

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist (CEC)


Tehama County Public Works - Elder Creek Levee Repair - Investigative Sampling of Tehama-Colusa Canal Spoils – TCC Milepost 8.20

NCAO-CEC-15-18

Prepared by:  Date: 9/17/2015
Irene Hobbs
Realty Specialist
Northern California Area Office

Concurrence by: See Attachment 1 Date: September 16, 2015
Megan Simon
Northern California Area Office Designee
for Tribal Trust Assets

Concurrence by: See Attachment 2 Date: September 16, 2015
Laureen Perry
Archaeologist
Mid-Pacific Regional Office

Concurrence by:  Date: 9/17/2015
Paul Zedonis
Environmental and Natural Resources
Supervisory Specialist/Division Manager
Northern California Area Office

Approved by:  Date: 9/17/2015
for Federico Barajas
Area Manager
Northern California Area Office



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

September 2015

Proposed Action

The Tehama County Public Works Department (County) has requested permission to perform investigative sampling of spoils from the construction of the Tehama Colusa Canal (TCC) placed on the Bureau of Reclamation's (Reclamation) land at TCC milepost 8.20. The site is a TCC right-of-way (ROW) along the south bank of Elder Creek, approximately one-half mile west of San Benito Avenue in Gerber, CA. The current Proposed Action is limited to the collection of approximately 20 representative samples of the spoils along the length of the ROW using hand tools.

The purpose of the sampling and associated geotechnical analyses is to determine if the physical properties of the material support its appropriateness for use in the repair of an adjacent levee embankment that has suffered severe erosion. If the material is determined suitable for use in construction, approximately 5,000 cubic yards of spoil (if available at the site based on a future survey) would be excavated from the ROW and placed along the embankment as a second action.

The Tehama-Colusa Canal Authority (TCCA) and Reclamation's Engineer have reviewed the Proposed Action. It has been determined the proposed sampling activities will not interfere with the operation and maintenance of the TCC. This action will begin in September 2015 so that subsequent levee repairs, if approved, could be completed prior to the 2015 winter season in preparation for predicted heavy rains which could further compromise the levee.

The ROW to be used for this action has been previously disturbed and does not provide habitat for any species Federally-listed as Threatened or Endangered. The canal itself is concrete lined. The TCCA regularly maintains the area and engages in a weed abatement program along both the ROW and in the canal.

Exclusion Categories

Bureau of Reclamation Categorical Exclusion – 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 the impacts will be localized.

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 ☐

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|---|--|
| 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; 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, | No <input checked="" type="checkbox"/> Uncertain <input type="checkbox"/> Yes <input type="checkbox"/> |

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).

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 ☒ Uncertain ☐ Yes ☐

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:

Sampling will be conducted with hand tools. Native soil will not be disturbed in sampling.

Project Location:

Saucos Rancho Tehama Ranch Subdivision, Township 25 North, Ranch 3 West, M.D.M.
Tehama County

