

# RECLAMATION

## *Managing Water in the West*

### Categorical Exclusion Checklist

## Fiber Optic Cable Installation at San Luis Reservoir

**CEC-15-052**

Prepared by:

Kelly Baker  
Kelly Baker  
Natural Resources Specialist  
South-Central California Area Office

Date: 3/22/16

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:

Lisa Carlson  
Lisa Carlson  
Wildlife Biologist  
South-Central California Area Office

Date: 3/23/2016

Concurred by:

Rain L. Emerson  
Rain 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: 03/29/2016

Approved by:

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

Date: 3/29/2016





## Nature of the Action

Reclamation proposes to issue a land use authorization that would allow AT&T to access, install, operate, and maintain fiber optic cables along Gonzaga Road within the San Luis Reservoir State Recreation Area (see Figure 1). The fiber optic cables will provide California State Parks with more reliable utility and network service.

Project activities include excavating three 4x4 foot bore pits and one 6x6 foot bore pit. The depth of the bore pits will be 4 feet. Approximately 29 feet of trenching will be required to place three 1.2 inch innerducts. The trench will be 1 foot wide and 4 feet deep. In addition, roughly 1,003 feet will be bored into the soil to insert three 1.25 inch innerducts. Fiber optic cables will be pulled through the innerducts with a minimum cover of 3 feet. The project footprint will be within a similar alignment to existing AT&T utility lines. These existing lines are to be left in place.

Hand tools will be used to perform the work as well as a pneumatic “missile” to bore, dig excavation pits, and create compaction. A gas-powered cut-off saw will cut asphalt and a gas-powered vibraplate will compact the new asphalt. Construction will begin as soon as authorized with an expected completion time of two weeks.

