

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

Geotechnical Testing for the San Luis Renewables Project

CEC-15-035

Prepared by:



Jennifer L. Lewis
Natural Resources Specialist
South-Central California Area Office

Date: Sept 15, 2015

Concurred by:

See Attachment A

Archaeologist/Architectural Historian
Mid-Pacific Regional Office

Regional Archeologist concurred with Item 8. Their determination has been placed within the project file.

Date: See Attachment A

Concurred by:

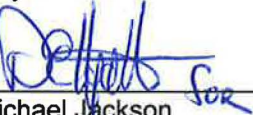


Rahn L. Emerson
Supervisory Natural Resources Specialist
South-Central California Area Office

ITA Designee concurred with Item 11. Their determination has been placed within the project file.

Date: 09/14/2015

Approved by:



Michael Jackson
Area Manager
South-Central California Area Office

Date: 9/16/2015



Background

Feasibility-level subsurface geologic investigation is needed to inform final design for the proposed San Luis Renewables - Solar Project (Solar Project) within San Luis Reservoir Recreation Area, located in Merced County. The Solar Project includes the proposed construction of three independent solar generation arrays, one on each site (Sites 1, 2 and 3; Figure 1). Due to timing constraints, the Solar Project is undergoing separate environmental analysis from the geologic investigation (this project).

Nature of the Action

Reclamation proposes to issue a temporary land use authorization to San Luis Renewables in order for the company to conduct subsurface geotechnical data collection within the three areas in the San Luis Reservoir Recreation Area proposed to be used for construction of independent solar generation arrays (see Figure 1).

San Luis Renewables proposes to conduct 25 geotechnical field exploration test borings within the three sites described above (see Figure 1). The boring depth for each test will be approximately 25 feet with a maximum diameter of 8 inches. The borings will be drilled with a truck-mounted hollow-stem auger drill rig or hand auger equipment. In addition, soil resistivity measurements will be performed at each of the sites using the Wenner 4-pin method. Under this method, two test lines will be installed with probe spacing of 5 feet, 10 feet, 15 feet and 20 feet. Electrodes (probes) will be 1.5 feet long with a rod diameter of about ¼-inch. Following the drill rig, a water truck may also be necessary to pour water around the probes for accurate test result readings.

Borings will be backfilled in general agreement with local, state and federal regulations. The drill rig and support vehicles will occupy about a 50 by 100 foot area. This includes the needed staging area set up at each borehole. The work will take place over a period of approximately 5 working days.

Environmental Commitments

San Luis Renewables and/or contractor(s) shall implement the following environmental protection measures to avoid and/or reduce 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 Protection Measures and Commitments

Resource	Protection Measure
Biological Resources	<p>A U.S. Fish and Wildlife Service (USFWS)-approved biologist will conduct pre-construction protocol level surveys for San Joaquin kit fox no fewer than 14 days and no more than 30 days prior to the onset of any ground disturbing activity (USFWS 2011), and the results from that survey provided to Reclamation before initiating the project. San Luis Renewables and the contractors will implement the <i>U.S. Fish And Wildlife Service Standardized Recommendations For Protection Of The Endangered San Joaquin Kit Fox Prior To Or During Ground Disturbance</i> (USFWS 2011).</p> <p>a. If kit foxes or their dens are detected at any time, all construction activities associated with the project would be halted immediately. The project would be placed on hold until further</p>

