

RECLAMATION


Managing Water in the West

Categorical Exclusion Checklist

Contra Costa Water District Loop Canal Safety Improvements Project at Mileposts 29.04 and 29.11

CEC-13-060

Prepared by:


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

Date: 05/13/2014

Concurred by:

See Attachment A
Archaeologist
Mid-Pacific Regional Office

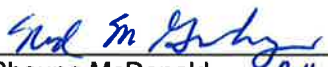
Date: See Attachment A

Concurred by:

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


Date: See Attachment B

Concurred by:

for 
Shauna McDonald *Acting Supervisory Biologist*
Wildlife Biologist
South-Central California Area Office

Date: 05/18/2014

Concurred by:


Benjamin Lawrence
Acting Supervisory Natural Resources Specialist
South-Central California Area Office

Date: 5-20-14

Approved by:

for 
Michael Jackson
Area Manager
South-Central California Area Office

Date: 5/20/14



Background

The Contra Costa Canal (Canal) was constructed by the Bureau of Reclamation (Reclamation) between 1937 and 1948. It originates at Rock Slough, 4 miles southeast of Oakley, California, where it intercepts natural flow from the Sacramento-San Joaquin Delta. Contra Costa Water District (CCWD) pursuant to an operating agreement (Contract No. 14-06-200-6072A) operates and maintains (O&Ms) the Canal on behalf of Reclamation. Due to safety concerns, CCWD has proposed to improve the Seal Creek Siphon and Seal Creek Wasteway along the Loop portion of the Canal (Figure 1).

