

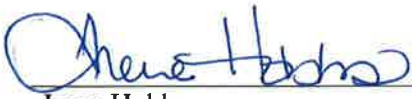
# RECLAMATION

## *Managing Water in the West*

### Categorical Exclusion Checklist (CEC)

## Joe Edgar Bridge Crossing Lateral 39 – Orland Project, California

**NCAO-CEC-14-6**

Prepared by:  Date: 6/26/2014  
Irene Hobbs  
Realty Specialist  
Northern California Area Office

Concurrence by: See Attachment 6 Date: 3/10/14  
Patricia Rivera  
Native American Affairs Program Manager  
Mid-Pacific Regional Office

Concurrence by: See Attachment 7 Date: 6/25/14  
William Soule  
Archaeologist  
Mid-Pacific Regional Office

Approved by:  Date: 6/26/2014  
Paul Zedonis  
Natural Resource Specialist  
Northern California Area Office

Approved by:  Date: 7/1/14  
for: Brian Person  
Area Manager  
Northern California Area Office



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

June 2014

## Proposed Action

Joe and Estelle Edgar request permission to construct a bridge crossing over Lateral 39 in the Orland Project (Attachment 1). The Edgars own two adjacent parcels of land that are accessed via an existing bridge crossing Lateral 39 in front of their residence. They wish to sell the parcel with the residence and have a separate crossing for the second parcel, which they plan to retain and farm. This project is located at 39.731717°; -122.178087° which is located in Section 26, Township 22 North, Range 3 West, MDB&M, in Glenn County. Lateral 39 is a concrete lined open ditch situated on Reclamation's 30-foot wide easement (see Attachment 2). Attachment 3 contains the Surveyor's Statement for the Property, and Attachments 4 and 5 provide details of the bridge crossing.

## Exclusion Categories

Bureau of Reclamation Categorical Exclusion – 516 DM 14.5, D(10): Issuance of permits, licenses, easements and crossing agreements which provide right-of-way over Bureau of Reclamation lands where the action does not allow or lead to larger public or private action.

## Extraordinary Circumstances

Below is an evaluation of the extraordinary circumstances as required in 43 CFR 46.215.

1. This action would have a significant effect on the quality of the human environment (40 CFR 1502.3). No ☒ Uncertain ☐ Yes ☐
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 ☒ Uncertain ☐ Yes ☐
3. This action would have significant impacts on public health or safety (43 CFR 46.215(a)). No ☒ Uncertain ☐ Yes ☐
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 ☒ Uncertain ☐ Yes ☐
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 ☒ Uncertain ☐ Yes ☐

- |  |    |                                     |           |                          |     |                          |
|--|----|-------------------------------------|-----------|--------------------------|-----|--------------------------|
| 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; and 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; and 43 CFR 46.215 (j)).   | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 13. This action would limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007; 43 CFR 46.215 (k); and 512 DM 3).  | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |
| 14. This action would contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act; EO 13112; and 43 CFR 46.215 (l)). | No | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <input type="checkbox"/> |

Regional Archeologist concurred with Item 8 (email attached).

ITA Designee concurred with Item 11 (email attached).

***NEPA Action Recommended***

☒ CEC – This action is covered by the exclusion category and no extraordinary circumstances exist. The action is excluded from further documentation in an EA or EIS.

☐ Further environmental review is required, and the following document should be prepared.

