

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

San Luis Reservoir State Recreation Area San Luis Creek Water Facility Fence Installation

CEC-14-027

Prepared by:



Ben Lawrence
Natural Resources Specialist
South-Central California Area Office

Date: 1-5-2015

Concurred by:

See Attachment
Archaeologist/Architectural Historian
Mid-Pacific Regional Office

Date: See Attachment

Concurred by:

See Attachment
Native American Affairs Specialist
Mid-Pacific Regional Office

Date: See Attachment

Concurred by:



Lisa Carlson
Wildlife Biologist
South-Central California Area Office

Date: 1/5/2015

Concurred by:



Rain Emerson
Supervisory Natural Resources Specialist
South-Central California Area Office

Date: 1/14/2015

Approved by:



Michael Jackson
Area Manager
South-Central California Area Office

Date: 1/15/2015

for



Background

San Luis Reservoir Recreation Area (Recreation Area) is located adjacent to San Luis Reservoir and O'Neill Forebay, near Los Banos, California. The California Department of Parks and Recreation (DPR) manages the Recreation Area under an operating agreement with the Bureau of Reclamation (Reclamation). The recreational opportunities offered at the Recreation Area include picnicking, fishing, boating, swimming, water skiing and camping. See Figure 1.

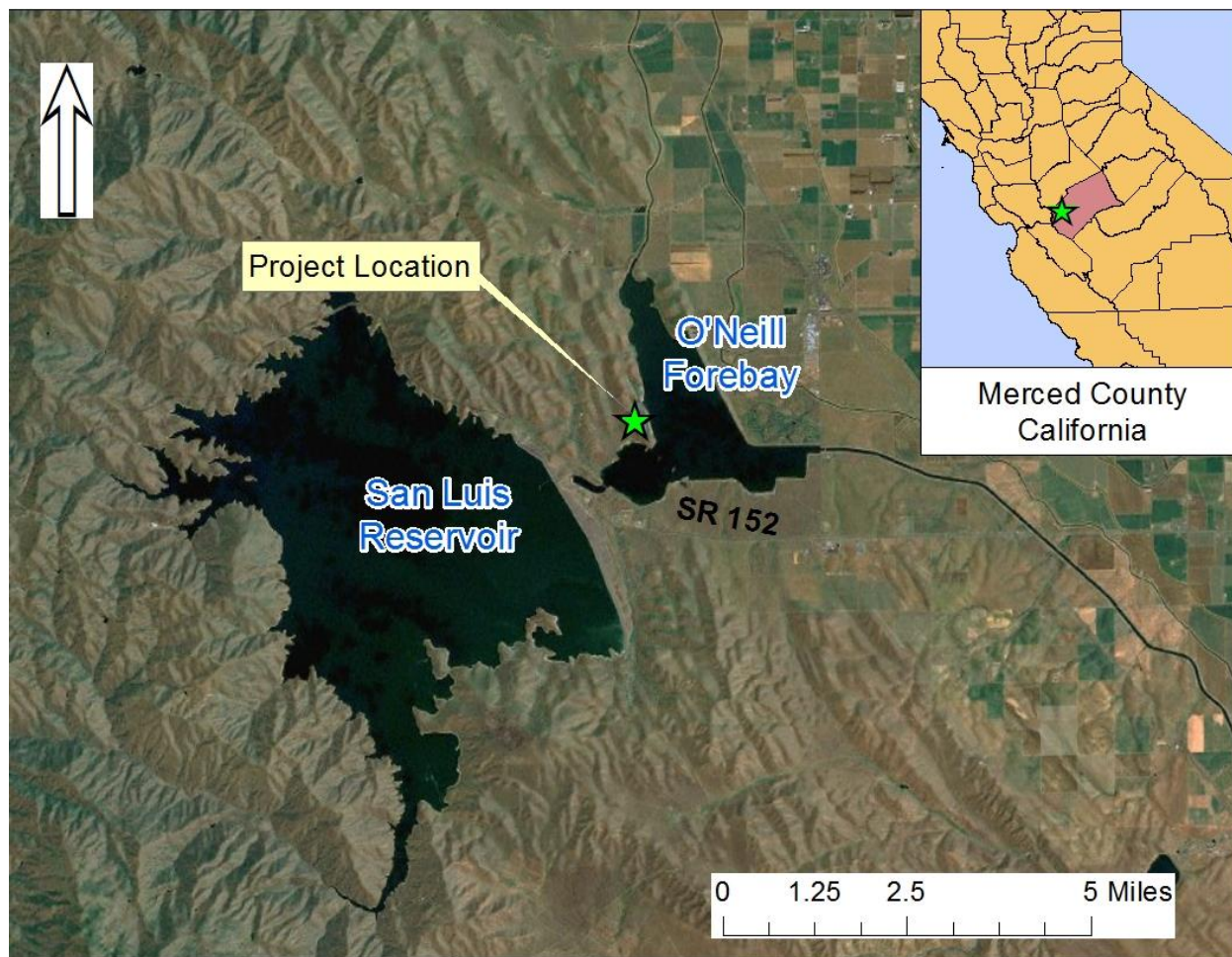


Figure 1 - Project Location

Potable water is supplied to certain areas within the Recreation Area from treatment plants and storage tanks located around the reservoir and forebay. They are currently unfenced, but DPR has obtained a grant to install protective fences. DPR needs permission from Reclamation, as owner of the property, to install these fences.