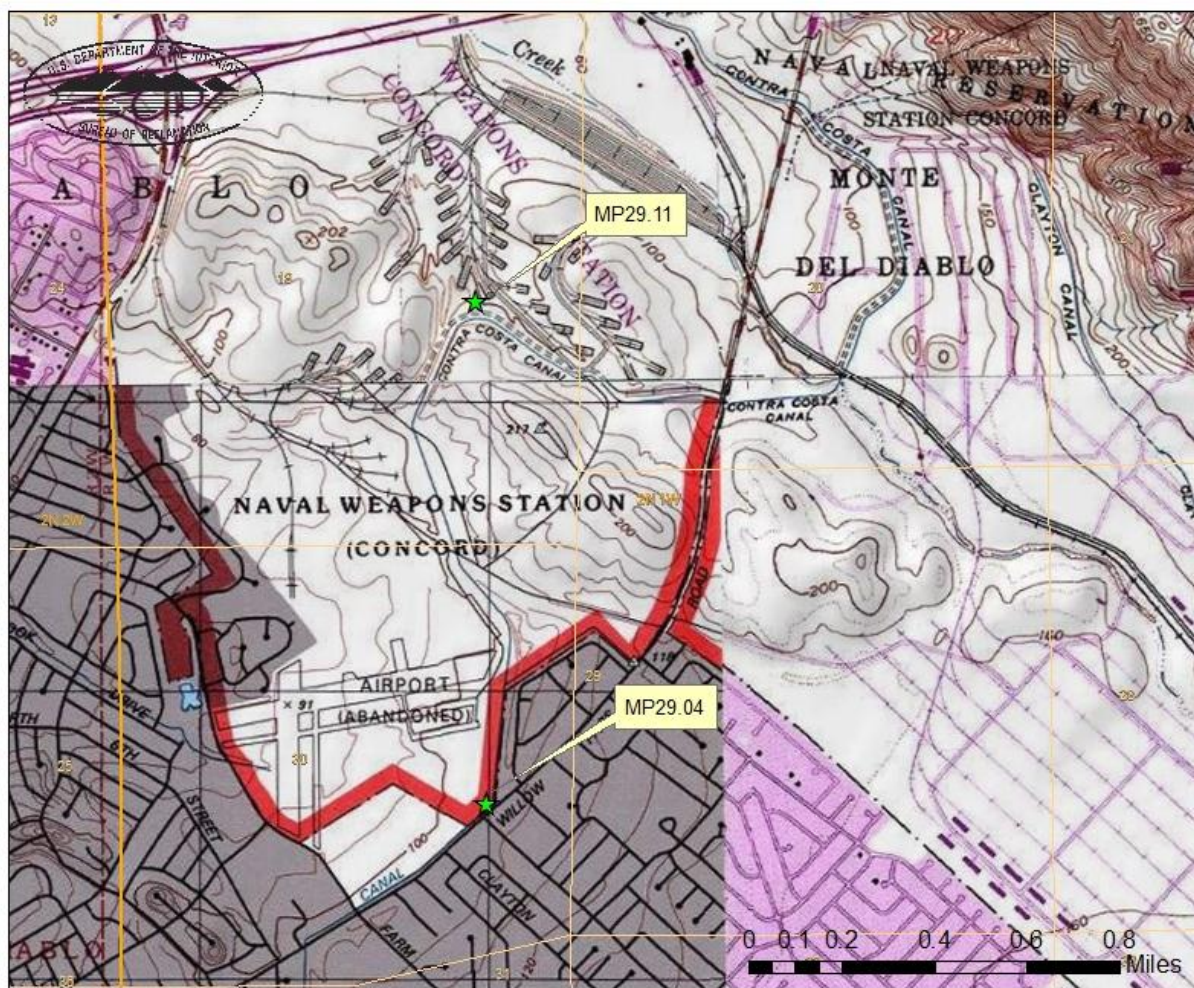


Figure 1 Proposed Action Locations

Purpose and Need for Action

CCWD needs to improve worker safety at the Seal Creek Siphon (milepost 29.04) and Seal Creek Wasteway (milepost 29.11) within the Loop portion of the Canal. The purpose of the

Proposed Action is to authorize CCWD's proposed improvements in order to ensure worker safety during O&M activities.

Proposed Action

Reclamation proposes to issue an MP620 permit (a Reclamation Mid-Pacific Region-specific permit for modification to Reclamation-owned facilities) to CCWD for safety improvements to the Seal Creek Siphon (milepost 29.04) and Seal Creek Wasteway (milepost 29.11) within the Loop portion of the Canal (Figure 1).

Specific construction activities at Seal Creek Siphon (milepost 29.04) will include:

- Installation of two, 12-foot serrated metal grating over approximately 4 feet of the Canal
- Installation of a new split-bar screen within the Canal
- Installation of a guardrail and winch support above the split-bar screen
- Installation of 4-foot wide concrete stairs from the roadway to the siphon platform
- Installation of a 12-foot wide by 2-foot high retaining wall at the stair landing

Excavations at Seal Creek Siphon would be approximately 2-feet deep totaling up to 5 cubic yards. A photograph of existing conditions at milepost 29.04 is included as Figure 2. Project designs for this site are included as Figures 3 and 4.



Figure 2 Existing Conditions at Seal Creek Siphon (milepost 29.04)

