

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist (CEC)

City of Orland – Pilot Flying J Travel Center – Abandonment and Realignment of Irrigation Features – Orland Project, CA

NCAO-CEC-15-22

Prepared by:

FOR 
Irene Hobbs
Realty Specialist
Northern California Area Office

Date:

4/10/2016

Concurrence by:

See Attachment 1
Northern California Area Office Designee
for Tribal Trust Assets

Date:

12/1/15

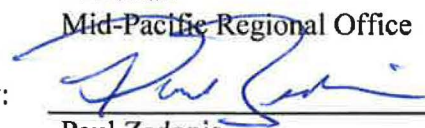
Concurrence by:

See Attachment 2
Lex Palmer
Historian
Mid-Pacific Regional Office

Date:

3/30/16

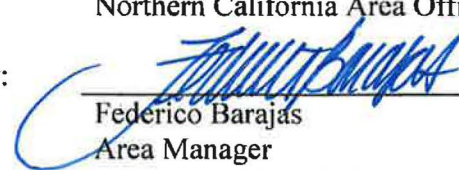
Concurrence by:


Paul Zedonis
Environmental and Natural Resource
Division Manager
Northern California Area Office

Date:

4/4/16

Approved by:


Federico Barajas
Area Manager
Northern California Area Office

Date:

4/4/16



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

March 2016

Proposed Action

This City of Orland (City) is requesting a construction permit to redirect a segment of an open, active, concrete-lined irrigation ditch in Lateral 8-2 underground, to accommodate the widening of County Road 13 in Orland, CA (Figure 1). The road widening work is necessitated by the construction of the Pilot Flying J Travel Center (Travel Center).

Lateral 8-2 is located in a 30-foot wide easement owned by the United States within the City's right-of-way along the south side of County Road 13 (Figure 2). The City proposes to re-route approximately 550 feet of the open ditch underground through high-density polyethylene pipe. Valves will be installed in place of open-ditch turnouts to provide irrigation water to the lands to the south (Figure 3). The realignment is necessary to widen County Road 13 and reinforce the road to accommodate vehicle traffic associated with the construction of the proposed Travel Center. The ditch in Lateral 8-2 was dry at the time of reconnaissance.

The proposed Travel Center development is located at the southwest quadrant of Interstate 5 and Newville Road on Glenn County Assessor's Parcel Numbers 045-170-003, -005, 045-140-003, -010, -011, -012, in Section 21 Township 22 and Range 3W, M.D.M., Glenn County, CA. Plans for the City's component of the project are provided in Figure 3.

Exclusion Categories

Bureau of Reclamation Categorical Exclusion – 516 DM 14.5, D.1. Maintenance, rehabilitation, and replacement of existing facilities which may involve a minor change in size, location, and/or operation.

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 ☐
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 No ☒ Uncertain ☐ Yes ☐

46.215 (b)).

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

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)).