Purpose and Need for Action

The 112,000-gallon water tank at the location shown above provides water for an adjacent campground, vehicle kiosk and boat ramp areas. There is a need to limit access and reduce the potential for vandalism.

Proposed Action

DPR, pursuant to its operating agreement with Reclamation, proposes to install a security fence around the water storage tank located within the San Luis Reservoir State Recreation Area at the location shown in Figure 1. Installation details are shown in Attachment A, and described below.

Workers would install six-foot chain link fence around the perimeter of the site. The total length of fence would be approximately 418 feet, supported by forty-three 8-foot steel posts mounted in standard concrete. Postholes would be 8 inches in diameter, drilled by truck-mounted auger to a depth of two feet. A 20-foot double gate would allow for equipment access.

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 burrows that are located close enough to the action area that they may pass underneath an area where a posthole will be drilled (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.
Biological	If any 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	To prevent inadvertent entrapment of federally protected species, or other wildlife, during construction, all excavated, steep-walled holes or trenches will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, the person in charge of work will thoroughly inspect the opening for trapped animals. If at any time a trapped listed animal is discovered, work on the Proposed Action shall be suspended and Reclamation shall be immediately contacted for further guidance.
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.

Resource	Protection Measure
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. 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	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	Construction on the Proposed Action shall occur between September 1st and January 31st to avoid the bird breeding season. If work must occur during the breeding season, prior to construction a qualified biologist shall survey areas of suitable habitat within 500 feet of the action area for northern harrier nests, Swainson's hawk nests, and other migratory bird nests. If a 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
<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 Fence Installation Diagram





Double
Gate

18 10.91

78.0'

131.0

Attachment B Cultural Resources Determination

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

MP-153 Tracking Number: 14-SCAO-190 and 14-SCAO-214

Project Name: Fence Installation Project at San Luis Reservoir State Recreation Area (SRA)

NEPA Document:

CEC-14-026 San Luis Reservoir State Recreation Area Basalt Water Facility Fence Installation, and
CEC-14-027 San Luis Reservoir SRA San Luis Creek Water Facility Fence Installation

MP 153 Cultural Resources Reviewer: Amy J. Barnes

Date: December 30, 2014

This proposed undertaking by Reclamation is to approving a security fence installation project at two potable water facilities within the San Luis Reservoir SRA. This is the type of action that has the potential to cause effects to historic properties pursuant to 36 CFR §800.3 of the Section 106 implementing regulations. As a result of this determination, Reclamation implemented the steps in the Section 106 process as outlined at §800.3 to §800.6.

State Parks proposes to install a 6-foot-high chain link security fence around the perimeter of the San Luis Creek (Tracking #14-SCAO-190) and Basalt (Tracking #14-SCAO-214) water facilities, each of which includes a treatment plant and water storage tanks (Figures 2 and 3, enclosed). Each new facility enclosure will measure approximately 85 feet by 124 feet, totaling 418 feet of fence, including a 20-foot double-hung gate. The fence at each facility will be supported by approximately forty-three 8-foot-tall steel posts mounted in concrete. The 8-inch-diameter postholes will be drilled by a truck-mounted auger to a depth of 2 feet. The existing service roads and parking areas at each location will be used for access, staging materials, and equipment. The area of potential effects (APE) includes the existing San Luis Creek and Basalt water facilities, each measuring approximately 10,540 square feet for a collective total of approximately 0.4 acres. The maximum depth of the vertical APE will be 2 feet below the surface at posthole locations. The water facilities were originally constructed by grading a level surface into a hillside on which to install the treatment plant and water tanks. The vertical APE is contained within that modern construction zone. The APE is located in Sections 11 (San Luis Creek) and 27 (Basalt), T. 10 S., R. 8 E., Mount Diablo Meridian within the Rancho San Luis Gonzaga land grant as depicted on the San Luis Dam 7.5' U.S. Geological Survey topographic quadrangle map.

The historic property identification efforts included a cultural resources survey conducted by a State Parks archaeologist to assess the extent of the built environment and to identify any other cultural resources that might be present, which identified no historic properties within the APE. Based on the information provided in the State Parks documentation, Reclamation determined that the proposed undertaking will result in no historic properties affected. Utilizing these identification efforts, Reclamation entered into consultation with the California State Historic Preservation Officer (SHPO) on November 19, 2014, seeking their concurrence on a finding of "no historic properties affected pursuant to 36 CFR § 800.4(d)(1)." SHPO concurred with Reclamations' findings and determination on December 24, 2014 (consultation attached).