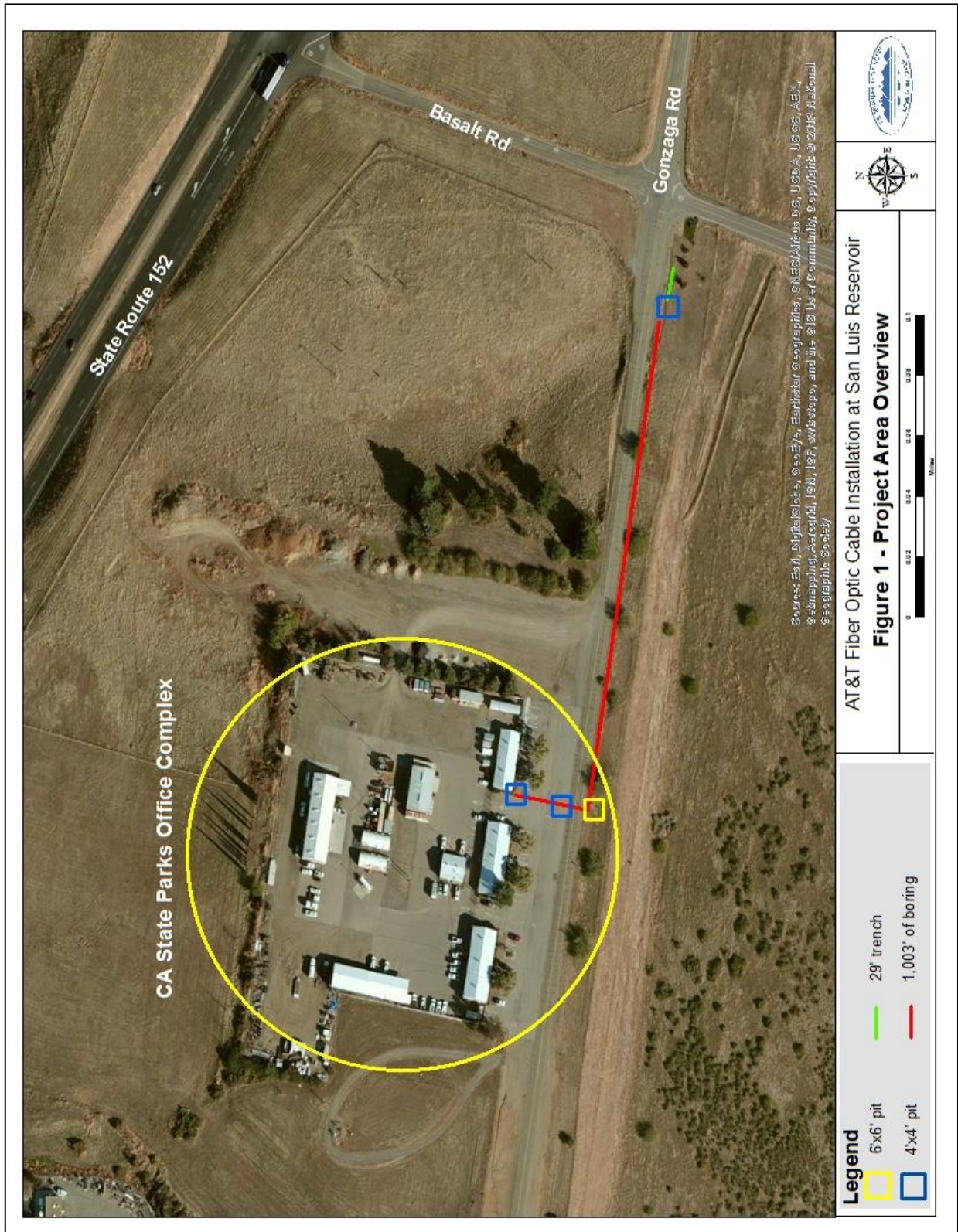


Figure 1 Project Overview Map

## Environmental Commitments

AT&T 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.

| Resource             | Protective Measure   |
|----------------------|--|
| Biological Resources | A qualified biologist shall conduct pre-construction surveys for the San Joaquin kit fox, its sign and burrows in the Action Area and within 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 for the Proposed Action. A letter report documenting survey methods and findings shall be submitted to Reclamation at least 5 days before construction. If kit foxes, kit fox sign or kit fox burrows are found during the survey, construction on the Proposed Action shall not begin until Reclamation has been contacted and appropriate consultation has been completed. |
| Biological Resources | Before the initiation of any ground-disturbing activities for the Proposed Action, a qualified biologist shall survey the site for any burrows that may be suitable for blunt-nosed leopard lizards and which are located close enough to the Action Area that they may pass under an area where excavation would occur, or close enough that they may be destroyed during excavation (Approximately 50 feet). If such burrows are present, and cannot be reasonably avoided, ground-disturbing activities shall not begin until Reclamation biologists have been contacted for further guidance.  |
| Biological Resources | 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 feet of the project footprint. A report documenting survey methods and findings shall be submitted to Reclamation at least 5 days before construction on the Proposed Action.  |
| Biological Resources | 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 Resources | 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 Resources | If possible, work on the Proposed Action shall occur between September 1 <sup>st</sup> and January 31 <sup>st</sup> to avoid the migratory bird nesting season. If work must occur during the nesting season, a qualified biologist shall conduct surveys for nesting Swainson's hawks and other migratory birds in areas of suitable habitat within 200 yards of the Proposed Action Area. If an active nest is found, work shall not commence until Reclamation has been contacted for guidance on an appropriate non-disturbance buffer for that specific bird species.   |
| Biological Resources | To prevent inadvertent entrapment of wildlife during construction, all excavated steep-walled holes or trenches more than 1 foot deep shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden   |

| Resource | Protective Measure  |
|----------|---|
|          | planks. Before such trenches or holes are filled, they must be thoroughly inspected for trapped animals. If federally protected species are found in any of the holes or trenches, work shall stop and Reclamation shall be contacted immediately for further guidance. |

## Exclusion Category

516 DM 14.5 paragraph D (10): *Issuance of permits, licenses, easements, and crossing agreements which provide right-of-way over Bureau lands where the 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"/> |
| 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"/> |
| 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<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.

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



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

**MP-153 Tracking Number:** 16-SCAO-011

**Project Name:** Fiber Optic Cable Installation at San Luis Reservoir Project

**NEPA Document:** CEC-15-052

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

**NEPA Contact:** Kelly Baker

**Determination:** No Historic Properties Affected

**Date:** March 21, 2016

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This proposed undertaking by the AT&T is to install fiber optic cables along Gonzaga Road within San Luis Reservoir State Recreation Area (SRA), Merced County, California. The Recreation Area is Reclamation owned but managed by California State Parks. Reclamation determined that authorization of the proposed project is an undertaking as defined in 36 CFR § 800.16(y) and a type of activity that has the potential to cause effects on historic properties under 36 CFR § 800.3(a).

Proposed project activities include the excavation of three 4 x 4 foot bore pits, one 6 x 6 foot bore pit, 29 feet of trenches, and 1,003 feet of 2-inch bores. The depth of the bore pits will be down to 6 feet. The trench will be 1 foot wide and 4 feet deep. The project footprint will parallel existing AT&T utility lines.