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

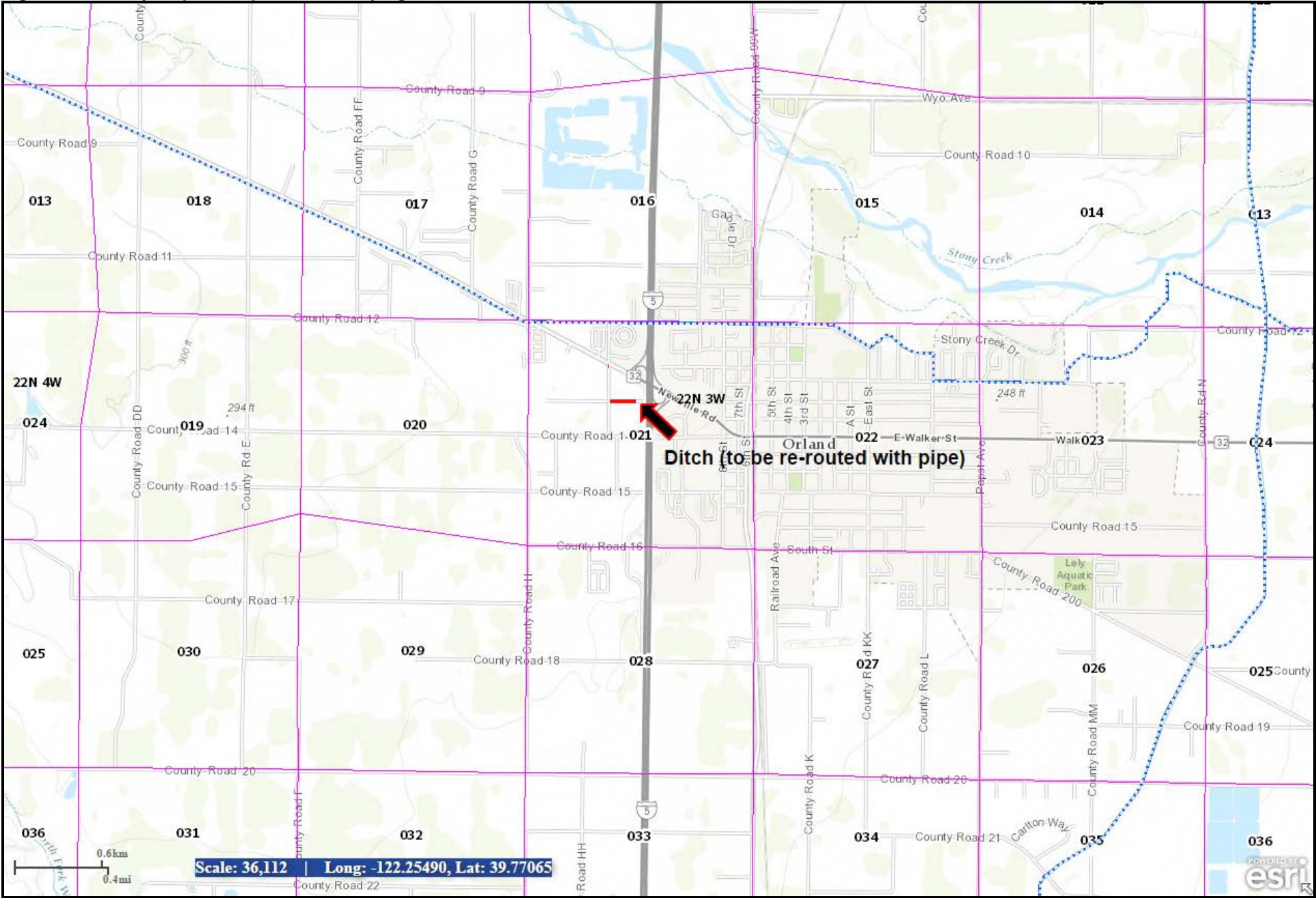
☐ EIS

Environmental commitments, explanations, and/or remarks:

The City's consultant, PMC of Chico, CA, completed a review of biological resources for the Flying J project. PMC's Project Study Area, as defined in Figure 3.2-1 of their Draft Environmental Impact Report, did not include Reclamation's property. Reclamation therefore performed its own online research via the US Fish and Wildlife Service's (USFWS) Information for Planning and Conservation (IPaC) application and the California Fish & Wildlife's (CAFWS) California Natural Diversity Database (CNDDB) Rare Find 5 application and associated Biogeographic Information & Observation System (BIOS) viewer complement. Research on Reclamation's adjacent, more refined, Site produced less, but overlapping, returns in comparison to PMC's. Species Federally listed as Threatened, Endangered or Candidate with the potential to inhabit the Site, according to the IPaC report, were limited to the California Red-legged Frog (*Rana draytonii*), Conservancy fairy shrimp (*Branchinecta conservatio*), vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardii*), Delta smelt (*Hypomesus transpacificus*), Central Valley Steelhead (*Oncorhynchus mykiss*), Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) and the giant garter snake (*Thamnophis gigas*). Seventeen species protected under the Migratory Bird Treaty Act were also reported. No Critical Habitat was reported in the IPaC report, nor were any sitings of any of the aforementioned species reported in the BIOS output. The ditches are not perennially wet. No natural or artificial borrow holes were observed in the ditches by PCM, nor were any elderberry or other trees or shrubs observed on or adjacent to the Site. The site does not function as a wildlife corridor, based on description and photographs. Reclamation agrees with PCM's determination that the Project will have "no affect" on the California red-legged frog due to its assumed extirpation from the Valley floor and has determined that the Project has "no effect" on the remaining, aforementioned, Federally-listed ESA species reported as having the potential to occur on the Site, due to lack of suitable habitat.