Cost Authority Number to review this request: 15XR0680A2RX.07258947.3230000

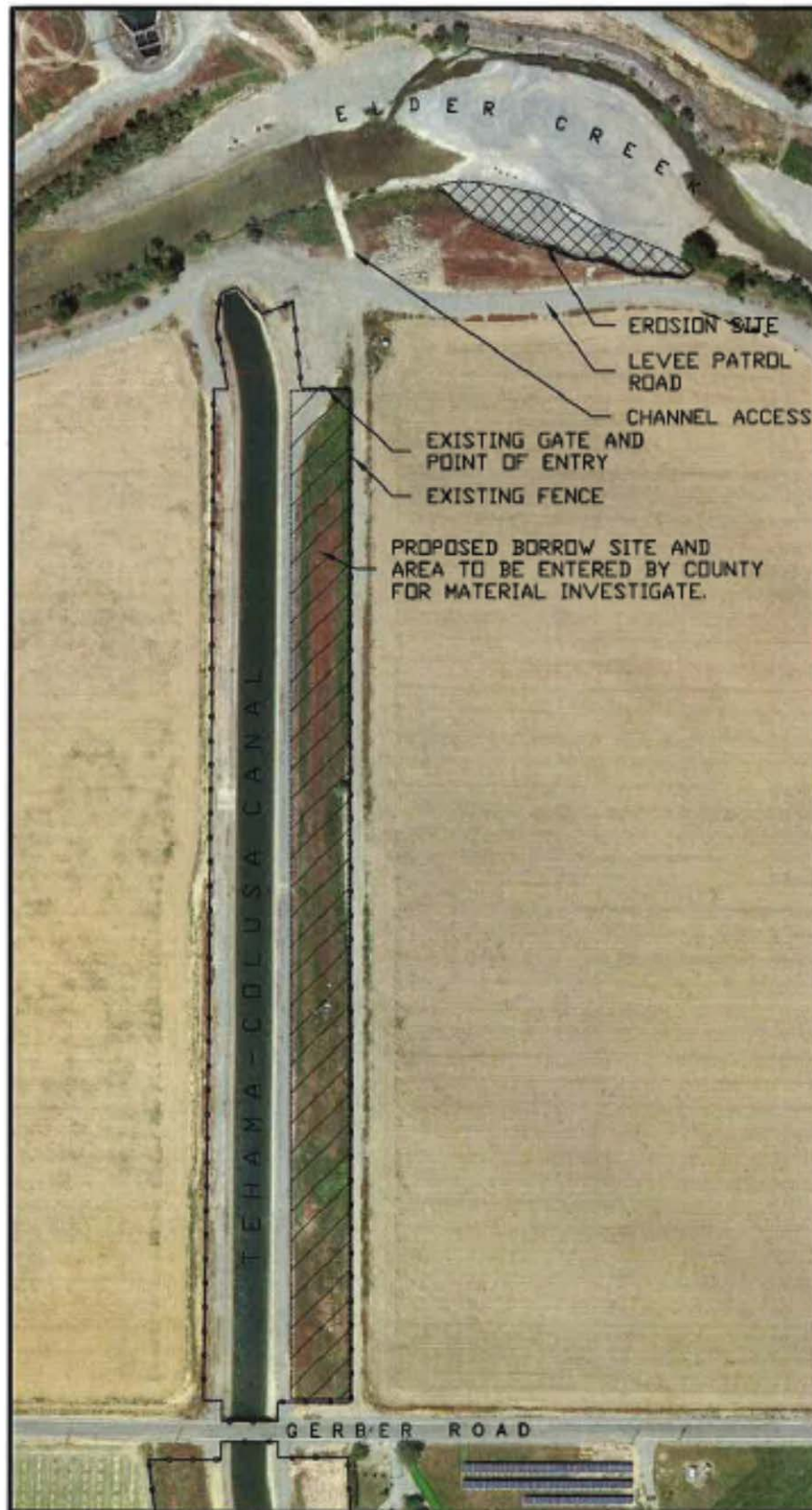


Figure 1. Location of the proposed sampling area.



Photograph 1: View of site to south.



Photograph 2: View to north of bank erosion requiring material for repair.

