated project areas is prohibited.
Biological	Before the start of any ground-disturbing activities associated with the proposed action, a qualified biologist shall conduct focused surveys for burrowing owls in areas of suitable habitat on and within 250 of the project footprint. A letter report documenting survey methods and findings shall be submitted to Reclamation at least 5 days before construction on the proposed project.
Biological	If occupied burrowing owl burrows are found, Reclamation shall be notified and work on the proposed action shall not begin until a qualified biologist has established a non-disturbance buffer of 160 feet during the non-breeding season (September 1 through January 31) or 250 feet during the breeding season (February 1 through August 31). The biologist shall remain on-site during construction to monitor the burrow, and may stop construction at any time to avoid impacts to the owls. The buffer shall remain in place until the biologist determines the nest is no longer active.
Biological	If a burrowing owl is observed at the construction site at any time during construction, a temporary non-disturbance buffer of approximately 160 feet shall be observed to establish a safe area for the animal until it leaves the construction area at its own volition.
Biological	Prior to construction, a qualified biologist shall survey areas of suitable habitat within 500 feet of each action area for northern harrier nests. If a northern harrier nest is found, work shall not commence until Reclamation has been contacted for further guidance.
Biological	Prior to construction, a qualified biologist shall conduct surveys for nesting Swainson's hawks in trees located within 200 yards of the action area. If an active Swainson's hawk nest is found, work shall not commence until Reclamation has been contacted for further guidance.

## 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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><input type="checkbox"/> |
| 3. This action would have significant impacts on public health or safety (43 CFR 46.215(a)).  | No<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><input type="checkbox"/> |
| 11. This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993).   | No<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><input type="checkbox"/> |

# **Attachment A Cultural Resources Determination**



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

**MP-153 Tracking Number:** 14-SCAO-043

**Project Name:** San Luis Reservoir Recreation Areas Parking Control Access Gates

**NEPA Document:** CEC

**NEPA Contact:** Ben Lawrence, Natural Resource Specialist

**MP 153 Cultural Resources Reviewer:** Mark Carper, Archaeologist

**Date:** April 3, 2014

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The purpose of this memorandum is to document the Section 106 process for the proposed project. The proposed project consists of two discontinuous area of potential effects (APE) locations; San Luis Creek Gate and Medeiros Gate. Both locations are situated upon disturbed landscapes created by soils excavated from the adjacent San Luis Reservoir and the O'Neil Forebay built in the 1960s. Excavated soils were subsequently graded level to create a natural looking landscape. The San Luis Gate location is located on a low natural knoll in a non-depositional environment more than 1500 feet from a natural water course suggesting a low potential for buried resources. The Medeiros Gate location is in close proximity to the excavated O'Neil Forbay and is situated fully in a disturbed spoils landscape.

As all project components consist of shallow ground disturbances below paved asphalt or within modern road berms, Reclamation's level of effort to identify historic properties consists of a review of existing cultural resource records for this location. Reclamation maintains records of all investigations and findings on lands it administers. Both locations have different archaeological investigatory histories. San Luis Creek Gate location was first surveyed in 2005 by the Department of Parks and Recreation (DPR) as part of an accessibility modification project (Report ID #05777). The location was investigated again in 2010 by Reclamation in support of a kiosk installation project (Report ID #07405). The Medeiros Gate location was surveyed in 1979 by Peak and Associates in support of geologic test excavations near O'Neill Dam (Report ID# 00666). Again the location was surveyed in 2009 by the Bureau of Land Management in support of a geo-exploration project (Report ID# 06984).

None of the four previously identified investigations identified cultural resources within the current APE locations. Further, no documented sites were identified within ½-mile of either APE location. Although numerous prehistoric sites have been identified within the vicinity these sites generally are deeply buried (below the fill) or on higher ground (exposed above the fill).

As the proponent for this project DPR conducted an internal review for cultural resources as part of the project evaluation. Their records review, consistent with Reclamation's, identified no

documented cultural resources. DPR did not resurvey the project areas due to the four prior negative surveys. Reclamation determined no additional in-field surveys were necessary for this project.

No geomorphological buried potential analysis was conducted for this project. The maximum depth of construction will be 18-inches and will not extend below the modern road berm. No project component will extend into undisturbed native soils.

Based on the above information, Reclamation made a determination of No Historic Properties affected for the proposed project. Reclamation initiated consultation with SHPO with this determination on February 15, 2014. On April 3, 2014 SHPO concurred with this determination. Reclamation has determined the Section 106 process concluded for the proposed project.