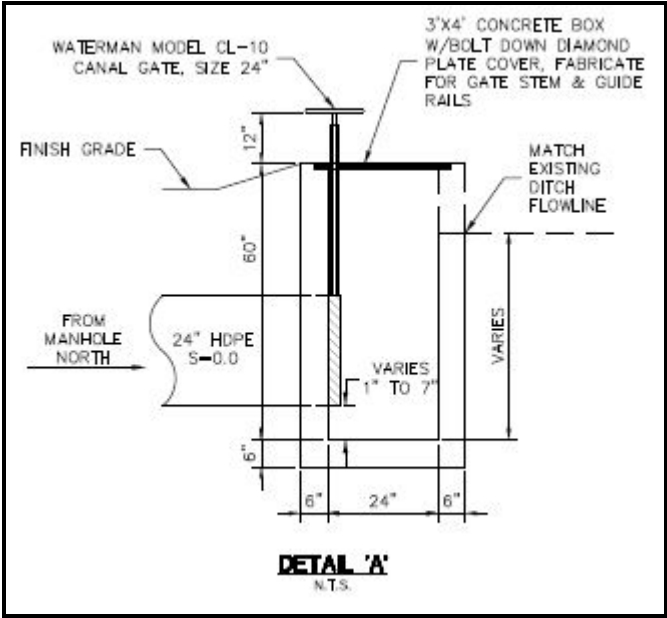
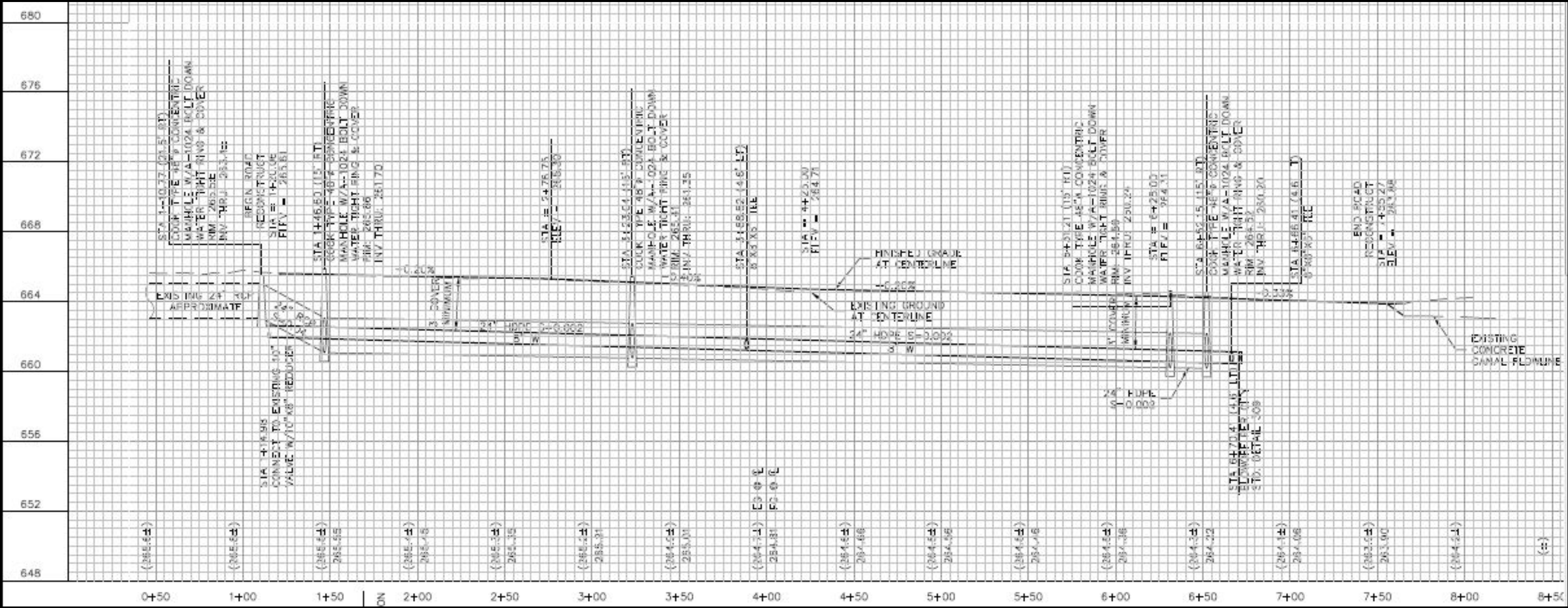
Cost Authority Number to review this request: 16XR0680A2 RX.0214965E.2300175