Resource	Protection Measure
	analysis with Reclamation staff, and if necessary consultation with the USFWS, is complete
	Pre-construction surveys for blunt-nosed leopard lizard will be completed prior to initiation of ground disturbing activities (CDFG 2004).
	A qualified biologist shall survey all burrows within 500 feet of the project site for signs of burrowing owl occupation and no more than 14 days prior to the start of ground-disturbing activities, and observe the survey standards from the <i>Staff Report on Burrowing Owl Mitigation</i> (CDFW 2012).
	A USFWS-approved biologist will conduct employee education training for employees working on earthmoving and/or construction activities. Personnel will be required to attend the presentation which will describe blunt-nosed leopard lizard and San Joaquin kit fox, avoidance, minimization, and conservation measures, legal protection of the animal, and other related issues. All attendees will sign an attendance sheet along with their printed name, company or agency, email address, and telephone number. This will be kept by the biological monitor.
	A USFWS-approved biologist or a trained on-site biological monitor would oversee the work areas for the duration of the project. <ul style="list-style-type: none"> a. The biological monitor will ensure project compliance with wildlife protective measures. b. The biological monitor will be able to identify blunt-nosed leopard lizard and San Joaquin kit fox and their burrows. c. If at any time blunt-nosed leopard lizard or San Joaquin kit fox occupancy is identified in the Proposed Action Area, the biological monitor will immediately notify the Applicant. The Applicant will halt localized work activities with potential to affect the species, and the Applicant or the biological monitor will contact the USFWS and Reclamation. These work activities would not resume until after directed by Reclamation.
Cultural Resources	Santa Rosa Rancheria Tachi Yokut Tribe will provide cultural resources awareness training for employees working on earthmoving and/or construction activities.

Exclusion Category

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

516 DM 14.5 B (3). *Data collection studies that involve test excavations for cultural resources investigations or test pitting, drilling, or seismic investigations for geologic exploration purposes where impacts will be localized.*



Figure 1. San Luis Renewables Solar Array locations.

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"/> |

NEPA Action: Categorical Exclusion

The Proposed Action is covered by the exclusion category and no extraordinary circumstances exist. The Action is excluded from further documentation in an EA or EIS.

Attachment A: Cultural Resources Determination

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

MP-153 Tracking Number: 15-SCAO-066.001

Project Name: Geotechnical Testing Related to the San Luis Solar Project

NEPA Document: CEC-15-035

NEPA Contact: Jennifer Lewis, Natural Resources Specialist

MP-153 Cultural Resources Reviewer: Joanne Goodsell, Archaeologist

Date: September 8, 2015

Reclamation proposes to authorize geotechnical testing to assess the feasibility of a proposed solar project to be located on Reclamation lands within San Luis Reservoir State Recreation Area, Merced County, California. Reclamation determined the proposed action is an undertaking subject to review under Title 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act, and its implementing regulations found at 36 CFR Part 800 and involves the type of activity that has the potential to cause effects on historic properties under 36 CFR § 800.3(a), requiring Section 106 compliance as outlined at 36 CFR Part 800.

Efforts to identify historic properties in the area of potential effects (APE) for the geotechnical work, as well as for the entire solar project, have been initiated on behalf of the project proponent by Johnston & Associates. To date, these efforts have included a records search through the Central California Information Center, archival research, a review of Reclamation project history materials, and a pedestrian survey covering the entirety of the APE. No historic properties have been identified to date through any of these identification efforts.

Pursuant to 36 CFR § 800.4(a)(4) and § 800.4(a)(3), respectively, Reclamation initiated consultation concerning the geotechnical investigation and the larger solar project with the Santa Rosa Rancheria Tachi Yokut Tribe and Native American contacts identified by the Native American Heritage Commission as having cultural resources concerns in the project area. To help address concerns about the larger solar project voiced by the Santa Rosa Rancheria Tachi Yokut Tribe, a field visit was conducted on July 16, 2015. In attendance were Mr. Lalo Franco of the Santa Rosa Tachi Yokut tribe, Reclamation cultural and natural resources specialists, and Ms. Sarah Johnston of Johnston & Associates. During that meeting, Mr. Franco indicated a primary concern, shared with other Indian tribes, is that construction workers receive adequate training in cultural resources awareness prior to the start of project construction. Reclamation is supportive of such training and is working to facilitate it through the project proponent and the Santa Rosa Rancheria Tachi Yokut Tribe prior to the commencement of geotechnical work.

Through correspondence dated August 7, 2015, Reclamation initiated consultation with the State Historic Preservation Officer (SHPO) on the proposed geotechnical work, historic properties identification efforts, and consultation with Indian tribes as outlined above. In that correspondence, Reclamation provided notification of a finding of no historic properties affected for the proposed geotechnical work, pursuant to 36 CFR § 800.4(d)(1). Through correspondence dated September 4, 2015, the SHPO responded with no objection to Reclamation's finding of effect. With receipt of the SHPO response, Reclamation's responsibilities related to Section 106 compliance for the proposed geotechnical work are now fulfilled.