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

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calshpo@parks.ca.gov  
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April 03, 2014

Reply in Reference To: BUR\_2014\_0220\_001

Anastasia T. Leigh, Regional Environmental Officer  
Bureau of Reclamation  
Mid-Pacific Regional Office  
2800 Cottage Way  
Sacramento, CA 95816

RE: San Luis State Recreation Area (SLSRA) Parking Control Access Gates Project, Merced Country, California (14-SCAO-043).

Dear Ms. Leigh:

Thank you for seeking my consultation regarding the above noted undertaking. Pursuant to 36 CFR Part 800 (as amended 8-05-04) regulations implementing Section 106 of the National Historic Preservation Act (NHPA), Bureau of Reclamation (Reclamation) is seeking my comments regarding the effects that the above named project will have on historic properties.

The California Department of Parks and Recreation is proposing to construct two gates and inspection station pads to control access to park areas and allow for inspection of park-visitor boats on Reclamation owned land:

1. Gate One: Medeiros Campground Entrance will require a concrete pad (12 feet X 6 feet X 18 inches) and will extend 35 feet across. Two posts to support a control system will also be installed. Trenching 30 feet long and six inches wide to place a utility connection to the keypad and 60 feet long to the gate will be required.
2. Gate Two: San Luis Creek Campground will require a concrete pad (12 feet X 6 feet X 18 inches) and will extend 35 feet across. Two posts to support a control system and two posts to support the gate when closed will be installed. Trenching 30 feet long and six inches wide to place a utility connection to the keypad and 150 feet long to the gate will be required.

The Area of Potential Effects (APE) includes all construction related activities totaling less than 0.01 acres. Access roads and staging areas will be confined to the existing road pavement. The vertical APE will be approximately 18 inches in depth within the modern road berm.

In addition to your letter received February 20, 2014, you have submitted *Project Evaluation ID #730-333-9-3-13* dated December 13, 2013, and *Cultural Resources Compliance Report (14-SCAO-043)* dated January 15, 2014, as evidence of your efforts to identify and evaluate historic properties in the project APE

The project will occur within the modern road prism on landscapes created by soils excavated from the San Luis Reservoir and O'Neil Forebay in the 1960s. The project area has been

surveyed on four previous occasions and a search of Reclamation files identified no previously known cultural resources within the APE or a ½ mile radius.

Pursuant to 36 CFR §800.4(d)(1) Reclamation has determined there will be *No Historic Properties Affected* by the proposed project. Based on your identification efforts, I concur with this finding. Identification efforts are sufficient and I also have no objections to the delineation of the APE, as depicted in the supporting documentation.

Be advised that under certain circumstances, such as unanticipated discovery or a change in project description, Reclamation may have additional future responsibilities for this undertaking under 36 CFR Part 800. Thank you for seeking my comments and considering historic properties as part of your project planning. If you have any questions or concerns, please contact Associate State Archaeologist, Kim Tanksley at (916) 445-7035 or by email at [kim.tanksley@parks.ca.gov](mailto:kim.tanksley@parks.ca.gov).

Sincerely,

A handwritten signature in black ink that reads "Carol Roland-Nawi, Ph.D." The signature is written in a cursive style.

Carol Roland-Nawi, PhD  
State Historic Preservation Officer

# **Attachment B Indian Trust Assets Determination**



Lawrence, Benjamin <blawrence@usbr.gov>

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## Determination Request, SCCAO CEC 13-071, San Luis Reservoir Recreation Areas Parking Control Access Gates

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RIVERA, PATRICIA <privera@usbr.gov>

Tue, Dec 10, 2013 at 5:03 PM

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

Ben,

I reviewed the proposed action to approve the Department of Parks and Recreation's proposal to install power sliding gates at 2 sites, located at San Luis Reservoir Recreation areas. The gates are needed to control access to park areas during off hours and to allow for inspection of visitors with boats, per the Quagga Mussel Program.

1. Gate 1, Medeiros Campground. The gate will be 35 feet across, with a concrete support pad of 12' by 6' by 18" deep. The pad will also have 2 (6" by 60") posts and a control system for the gate. Trenching will be required for keypad control wiring. The trench is estimated at 30 linear feet by 6" wide and 12" deep. An additional trench will be needed for receiving existing power from the entrance kiosk to the gate. This trench is estimated at 60 linear feet by 6" wide by 12" deep.
2. Gate 2, San Luis Creek. Gate will be 35 feet across, with a concrete support pad of 12' by 6' by 18" deep. The pad will also have 2 (2" by 48") posts for a control panel. Two additional posts (2" by 48") will be needed at the opposite end of the gate to support the closed position. Trenching will be required for control panel power, 30 linear feet by 6" wide by 12" deep. Additional trenching will be needed to provide power from the kiosk to the gate controls. This would be 150 linear feet by 6" wide by 18" deep.

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

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

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Kristi this is admin

Ben-I am on leave so hope this is our timely for you. Happy Holidays