In an effort to identify historic properties within the APE, Reclamation referred to a recent cultural resources inventory conducted for the recent San Luis Solar Project (Project #15-SCAO-066) which encapsulates the current project APE. The efforts included a records search through the Central California Information Center (CCIC) [RS# 05-80], archival research, a review of Reclamation project history materials, and a pedestrian survey covering the entirety of the initially proposed solar project footprint, which includes the current APE. The report is included for your reference on the enclosed CD. In addition, although the entire APE is contained within road berms or under pavement, Reclamation archaeologists conducted a site visit on December 18, 2015. No resources have been identified within the APE or its vicinity either through records review or from the recent surveys. Further, the APE consists of Pleistocene-age soils disturbed from modern

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

construction evincing a negligible potential for the presence of buried historic properties. Reclamation found these efforts sufficient for this undertaking.

Pursuant to the regulations at 36 CFR § 800.3(f)(2), Reclamation identified the Santa Rosa Tachi-Yokut Tribe as an Indian tribe who might attach religious and cultural significance to historic properties within the APE. Reclamation sent letters to the tribe on January 27, 2016, inviting their participation in the Section 106 process, and requesting their assistance in the identification of sites of religious and cultural significance or historic properties that may be affected by the proposed undertaking pursuant to 36 CFR § 800.4(a)(4). No responses were received.

Reclamation initiated consultation with California the State Historic Preservation Officer (SHPO) on February 15, 2016 with a notification of a determination of no historic properties affected for the proposed project. SHPO concurred with the determination in a letter dated March 14, 2016.

I concur with Item 8 on CEC-15-052. The proposed action would have no 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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March 14, 2016

Reply in Reference To: BUR\_2016\_0218\_001

Anastasia T. Leigh  
Regional Environmental Officer  
United States Department of the Interior  
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 Fiber Optic Cable Installation at San Luis Reservoir Project, Merced County, California (Project #16-SCAO-011)**

Dear Ms. Leigh:

On February 18, 2016 the Office of Historic Preservation received your letter requesting to initiate consultation for the above-referenced undertaking. The Bureau of Reclamation (Reclamation) is consulting pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations found at 36CFR Part 800 (as amended). Along with the consultation letter, the following documents were provided:

- Historic Property Survey Report, San Luis Solar Project, Merced County, CA (S. Johnston and C. Brewer, May 2015). [CD copy]
- Figure 1- Project Location Map and Figure 2 - Area of Potential Effects Map

AT&T is proposing to install fiber optic cables along Gonzaga Road, located within San Luis Reservoir State Recreation Area (SRA), Merced County, which is located on Reclamation land. The proposed project activities for the installation include excavating three 4x4 foot bore pits, one 6x6 foot bore pit, 29 linear feet of trenches, and 1,003 feet of 2-inch bores. The depth of the bore pits will be down to six (6) feet. The trench will be one (1) foot wide and four (4) feet deep. The project footprint will parallel existing AT&T utility lines.

Reclamation has determined that the area of potential effects (APE) for this undertaking encompasses all construction elements within the linear project design. All staging and vehicle traffic will occur on paved surfaces. The vertical APE varies, with a maximum depth of six (6) feet for one of the bore pits and four (4) feet for the remaining pits and the bores themselves. The legal description is noted on the included Figure 1.

Reclamation's efforts to identify historic properties included referencing a contemporary cultural resources inventory report conducted for the recent San Luis Solar Project (Project #15-SCAO-066) which subsumes this proposed project's APE and surroundings (Figure 2, Johnston & Brewer, May 2015, page 3). The report includes a record and archival search result, review of Reclamation history materials, a pedestrian survey result and analysis and evaluation of

resources within the APE. Additionally, Reclamation archaeologists conducted a site visit on December 18, 2015 to examine the paved and previously disturbed alignment proposed for this project. As no resources are known to exist and the probability of intact sub-surface deposits is minimal, it is concluded that there is a very low probability of impacting any unknown buried historic properties.

Further, pursuant to regulations at 36 CFR §800.3(f)(2) and 36 CFR §800.4(a)(4) Reclamation identified The Santa-Rosa Tachi-Yokut Tribe as an Indian tribe who might attach religious and cultural significance to historic properties in the APE and invited them to consult. It does not appear that concerns exist at the current location; however Reclamation will take appropriate steps to address any future concerns that might arise.

Reclamation is requesting review and comment on the delineation of the APE, efforts to identify historic properties, and is seeking concurrence with the effect finding for this undertaking.

Following staff review of the documentation, I have the following comments:

- Pursuant to 36 CFR 800.4(a)(1), I have no objections to the APE as defined
- 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.
- Reclamation has determined that the proposed undertaking would result in no historic properties affected. Pursuant to 36 CFR 800.4(d)(1), **I do not object.**

Please 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 (as amended). Should you require further information, please contact Jeanette Schulz at [Jeanette.Schulz@parks.ca.gov](mailto:Jeanette.Schulz@parks.ca.gov) or (916) 445-7031.

Respectfully,



Julianne Polanco  
State Historic Preservation Officer