☐ EA

☐ EIS

**Environmental commitments, explanations, and/or remarks:**

Attachment 1 . Project location

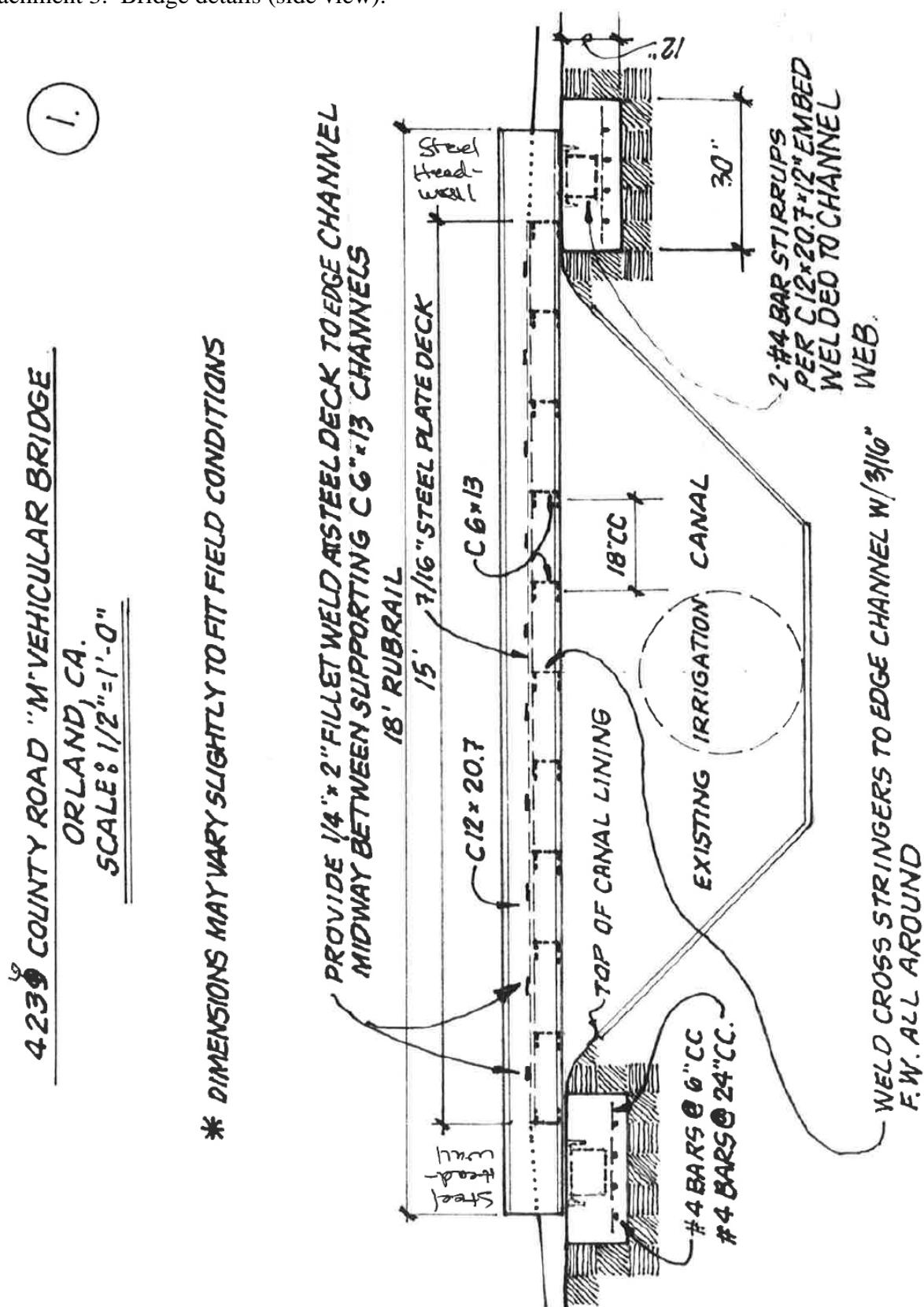


**Attachment 2. Photo of the location where the bridge would be located. Photo is looking east from the County Road "M."**

