

# RECLAMATION

## *Managing Water in the West*

### Categorical Exclusion Checklist

## Slant Pump Installation on Delta-Mendota Canal at Milepost 73.73L

**CEC-15-002**

Prepared by:



Molly Burns  
Natural Resources Specialist  
South-Central California Area Office

Date: 1/20/2016

Concurred by:

See Attachment A

Archaeologist  
Mid-Pacific Regional Office

Date: See Attachment A

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

Concurred by:



Jennifer L. Lewis  
Wildlife Biologist  
South-Central California Area Office

Date: 1.20.2016

Concurred by:



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

Date: 01/20/2016

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

Approved by:



Michael P. Jackson  
Area Manager  
South-Central California Area Office

Date: 01/20/2016



## Nature of the Action

The Bureau of Reclamation (Reclamation) will issue a 25-year land use authorization to San Luis Water District (District) for the installation, operation, and maintenance of a slant pump, pipeline, and meter box at milepost (MP) 73.73L on the Delta-Mendota Canal in Merced County, California (see Figure 1).



Figure 1. Proposed Action Area and Location

The San Luis and Delta-Mendota Water Authority (Authority) is Reclamation's operating and maintenance (O&M) entity for the Delta-Mendota Canal. O&M of the new facility would be done by the Authority and or the District.

The District will install a permanent slant pump, meter box, and a 12-inch-diameter, 190-foot long pipeline on the Delta-Mendota Canal at MP 73.73L (see Figure 1). The slant pump will be anchored to the concrete lining of the Delta-Mendota Canal. The pump and meter box will be installed at the edge of the concrete lining on a 12-inch thick concrete pad measuring 4 feet wide and 5 feet long. The exposed portion of pipe connecting to the pump in the Delta-Mendota Canal will be anchored on a concrete saddle measuring approximately 18 inches wide, 18 inches long, and 12 inches high (9 inches of which will be buried). The concrete saddle will be located 24 inches away from the edge of the canal liner. The pipeline will be installed through the Delta-



Mendota Canal berm and will connect to the existing irrigation system located on private property. A new concrete stairway will be installed from the service road to provide access to the slant pump. A two foot wide by four foot deep trench would be excavated to bury the new pipeline then backfilled with excavated material.

The project area for pipeline construction will measure approximately 70 feet wide and 300 feet long located within the Delta-Mendota Canal right-of-way as well as their private property bordering the right-of-way (Figure 2). Upon completion, the Delta-Mendota Canal right-of way and embankment will be re-contoured to its pre-construction form. Facility installation is expected to take up to four weeks to complete.



Figure 2. Slant Pump Work Location

## Environmental Commitments

The District 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

<b>Biological</b>	A qualified biologist would 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 (Service 2011). San Luis Water District would implement the Service's standardized recommendations for protection of the endangered San Joaquin kit fox prior to or during ground disturbance (Service 2011).
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<b>Biological</b>	If dens are located within the proposed work area, and cannot be avoided during construction activities, a qualified biologist will determine if the dens are occupied.
<b>Biological</b>	If occupied dens are present within the proposed work area, their disturbance and destruction shall be avoided. Exclusion zones will be implemented following the latest U.S. Fish and Wildlife Service's procedures (Service 2011).
<b>Biological</b>	The project proponent will notify Reclamation and the U.S. Fish and Wildlife Service if a natal or pupping den is found in the survey area. The project proponent will present the results of preactivity den searches within 5 days after these surveys are completed and before the start of any construction activities in the area.
<b>Biological</b>	Construction activities shall be conducted when they are least likely to affect the species (i.e., after the normal breeding season of December–April (Ahlborn 2000)). This timing shall be coordinated with Reclamation and the U.S. Fish and Wildlife Service.
<b>Biological</b>	Preconstruction surveys and implementation of avoidance and minimization measures for burrowing owls would be conducted in areas supporting potentially suitable habitat within 30 days prior to the start of project construction according to 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012).
<b>Biological</b>	Project site development may not begin until survey results have been submitted in a report to Reclamation's project biologist and Reclamation's authorization is given to San Luis Water District to proceed.

## 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.

## 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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><input type="checkbox"/> |
| 3. This action would have significant impacts on public health or safety (43 CFR 46.215(a)).  | No<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><input type="checkbox"/> |

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|--|---|---------------------------------------|---------------------------------|
| 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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><input type="checkbox"/> |
| 11. This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993).   | No<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><input type="checkbox"/> |

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|--|---|---------------------------------------|---------------------------------|
| 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 (I)). | No<br><input checked="" type="checkbox"/> | Uncertain<br><input type="checkbox"/> | Yes<br><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.