Attachment 1. Indian Trust Asset Review



Simon, Megan <msimon@usbr.gov>

ITA Review - TCPW Elder Creek Levee Repair Investigative Sampling

1 message

Simon, Megan <msimon@usbr.gov>
To: Paul Zedonis <pzedonis@usbr.gov>

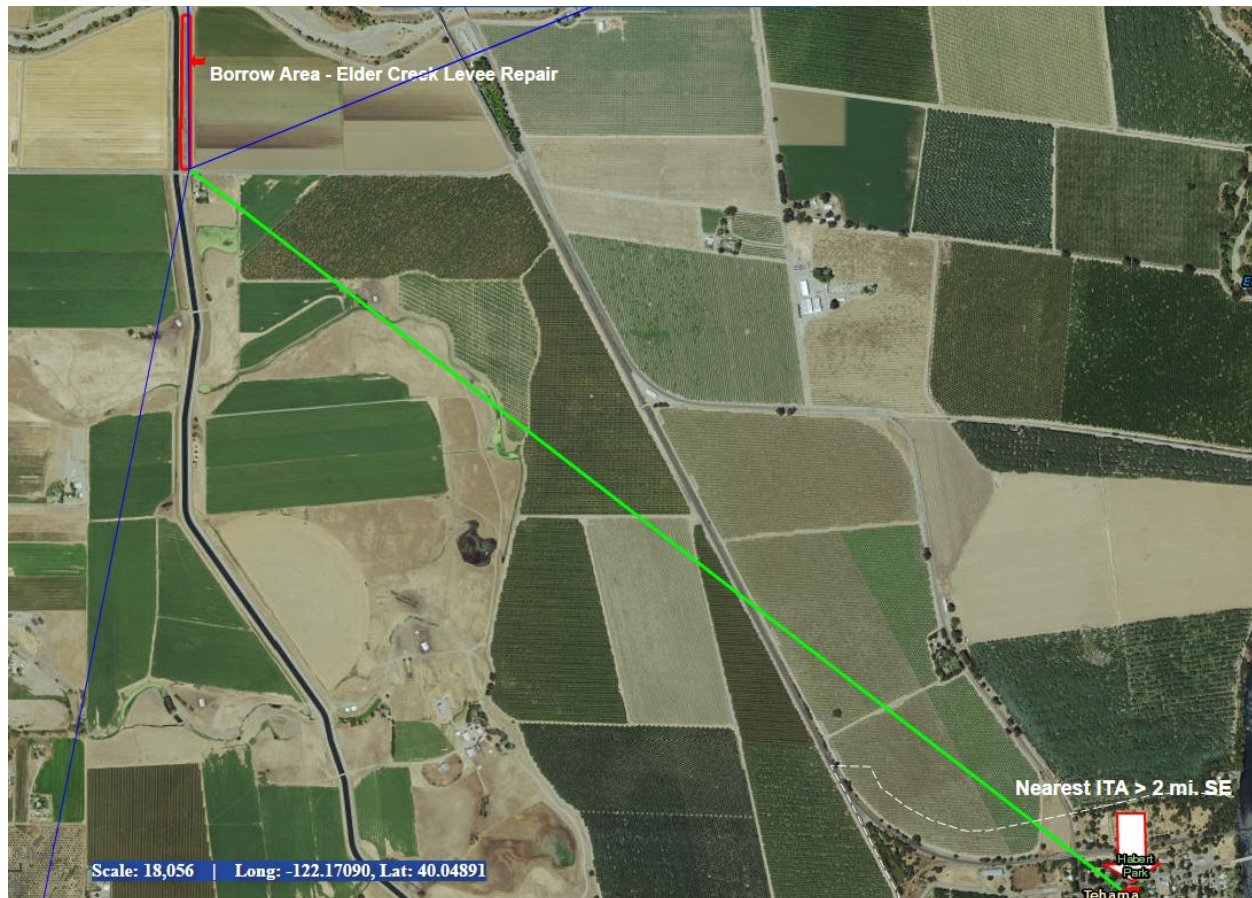
Wed, Sep 16, 2015 at 4:10 PM

I have examined the proposal Tehama County Public Works - Elder Creek Levee Repair - Investigative Sampling of Tehama-Colusa Canal Spoils - TCC Milepost 8.20, and have determined that this facility is at least 2 miles from the closest Indian Trust Asset. I have determined that there is no likelihood that this facility will adversely impact Indian Trust Assets.

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Megan K. Simon

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Attachment 2. Cultural Resources Review

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

MP-153 Tracking Number: 15-NCAO-262

Project Name: Tehama County Public Works-Elder Creek Levee Repair-Investigative Sampling of Tehama-Colusa Canal Spoils

NEPA Document: CEC

MP-153 Cultural Resources Reviewer: Laureen Perry, Regional Archaeologist



Date: September 16, 2015

The Tehama County Public Works Department (County) is requesting permission to perform investigative sampling for the possible excavation of spoils from the construction of the Tehama Colusa Canal (TCC) placed on the Bureau of Reclamation's (Reclamation) land in the TCC right-of-way (ROW) at Elder Creek, approximately one-half mile west of San Benito Avenue in Gerber, CA. Sampling will be conducted with hand tools within the spoil pile and will not enter native soils.

If found suitable for use in placement activities, approximately 5,000 cubic yards of spoils will be excavated and used to repair a stretch of levee embankment approximately 415 feet long along the south bank of Elder Creek at TCC milepost 8.20. Additional cultural resources compliance will be required should the TCC spoils materials be used for levee repairs.

Reclamation has determined that the proposed action to collect soil samples has no potential to cause effects on historic properties pursuant to 36 CFR § 800.3(a)(1). As such, Reclamation has no further obligations under 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act. This document communicates the completion of the NHPA Section 106 review process for this undertaking and concurrence with Item 8 of the CEC that there will be no significant impacts on historic properties. If changes to the proposed action are made, additional review under Section 106, including consultation with the State Historic Preservation Officer, may be required. Please retain a copy of this document with the administrative record for this action.