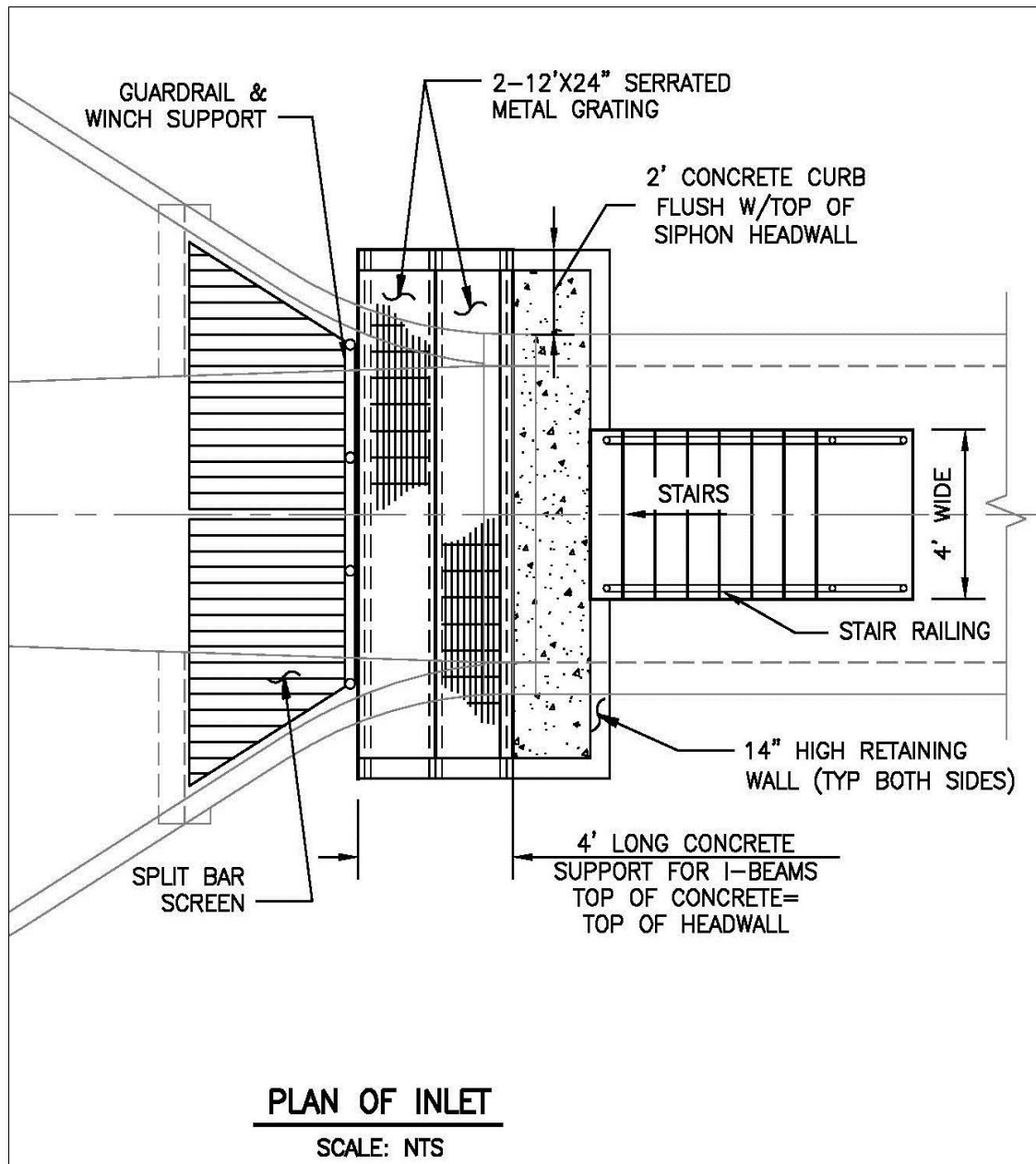


Figure 3 Project Design for Inlet work at Seal Creek Siphon (overview)