Figure 1. Vicinity Map of Proposed Pilot Flying J Travel Center



HAS BEEN DETERMINED FROM SURFACE EVIDENCE, EXISTENCE OR FROM INFORMATION OBTAINED FROM COMPANIES, SHARAH DUNLAP SAWYER, INC. ACCEPTS LIABILITY FOR THE EXISTENCE OR NON-EXISTENCE OF LINES, CONTRACTORS AND OTHERS USING THESE PLANS TO DETERMINE THE LOCATION OF UNDERGROUND LINES OR STRUCTURES PRIOR TO BEGINNING ANY EXCAVATION AT 1-800-227-2550 TWO WORKING DAYS IN ADVANCE OF BEGINNING ANY EXCAVATION.

Figure 3. Site Plan



LEGEND

- CONCRETE PAVING, SEE SHEET 057
- NEW ASPHALT CONCRETE PAVEMENT SECTION
- 1 3/4" ASPHALT CONCRETE OVERLAY
- COLD PLANE EXISTING ASPHALT CONCRETE 10' WIDE, 0" TO 1 3/4", PROVIDE SMOOTH TRANSITION
- NEW ASPHALT CONCRETE DRIVEWAY 2" AC OVER 6" CLASS II AG
- 4" CONCRETE SIDEWALK
- CURB RAMP PER CALTRANS 2010 REVISED STANDARD PLAN RSP AB8A, CASE C (OMIT ONE RAMP IF NECESSARY AS SHOWN)
- CURB RAMP PER CALTRANS 2010 REVISED STANDARD PLAN RSP AB8B, CASE CM

NOTES

- SEE SHEET 058 FOR PAVEMENT DELINEATION & SIGNAGE
- STRUCTURAL SECTION SHOWN ON TYPICAL STREET SECTIONS ARE BASED ON A TRAFFIC INDEX = 9.0 AND R-VALUE = 42 PER GEOTECHNICAL INVESTIGATION REPORT AND RECOMMENDATIONS BY CGI TECHNICAL SERVICES INC., DATED JANUARY 5, 2015.
- ALL MANHOLE RIMS, VALVE BOXES, PUBLIC MONUMENT BOXES, AND SIMILAR ITEMS SHALL BE ADJUSTED TO FINISH GRADE AFTER FINISHED SURFACE HAS BEEN PLACED.