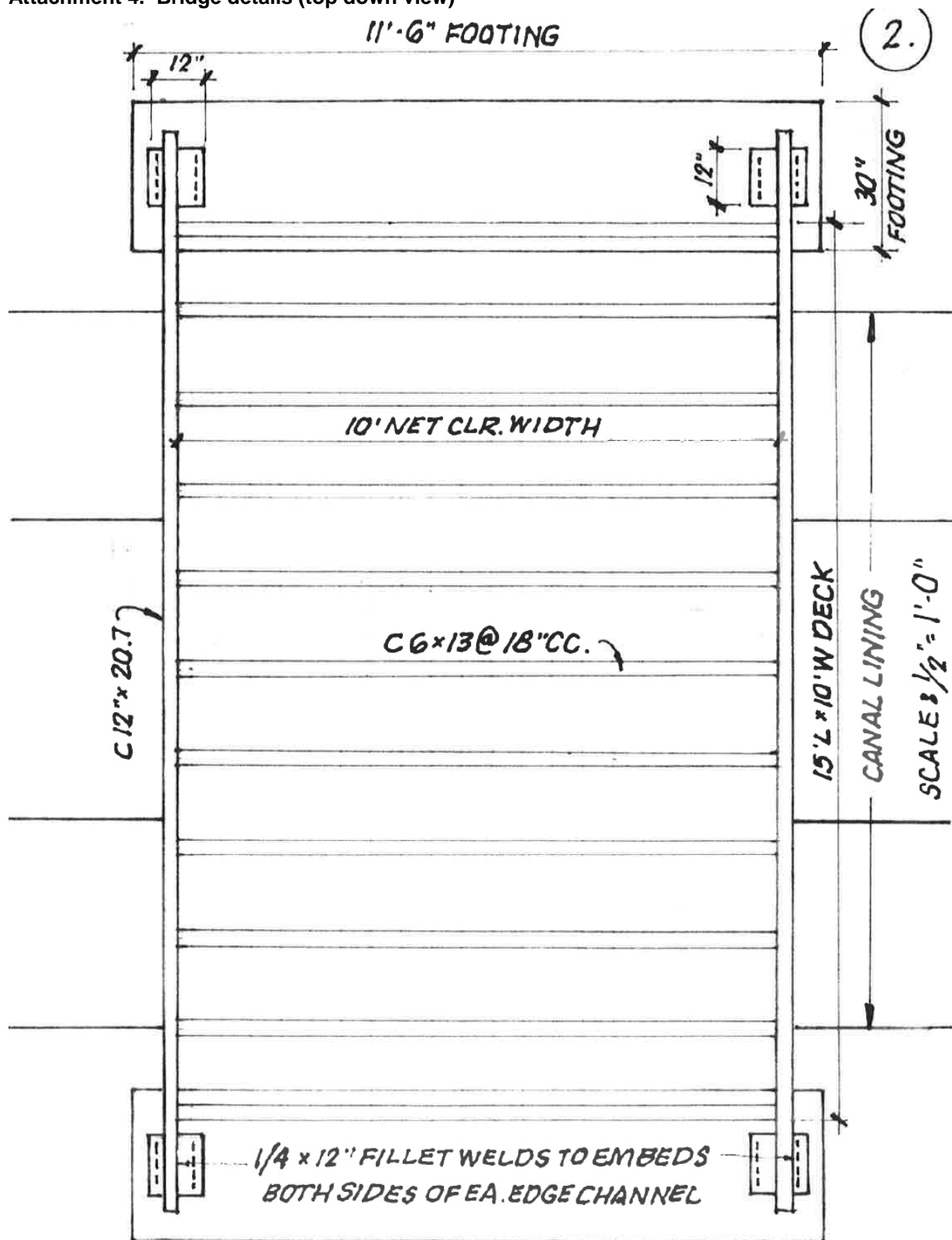


U.S. P.M. 647-230-0000 and 650

Attachment 3. Bridge details (side view).