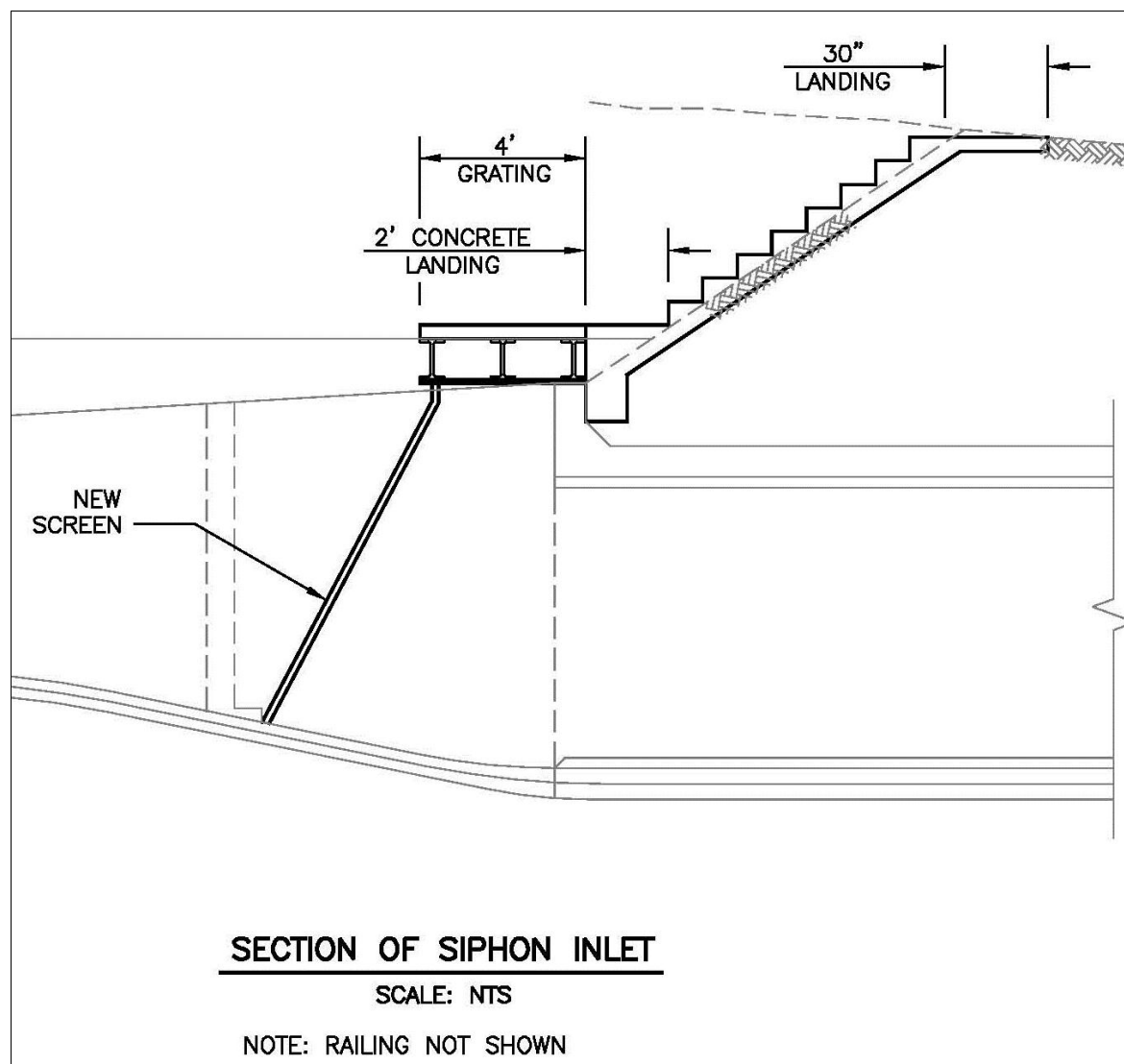


Figure 4 Project Design for Inlet work at Seal Creek Siphon (sideview)

Specific construction activities at Seal Creek Wasteway (milepost 29.11) will include:

- Construction of a 5-foot long by 2-foot wide concrete retaining wall on either side of the wasteway gate
- Placement of soil to level the ground between the new concrete walls and the existing roadway followed by installation of an approximately 5-foot by 5-foot 4-inch thick concrete slab.
- Installation of guardrails on each side of the wasteway gate

Excavations at Seal Creek Wasteway would be approximately 2-feet deep totaling up to 4 cubic yards. A photograph of existing conditions at milepost 29.11 is included as Figure 5. Project designs for this site are included as Figures 6 and 7.



Figure 5 Existing Conditions at Seal Creek Wasteway (milepost 29.11)