This document conveys the completion of the Section 106 process and cultural resources review for the current undertaking. Item 8 on CEC-15-035 is supported through Reclamation's Section 106 finding of effect and SHPO response. The proposed action would have no significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places. Please retain a copy of this document with the administrative record for this action. Should the proposed action change, additional review under Section 106, including further consultation with the SHPO, may be required.

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

1725 23rd Street, Suite 100
SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov



September 4, 2015

Reply in Reference To: BUR_2015_0807_001

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

RE: Section 106 of the National Historic Preservation Act (NHPA) Consultation for
Geotechnical Testing Related to the San Luis Solar Project, Merced County, California
(Project #15-SCAO-066.001)

Dear Ms. Leigh:

Thank you for your letter dated August 7, 2015, requesting my review and comment with regard to the above noted undertaking. The Bureau of Reclamation (Reclamation) is consulting with me pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations found at 36 CFR Part 800 (as amended 8-05-04). Along with your consultation letter, you also provided the following document:

- *Draft Historic Property Survey Report, San Luis Solar Project, Merced County, California* (Johnston & Associates, May 2015).

Reclamation proposes to permit San Luis Renewables, LLC, to conduct geotechnical testing within three sites (Site 1, Site 2, and Site 3) on reclamation-owned lands within the boundaries of San Luis Reservoir SRA. The proposed geotechnical testing would involve drilling up to 25 test borings with a truck-mounted hollow-stem auger drill rig or hand auger equipment, and will serve to assess the feasibility of the future San Luis Solar Project. The borings would have a maximum diameter of 8 inches, reach a maximum depth of approximately 25 feet or to auger refusal, and would be backfilled following test completion. The Area of Potential Effects (APE) consists of three discontinuous locations approximately 165 acres in aggregate (not including the access routes), with the vertical impacts extending to 25 feet below ground surface.

Efforts taken to identify cultural resources have consisted of a records search, archival research, a pedestrian survey, and Native American consultation as documented in the technical document you provided. Six built environment resources were identified within or immediately adjacent to the APE. Five of the built environment properties were previously found eligible for listing on the National Register of Historic Places: The BF Sisk Dam and appurtenant features Mulit-Property Resource, the O'Neill Pumping-Generating Plant and associated features, the San Luis Unit of the Central valley Aqueduct, the Delta-Mendota Canal, and the McCabe Road Bridge. A pedestrian survey of the area identified no other cultural resources and the potential to encounter buried archaeological deposit is considered low.

Your submittal explains that Reclamation initiated consultation with the Santa Rosa Rancheria Tachi-Yocut Tribe, and other Native American contacts identified by the Native American Heritage Commission (NAHC). While Native American tribal representatives expressed concerns about the need for construction worker sensitivity training, the Native American consultation efforts have not resulted in the identification of potential historic properties within the APE.

Based upon the information summarized above, you are requesting my review and comment on your APE, adequacy of identification efforts, and finding of effect. After reviewing your submission I have the following comments:

- Pursuant to 800.4(a)(1), I have no comments on the Area of Potential Effects.
- Pursuant to 800.4(b), I find that you have made a reasonable and good faith effort to identify historic properties within the area of potential effects.
- Pursuant to 36 CFR 800.4(d)(1), **I do not object to your finding of no historic properties affected for this undertaking**, due to the limited scope and nature of the proposed undertaking.

Thank you for seeking my comments and considering historic properties as part of your project planning. I look forward to continuing consultation with you regarding the entire San Luis Solar Project, once the project is more fully defined and your historic property identification efforts and effects determinations are better understood. Be advised that under certain circumstances, such as unanticipated discovery or a change in project description, you may have additional future responsibilities for this undertaking under 36 CFR Part 800. If you have any questions, please contact Patrick Riordan of my staff at (916) 445-7017 or Patrick.Riordan@parks.ca.gov.

Sincerely,



Julianne Polanco
State Historic Preservation Officer