Attachment 4. Bridge details (top down view)



**Attachment 6. ITA concurrence**



Zedonis, Paul <pzedonis@usbr.gov>

---

**CR & ITA Review: CEC Joe Edgar Bridge Crossing 030714**

---

**RIVERA, PATRICIA** <privera@usbr.gov>

Mon, Mar 10, 2014 at 7:36 AM

To: "Zedonis, Paul" <pzedonis@usbr.gov>, Mary Williams <marywilliams@usbr.gov>, Kristi Seabrook <kseabrook@usbr.gov>

Paul,

I reviewed the proposed action to approve Joe and Estelle Edgar's request to construct a bridge crossing over Lateral 39 in the Orland Project. Lateral 39 is a concrete lined open ditch situated on Reclamation's 30-foot wide easement.

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

---

Diane and Kristi this is admin. Please log into database. Thanks

## **Attachment 7. CR Concurrence**

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

**MP-153 Tracking Number:** 14-NCAO-121

**Project Name:** Joe Edgar Crossing Lateral 39, Orland Project, Glenn County, California

**NEPA Document:** CEC 111213

**Project Manager/NEPA Contact:** Paul Zedonis

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

**Date:** 6/25/2014

---

This proposed undertaking by Reclamation is the authorization for Joe Edgar to install a steel deck bridge across Reclamation's Lateral 39 within Reclamation's Orland Project. The project is located in Glenn County California. Federal authorization constitutes an undertaking pursuant to Section 301(7) of the NHPA (16 U.S.C. 470), as amended, 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.

The proposed project entails the installation installing a steel deck and rubrail across the Lateral 39 canal from berm to berm. The crossing will be a maximum length of 18 feet and maximum width of 11.5 feet. The crossing will affix to the adjacent canal berms via embedded anchor welds at a depth of 12 inches. No staging areas are required and no ground disturbance beyond that needed on the berms will be needed.

Reclamation's undertaking and the entire APE is within the confines of Lateral 39, identified as a potential historic property, no additional archaeological survey was considered necessary to identify historic properties.

The Orland Project has not been evaluated for eligibility for listing on the National Register of Historic Places. Because of the small scale of the proposed project, Reclamation is treating the Orland Project as a historic property under Criterion A for its contribution to Federal roles in the development of agriculture and irrigation in California. As one of the Orland Project's laterals, Lateral 39 will also be treated as a potentially eligible property under Criterion A as a contributing component to the Orland Project.

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

Reclamation applied the criteria of adverse effect [36 CFR § 800.5(a)(1)] and the Secretary of the Interior's Standards for the Treatment of Historic Properties (36 CFR § 68.3) and determined that the proposed project will result in no adverse effect to historic properties pursuant to 36 CFR § 800.5(b). Construction of a crossing over Lateral 39 will not adversely affect any of the characteristics which would make it eligible as a contributing property to the Orland Project. The installation of the crossing will not affect the current condition of the lateral. The new crossing is small in scale to the lateral and is consistent with existing crossings over this lateral. The APE is encapsulated within the footprint of the lateral.

Reclamation initiated consultation with the California State Preservation Office (SHPO) by letter on May 20, 2014. This project is entirely within a built environment and has no potential for sites of religious or cultural significance to Indian tribes or other Native Americans. Reclamation did not consult with these groups for this undertaking.

As noted above, Reclamation initiated consultation with SHPO on May 20, 2014 requesting concurrence with a finding of no adverse effect. Pursuant to the regulations at 36 CFR §800.5(c), SHPO has 30 days from receipt to review an agency finding. The SHPO has yet to respond to Reclamation's finding of effect. If after 30 days the SHPO has not responded, the regulations state that "...the agency official shall then carry out the undertaking in accordance with paragraph (d)(1) of this section" [§800.5(c)(1)]. Because the SHPO has failed to comment on Reclamation's finding within the period of time provided to them pursuant to the Section 106 regulations, Reclamation may move on to the next step of the Section 106 process.

Reclamation has concluded the NHPA Section 106 process for this undertaking. This memo serves as concurrence with item #8 on NCAO-CEC-14-6 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.