Attachment 1. Indian Trust Asset Review



Simon, Megan <msimon@usbr.gov>

ITA Review - Flying J Travel Center - Abandonment & Realignment of Irrigation Features

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

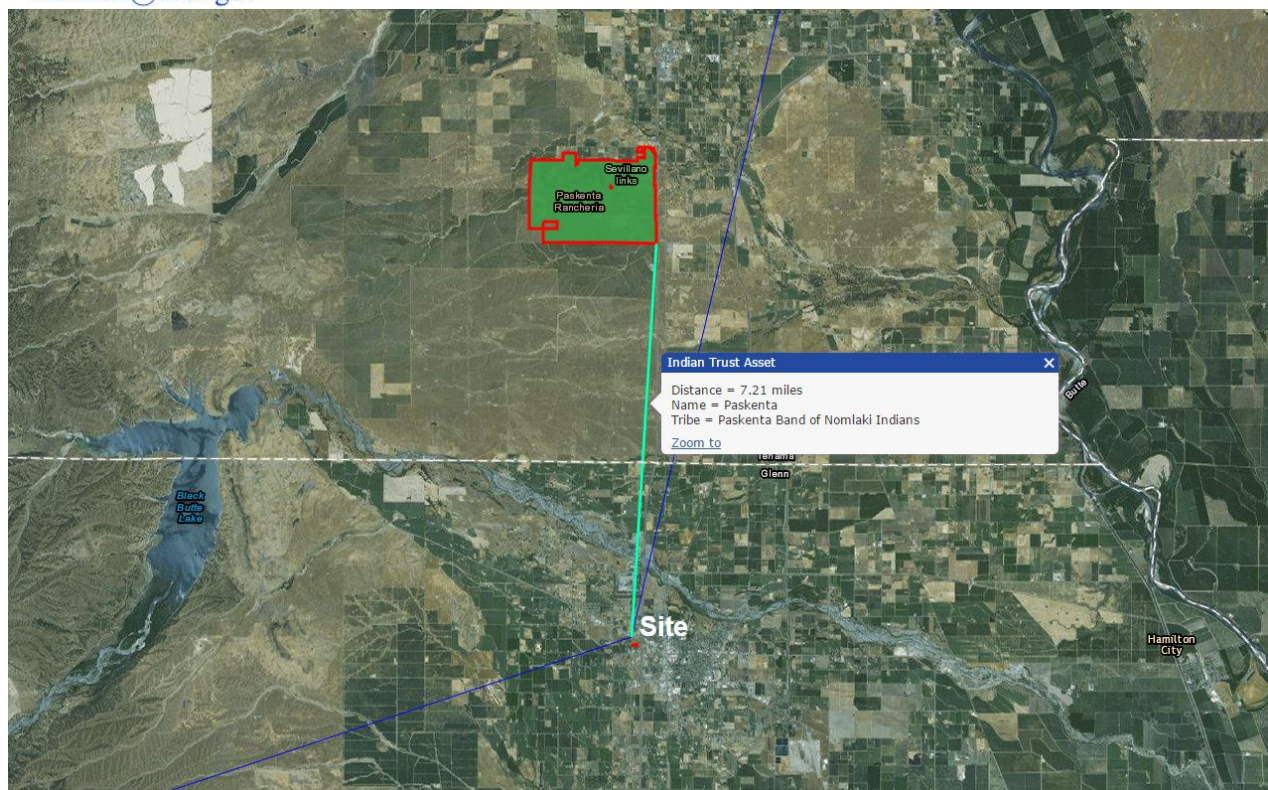
Tue, Dec 1, 2015 at 12:18 PM

I have examined the proposal for the Flying J Travel Center - Abandonment & Realignment of Irrigation Features project and have determined that the affected facilities are at least seven (7) miles from the closest Indian Trust Asset (ITA). I have determined that there is no likelihood that project-related activities will adversely impact ITAs.