### **References**

Ahlborn, G. 2000. San Joaquin kit fox. California Wildlife Habitat Relationships System, California Department of Fish and Game, CA.

CDFG (California Department of Fish and Game). 2012. Staff Report on Burrowing Owl Mitigation. State of California Natural Resources Agency, Department of Fish and Game.

Service (United States Fish and Wildlife Service). 2011. Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance. Sacramento Fish and Wildlife Office, US Fish and Wildlife Service, January, 2011.

## **Attachment A: Cultural Resources Determination**

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

MP-153 Tracking Number: 15-SCAO-072

Project Name: Slant Pump Installation on Delta-Mendota Canal at Milepost 73.73L

NEPA Document: CEC-15-002

MP 153 Cultural Resources Reviewer: Amy J. Barnes

Date: November 19, 2015

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This proposed undertaking by Reclamation is to issue a land use authorization to the San Luis Water District (SLWD) to install a new slant pump station on the DMC approximately 7 miles west of Los Banos, California. 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.

The SLWD proposes to install a permanent slant pump, meter box, and a 12-inch-diameter, 190-foot-long pipeline on the DMC at Mile Post 73.73L (Barnes 2015: Figure 2, enclosed). The slant pump will be anchored to the concrete lining of the DMC. The pump and meter box will be installed at the edge of the concrete lining on a 12-inch-thick concrete pad measuring 4 feet wide and 5 feet long. The exposed portion of pipe connecting to the pump in the DMC will be anchored on a concrete saddle measuring approximately 18 inches wide, 18 inches long, and 12 inches high (9 inches of which will be buried). The concrete saddle will be located 24 inches away from the edge of the canal liner. A new concrete stairway will be installed from the service road to provide access to the slant pump. The pipeline will be installed through the DMC berm and will connect to the existing irrigation system located on private property. The pipe will be buried in a 2-foot-wide trench measuring approximately 4 feet deep, which will be backfilled with the excavated material. The project area for pipeline construction will measure approximately 70 feet wide and 300 feet long and is located entirely within the DMC right-of-way. Upon completion, the DMC right-of way and embankment will be recontoured to its preconstruction form.

Reclamation has determined that the area of potential effects (APE) includes a 0.5-acre area for the new pump station located in Section 10, T. 10 S., R. 9 E., Mount Diablo Baseline and Meridian, as depicted on the Volta 7.5' U.S. Geological Survey topographic quadrangle map (Barnes 2015: Figure 3, enclosed). The lands surrounding the project area are agricultural lands bracketed by Interstate 5, the California Aqueduct, and the Outside Canal. The slant pump will be installed at some point within the identified project area once the final design is completed.

The historic property identification efforts included a cultural resources inventory by a Reclamation archaeologist to verify the extent of the built environment and identify any other cultural resources which might be present. The DMC is the only identified cultural resource within the APE. The DMC was completed in 1951 as part of the Delta Division of Reclamation's Central Valley Project (CVP) to convey irrigation water southeast from the Tracy Pumping Plant along the west side of the San Joaquin Valley. The DMC is approximately 117 miles long and terminates at the Mendota Pool, about 30 miles west of Fresno. The DMC has a bottom width of 100 feet and is 16 feet deep. The first 95 miles of the DMC is concrete lined (including the portion within the APE), while the remaining portion is unlined.



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

Reclamation drafted the Central Valley Project National Register Multiple Property Listing (NRMPL) in 2006 (edited in 2009) in which the DMC is considered an eligible property. At this time, no consensus eligibility determination for the CVP or DMC has been reached between Reclamation and the State Historic Preservation Officer. For the purposes of the current undertaking, Reclamation is treating the CVP and the DMC as eligible for the National Register of Historic Places (National Register) under Criterion A, as outlined in the draft NRMPL documentation and the current DMC nomination form (enclosed). Specifically, the DMC is considered significant under the theme of development, construction, and operation of the CVP, with a period of significance of 1946-1951. Under this theme and within this period, the DMC, as a water conveyance component of the CVP, contributed to California's economic and agricultural development and growth.

Reclamation applied the criteria of adverse effect [36 CFR § 800.5(a)] and found that the proposed activities would result in no significant alterations to the historic characteristics that make the CVP or DMC eligible for the National Register. The proposed actions of installing a slant pump pipeline through the DMC berm will not alter any physical characteristics of the canal or its berm. This pump and pipeline installation is consistent with other similar existing facilities that convey water into and out of the DMC. Since there will be no significant alterations to the DMC, the CVP similarly will not be adversely affected.

Reclamation entered into consultation with the California State Historic Preservation Officer (SHPO) on October 7, 2015, seeking their concurrence on a finding of "no adverse effects to historic properties pursuant to 36 CFR § 800.5(b)." SHPO concurred with Reclamations' findings and determination on November 18, 2015 (consultation attached).