After reviewing CEC-14-026 and CEC-14-027, both dated December 2014, I concur with Item 8 which states that this action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places.

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

This memorandum is intended to convey the completion of the NHPA Section 106 process for this undertaking. Please retain a copy in the administrative record for this action. Should changes be made to this project, additional NHPA Section 106 review, possibly including consultation with the State Historic Preservation Officer, may be necessary. Thank you for providing the opportunity to comment.

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

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



December 24, 2014

Reply in Reference To: BUR_2014_1124_002

Anastasia T. Leigh
Regional Environmental Officer
Bureau of Reclamation, Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825-1898

RE: Fence Installation Project at San Luis Reservoir State Recreation Area, Merced County, California; (14-SCAO-190 and 14-SCAO-214)

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), the Bureau of Reclamation (Reclamation) is seeking my comments regarding the effects that the above named project will have on historic properties.

California State Parks proposes to install a six foot high chain link security fence, on Reclamation land, around the San Luis Creek and Basalt water facilities; both include a treatment plant and water storage tanks. The enclosure at each facility will measure approximately 85 feet by 124 feet; which includes a twenty foot double hung gate. Installation will entail drilling eight inch diameter post holes to a depth of two feet at forty three locations into which steel posts mounted in concrete will be placed to support the fence. Access and staging will be restricted to existing roads. The Area of Potential Effects (APE) is the San Luis Creek and Basalt water facilities; the vertical APE is two feet in depth.

In addition to your letter received November 24, 2014, you have submitted the *Archaeological Survey Report, Basalt Trail Accessibility Improvements, San Luis Reservoir State Recreation Area, Merced County, California* (Wulzen, January 13, 2009) and the *Archaeological Survey Report, 2007-08 Deferred Maintenance Program Projects, Sewage Lift Stations and Water Treatment Facilities, San Luis Reservoir State Recreation Area, Merced County, California* (Wulzen, February 1, 2007) as evidence of your efforts to identify and evaluate historic properties in the project APE.

Archival research for both water facilities included a records search at the Central California Information Center in July 2007; the Basalt facility records search was updated in 2008. No previously recorded cultural resource lay within or immediately adjacent to the APE of either location. Neither of the water facilities meet the fifty year age criteria for historic properties nor possess exceptional significance.

Reclamation consulted with the Native American Heritage Commission (July, 2007) and Native American tribes and individuals likely to have knowledge of sites of religious or cultural significance to them in the project area (August, 2014). No such properties were identified through consultation efforts.

A pedestrian surface survey was conducted at the Basalt water facility in 2007; that included the APE. Survey transects were spaced three meters apart and surface visibility was 100%. No cultural resources were identified. A pedestrian survey at the San Luis water facility was also conducted in 2007 utilizing transects spaced five meters apart; surface visibility was 75%. No cultural resources were identified.

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 the *Finding of No Historic Properties Affected*. Identification efforts are sufficient and I also have no objections to the delineation of the APE, as depicted in the supporting documentation.

Thank you for considering effects to historic properties in your project planning. 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 regarding archaeological resources, please contact Associate State Archaeologist, Kim Tanksley at (916) 445-7035 or by email at kim.tanksley@parks.ca.gov. Any questions concerning the built environment should be directed to State Historian, Kathleen Forrest at (916)445-7022 or by email at kathleen.forest@parks.ca.gov.

Sincerely,

A handwritten signature in black ink, reading "Carol Roland-Nawi, Ph.D." in a cursive script.

Carol Roland-Nawi, PhD
State Historic Preservation Officer

Attachment C Indian Trust Assets Determination



Lawrence, Benjamin <blawrence@usbr.gov>

Request for Determinations, SCCAO CEC 14-027, San Luis Reservoir Rec Area San Luis Creek Water Storage Tank Fence Installation

RIVERA, PATRICIA <privera@usbr.gov>

Fri, May 16, 2014 at 7:22 AM

To: Benjamin Lawrence <blawrence@usbr.gov>

Ben,

I reviewed the proposed action to allow the California Department of Parks and Recreation to install a security fence around a potable water facility located within the San Luis Reservoir Recreation Area.

Workers would install six-foot chain link fence around the perimeter of the site. The total length of fence would be approximately 418 feet, supported by forty-three 8-foot steel posts mounted in standard concrete. Postholes would be 8 inches in diameter, drilled by truck-mounted auger to a depth of two feet. A 20-foot double gate would allow for equipment access.

The proposed action does not have a potential to impact Indian Trust Assets. The nearest Indian Trust Asset is a Public Domain Allotment, approximately 30 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