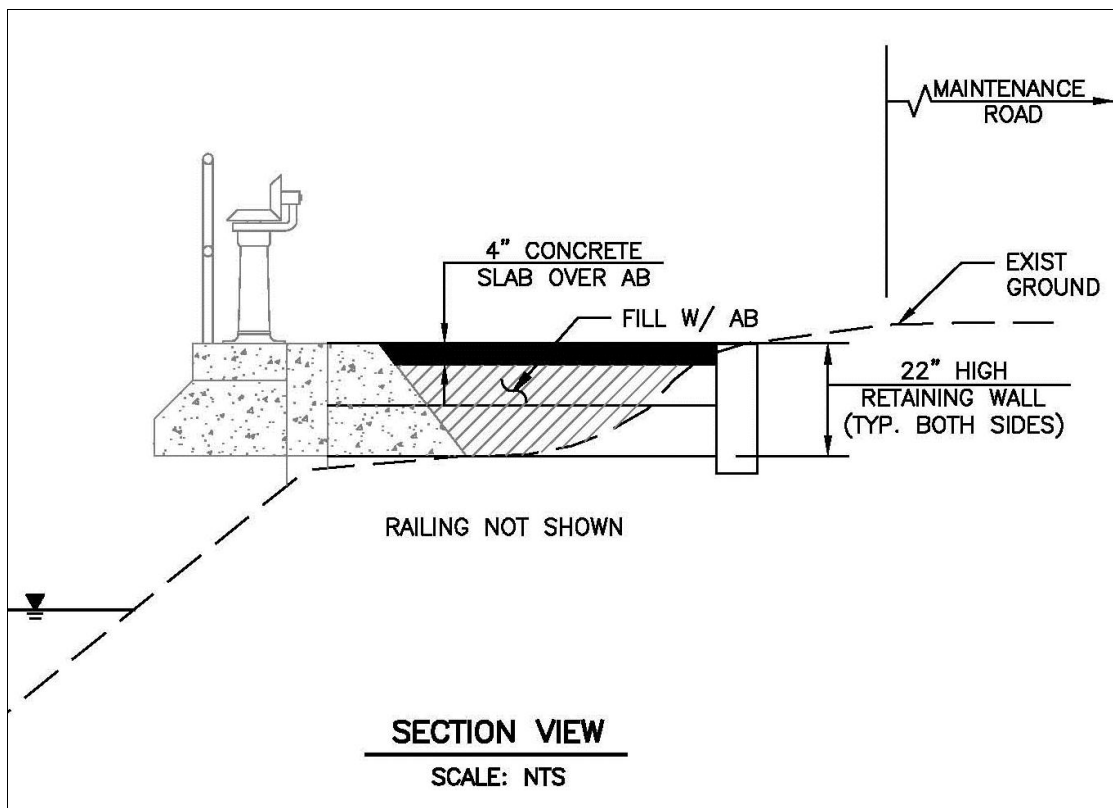


Figure 6 Project Design for Inlet work at Seal Creek Wasteway (sideview)