—

Megan K. Simon

Natural Resources Specialist
U.S. Bureau of Reclamation
Northern California Area Office
16349 Shasta Dam Blvd.
Shasta Lake, CA 96019
(530) 276-2045
msimon@usbr.gov



Attachment 2. Cultural Resource Review

CULTURAL RESOURCES COMPLIANCE
Division of Environmental Affairs
Cultural Resources Branch (MP-153)

MP-153 Tracking Number: 16-NCAO-019

Project Name: Pilot Flying J Truck Stop-Realignment of Irrigation Features, Orland Project, Glenn County, California 16-NCAO-019

NEPA Contact: Megan Simon, Natural Resource Specialist

MP 153 Cultural Resources Reviewer: Lex Palmer, Historian

Date: March 30, 2016

Reclamation proposes to authorize the City of Orland to pipe a segment of Lateral 8-2 for widening of County Road HH (Commerce Lane) and County Road 13 (Ide Street) to accommodate vehicle access to the proposed Pilot Flying J Travel Center. This action constitutes an undertaking with the potential to cause effects to historic properties, assuming such properties are present, requiring compliance with Section 106 of the National Historic Preservation Act (NHPA) as amended.

Based on historic properties identification efforts conducted Reclamation, and in-house background research, Reclamation consulted with, and received concurrence from, the State Historic Preservation Officer (SHPO) on a finding of no historic properties affected pursuant to 36 CFR §800.4(d)(1). Consultation correspondence between Reclamation and the SHPO has been provided with this cultural resources compliance document for inclusion in the administrative record for this action.

This document serves as notification that Section 106 compliance has been completed for this undertaking. Please note that if project activities subsequently change, additional NHPA Section 106 review, including further consultation with the SHPO, may be required.

Attachment:

Letter: SHPO to Reclamation dated March 23, 2016

**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



March 23, 2016

Reply in Reference To: BUR_2016_0222_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 Pilot Flying J Travel Center Realignment of Irrigation Features, Orland Project, Glenn County, CA (Project #16-NCAO-019)

Dear Ms. Leigh:

On February 22, 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 36 CFR Part 800 (as amended). Along with the consultation letter, the following documents were provided:

- Project Location and Area of Potential Effects (APE) mapping
- *Archaeological Resource Survey Report for the Proposed Pilot Flying J Travel Center Project*. (Tyler and Ritter 2015).

Reclamation is considering authorizing the City of Orland to pipe a segment of Lateral 8-2 (approximately 3 feet long by 550 feet long) for widening of County Road HH (Commerce Lane) and County Road 13 (Ide Street) to accommodate vehicle access to the proposed Pilot Flying J Travel Center. Reclamation has determined that the area of potential effects (APE) for this undertaking is a corridor comprising 1.11-acres, which includes all project related actions. The vertical APE is a maximum depth of 5 feet below the current surface.

Efforts to identify historic properties that may be affected by the undertaking included a records search, pedestrian survey, and Native American consultation. The records search indicated that the area had not been previously surveyed, and no known properties were in the APE.

Reclamation identified Lateral 8-2 as being within the APE. Lateral 8-2, constructed in 1916 as a component of the Orland Project, is lined with a rough concrete finish. Reclamation has determined that Lateral 8-2 does not meet the National Register criteria, either individually or as a component of the larger Orland Project.

Attachment 2, Cont.

Ms. Leigh
March 23, 2016

BUR_2016_0222_001
Page 2 of 2

Reclamation is seeking comments on the delineation of the APE, efforts to identify historic properties, and is seeking concurrence with its determination that Lateral 8-2 is not eligible for listing. Reclamation is notifying me of its no historic properties affected finding. Following staff review of the submitted 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.
- Pursuant to 36 CFR 800.4(c)(2), Reclamation has determined Lateral 8-2 is not individually eligible for the National Register. I concur.
- Pursuant to 36 CFR 800.4(d)(2); it appears that there are no historic properties located within the project area for this undertaking and, therefore, I do not object to a finding of *no historic properties affected*.

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 Anmarie Medin of my staff at (916) 445-7023 or Anmarie.Medin@parks.ca.gov or Kathleen Forrest, Historian, at Kathleen.Forrest@parks.ca.gov or (916) 445-7022.

Respectfully,



Julianne Polanco
State Historic Preservation Officer