After reviewing CEC-15-002, dated April 2015 and entitled *Slant Pump Installation on Delta-Mendota Canal at Milepost 73.73L*, I concur with Item 8 that this action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places.

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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November 18, 2015

In reply refer to: BUR\_2015\_1019\_002

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

Re: National Historic Preservation Act (NHPA) Section 106 Consultation for the San Luis Water District (SLWD) New Pump Station on the Delta Mendota Canal (DMC), Stanislaus County, California (15-SCAO-072)

Dear Ms. Leigh:

Thank you for your letter dated October 7, 2015, requesting my concurrence on your finding of no adverse effect with regard to the proposed new slant pump station on the Delta Mendota Canal approximately 7 miles west of Los Banos, California. The Bureau of Reclamation is (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:

- *Cultural Resources Post Field Report for the San Luis Water District New Pump Station on the Delta Mendota Canal* (Barnes, May 1, 2015).

Reclamation proposes to issue a 25-year land use authorization to the San Luis Water District (SLWD) to cross the Delta Mendota Canal (DMC) right-of-way and construct a new slant pump station. The SLWD proposes to install a permanent slant pump, meter box, and a 12-inch-diameter, 190-foot-long pipeline on the DMC at Mile Post 73.73L. The Slant pump will be anchored to the concrete lining of the DMC. The pump and meter box will be installed at the edge of the concrete lining on a 12-inch-thick concrete pad measuring 4 feet wide and 5 feet long. The exposed portion of pipe connecting to the pump in the DMC will be anchored on a concrete saddle measuring approximately 18 inches wide, 18 inches long, and 12 inches high. The concrete saddle will be located 24 inches away from the edge of the canal liner. A new concrete stairway will be installed from the service road to provide access to the slant pump. The pipeline will be installed through the DMC berm and will connect to the existing irrigation system located on private property. The pipe will be buried in a 2-foot wide trench measuring approximately 4 feet deep, which will be backfilled with the excavated material. Upon completion, the DMC right-of way and embankment will be recontoured to its preconstruction form.

Reclamation has determined that the area of potential effects (APE) for this undertaking consists of a 0.5-acre area for the new pump station location. Your letter and attached technical report document Reclamation's efforts to identify historic properties in the APE. These efforts included

consultation with federally and non-federally recognized Indian tribes, an in-house records search, and a cultural resources survey conducted by Reclamation Archaeologist Amy Barnes. As a result of these efforts, Reclamation identified one cultural resource (the Delta Mendota Canal, a component of the Central Valley Project) in the APE. For the purposes of the current undertaking, Reclamation is proposing to treat the Central Valley Project and the Delta Mendota Canal (DMC) as eligible for the National Register of Historic Places (NRHP) under Criterion A, as outlined in the draft National Register Multiple Property Listing documentation and the current DMC nomination form.

Reclamation applied the criteria of adverse effect to the current undertaking and found that the proposed activities would result in no significant alterations to the historic characteristics that make the DMC eligible for the National Register. Reclamation found that the proposed action of installing a slant pump pipeline through the DMC berm will not alter any physical characteristics of the canal or its berm. This pump and pipeline installation is consistent with other similar existing facilities that convey water into and out of the DMC. Furthermore, Reclamation has found that because there will be no changes to the DMC, no adverse effects will result from this undertaking.

Reclamation is requesting my review and comment on the delineation of the APE and their efforts to identify historic properties. Additionally, Reclamation is requesting my concurrence with their finding of no adverse effect to historic properties. After reviewing your submission I have the following comments:

- Pursuant to 36 CFR 800.4(a)(1), I have no objections to the APE as defined.
- Reclamation has proposed to presume, for the purpose of this undertaking only, that the Central Valley Project and the DMC are eligible for the National Register of Historic Places (NRHP) under Criterion A. I concur.
- Pursuant to 36 CFR 800.4(b), I find that Reclamation has made a reasonable and good faith effort to identify historic properties within the area of potential effects.
- Pursuant to 36 CFR 800.5(c)(1), **I concur with your finding of “no adverse effect to historic properties” for this undertaking.**

Thank you for seeking my comments and considering historic properties as part of 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. If you have any questions, please contact Patrick Riordan of my staff at (916) 445-7017 or [Patrick.Riordan@parks.ca.gov](mailto:Patrick.Riordan@parks.ca.gov) or Kathleen Forrest at (916) 445-7022 or [Kathleen.Forrest@parks.ca.gov](mailto:Kathleen.Forrest@parks.ca.gov).

Sincerely,



Julianne Polanco  
State Historic Preservation Officer