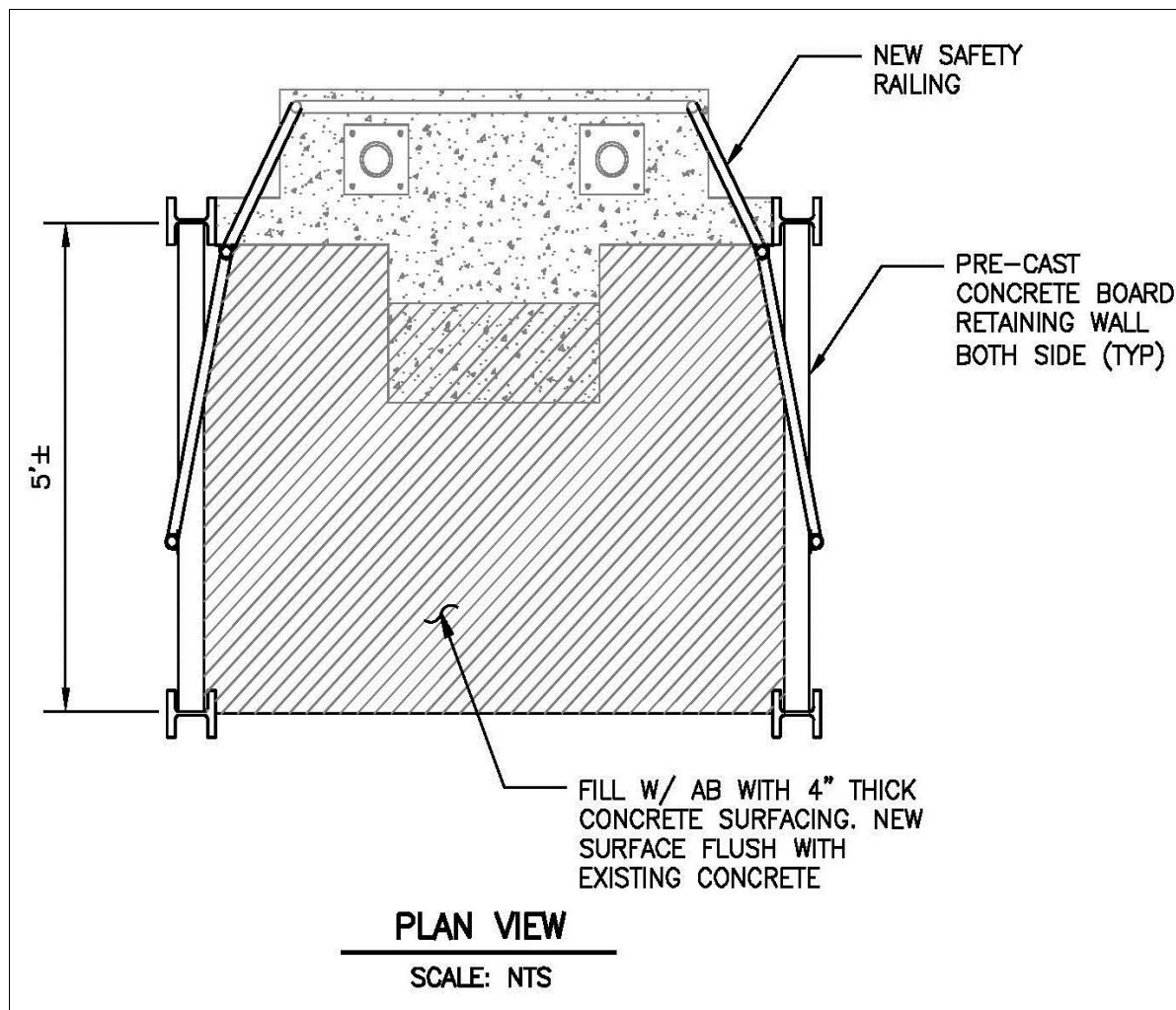


Figure 7 Project Design for Inlet work at Seal Creek Wasteway (overview)

Construction equipment will include concrete mixers, dump trucks, small backhoes, pickup trucks, and hand tools for welding, drilling, bolting, and painting. The project is expected to last approximately 4 to 6 weeks, commencing in January 2014. The typical construction duration at each site would be 4 to 8 days over the course of 4 to 6 weeks at Seal Creek Siphon (milepost 29.04) and 3 weeks at Seal Creek Wasteway (milepost 29.11).

Exclusion Category

516 DM 14.5 paragraph D (1): *Maintenance, rehabilitation, and replacement of existing facilities which may involve a minor change in size, location, and /or operation.*

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: 14-SCAO-131

Project Name: Contra Costa Water District Loop Canal Safety Improvements Project at Mileposts (MP) 29.04 and 29.11, Contra Costa County, California

NEPA Document: CEC-13-060

Project Manager/NEPA Contact: Rain Emerson

MP 153 Cultural Resources Reviewer: Mark Carper

Date: 5/13/2014

This proposed undertaking by Reclamation to authorize proposed improvements to portions of the Seal Creek Siphon and Seal Creek Wasteway along the loop portion of the Contra Costa Canal (CCC). Reclamation owns the CCC, a National Register of Historic Places (National Register) eligible property, which is managed and operated by the CCWD. Reclamation's approval of this project constitutes an undertaking as defined in Section 301(7) of the NHPA (16 U.S.C. 470), as amended, which requires compliance with Section 106 of the NHPA. We are consulting with you in accordance with the regulations at 36 CFR Part 800 implementing Section 106 of the NHPA.

CCWD needs to improve worker safety at the Seal Creek Siphon (MP 29.04) and Seal Creek Wasteway (MP 29.11) within the loop portion of the CCC. Both locations currently have temporary fixes such as PVC pipe hand rails and T-bar post and wire-mesh fencing that present safety hazards to operations and maintenance workers. The safety improvements at the Seal Creek Siphon include the installation of two 12 foot serrated metal gratings, a new split-bar screen, a guardrail and winch support above the split-bar screen, 4-foot-wide concrete stairs from the roadway to the siphon platform, and a 2 foot-high retaining wall at the stair landing. The safety improvements at the Seal Creek Wasteway include a 5 foot by 2-foot concrete retaining wall on either side of the wasteway gate, soil placement between the retaining wall and roadway to correct erosion, and the installation of guardrails at the wasteway gate.

The project is completely contained within the canal's built environment. Reclamation's identification effort was restricted to the known resource, the CCC itself. In 2005, the CCC was found eligible for listing on the National Register as a contributing feature to the Central Valley Project (CVP), eligible under Criterion A. The CCC contributes to the historic development of

CULTURAL RESOURCE COMPLIANCE
Mid-Pacific Region
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Cultural Resources Branch

the CVP as the first operational component and to the economic development of eastern Contra Costa County.

Reclamation applied the criteria of adverse effects of the proposed project to the CCC pursuant to 36 CFR § 800.5. The proposed safety improvements are consistent with other existing safety features throughout the 47.7 mile-long canal and will not alter those characteristics which make the resource eligible for National Register inclusion. Such improvements are consistent with the themes from which the canal's significance is derived. Reclamation, therefore, determined a finding of no adverse effect for the proposed undertaking.

All proposed activities will be conducted entirely within the constraints of the canal's built environment; therefore, there exists very little potential to encounter sites of religious and cultural significance pursuant to the regulations at 36 CFR § 800.3(f)(2) and 36 CFR § 800.4(a)(4). Reclamation did not consult with federally recognized Indian tribes.

Reclamation initiated consultation with the California State Preservation Office (SHPO) by letter on March 19, 2014. SHPO responded by letter on May 12, 2014 concurring with Reclamation's determination of no adverse effect for the proposed undertaking.

Reclamation has concluded the NHPA Section 106 process for this undertaking. This memo serves as concurrence with item #8 on CEC-13-060 that the proposed action will have no significant impacts on historic properties. 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.

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

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calshpo@parks.ca.gov
www.ohp.parks.ca.gov



May 8, 2014

In reply refer to: BUR_2014_0326_002

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

RE: Section 106 Consultation for the Proposed Contra Costa Water District Loop Canal Safety Improvements Project at Mileposts (MP) 29.04 and 29.11, Contra Costa Canal (CCC), Contra Costa County, California

Dear Ms. Leigh:

Thank you for your March 19, 2014 letter initiating consultation with me for the above referenced project in order to comply with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulation at 36 CFR Part 800. The Bureau of Reclamation (Reclamation) is requesting comments on the delineation of the Area of Potential Effect, the appropriateness of identification efforts, and concurrence that the undertaking will have no adverse effect to historic properties.

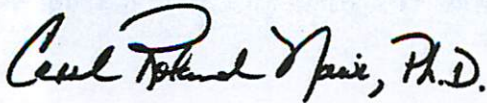
Reclamation is proposing to improve worker safety at the Seal Creek Siphon (MP 29.04) and Seal Creek Wasteway (MP 29.11), within the loop portion of the CCC. The undertaking would replace temporary safety improvements with permanent installations. The safety improvements at Seal Creek Siphon include the installation of two 12-foot serrated metal gratings, a new split-bar screen, a guardrail and winch support above the split-bar screen, 4-foot wide concrete stairs from the roadway to the siphon platform, and a 2-foot high retaining wall at the stair landing. The proposed safety improvements at the Seal Creek Wasteway include a 5-foot by 2-foot concrete retaining wall on either side of the wasteway gate, soil placement between the retaining wall and roadway to correct erosion, and the installation of guardrails at the wasteway gate.

The APE for the undertaking has been defined as two discontinuous locations approximately 20 feet by 20 feet for each of the improvement locations, encompassing approximately 0.02 acre. The vertical APE extends to a maximum depth of two feet. The APE is contained entirely within the CCC canal berm. I do not object to this APE.

The only historic property identified within the APE is the CCC, which was determined eligible for listing on the National Register of Historic Places (NRHP) as a contributing feature of the Central Valley Project (CVP) by my office in 2005. As all proposed activities will be conducted entirely within the constraints of the canal prism, Reclamation determined there is very little potential to encounter sites of religious and cultural significance. Therefore, Reclamation has determined the undertaking will have no adverse effect on historic properties. I concur with this determination.

Thank you for considering historic properties as part of your project planning and I look forward to consultation on future projects. Please direct any questions or concerns that you may have to Kathleen Forrest, Project Review Unit architectural historian, at 916-445-7022 or at kathleen.forrest@parks.ca.gov.

Sincerely,



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

BUREAU OF RECLAMATION
MP-REGION

2014 MAY 12 AM 10:55

Attachment B Indian Trust Assets Determination



Emerson, Rain <remerson@usbr.gov>

13-060 Contra Costa Water District Loop Canal Improvements Project

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

Mon, Jan 13, 2014 at 10:23 AM

Rain,

I reviewed the proposed action to issue an MP620 permit (a Reclamation Mid-Pacific Region-specific permit for modification to Reclamation-owned facilities) to Contra Costa Water District for safety improvements to the Seal Creek Siphon (milepost 29.04) and Seal Creek Wasteway (milepost 29.11) within the Loop portion of the Contra Costa Canal.

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

I hope this is not a repeat-just trying to catch up from leave. thanks for your patience