

Categorical Exclusion Checklist

Lateral 220 Crossing – Orland Project – Glenn County, CA

NCAO-CEC-17-06

Prepared by:	(Mere tooks)	Date:	1-10-2017
	Trene Hobbs		
	Realty Specialist		
	Northern California Area Office (Willows)		
Concurrence by:	Attachment 1	Date:	August 29, 2016
	Megan Simon	-	
	Northern California Area Office Designee for		
	Tribal Trust Assets		
Concurrence by:	Attachment 2	Date:	December 15, 2016
	Amy Barnes	-	
	Archaeologist		
	Mid-Pacific Regional Office		
	150.		1 1
Concurrence by:	faul Cedones	Date:	1/12/2017
	Paul Zedonis		
	Environmental and Natural Resources		
	Supervisory Natural Resource Specialist/		
	Division Manager		
	Northern California Area Office		
Approved by:	Donald Back	Date:	1/13/2017
	Donald Bader		
	Acting Area Manager		
	Northern California Area Office		



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

Proposed Action

Reclamation will issue a consent document in response to a request from John and Mary Viegas to construct, operate and maintain a bridge crossing over Lateral 220 in the Orland Project. Lateral 220 is located on a 40-feet wide easement owned by the United States (Figure 1); the Viegas are the underlying landowner. The project is located along the south side of County Road 14, in Section 20, Township 22 North, Range 3 West, west of Orland, Glenn County, California (Figure 2).

The Viegas previously accessed their horse pasture, adjacent to the proposed location of the bridge, via an adjacent land along County Road 14. This access was provided at the verbal agreement with the landowner who has since sold the property; the Viegas continued ability to access to their horse pasture via the adjacent land is uncertain. The new private bridge crossing will allow the Viegas access to their horse pasture via County Road 14.

The bridge will be constructed of concrete 15-feet long by 15-feet wide, located approximately 2 feet from the canal liner and 3 feet from the top of the canal (Figure 3). The bridge will have #6 rebar and 6"x6" curb on each side. Glenn County has approved a 28-foot long bridge approach from County Road 14, to consist of asphalt laid over a gravel base, approximately 6-inches deep. The concrete footings for the bridge will be placed adjacent to the canal lining and will measure approximately 2-feet wide, 15-feet long, and 3 feet 9 inches tall, most of which will be buried. A backhoe will excavate a trench measuring approximately 3 feet wide, 4.5 feet deep, and 16 feet long on both sides of Lateral 220 for the footings to be cast in place. A compactor and carpenter tools will be used to build the forms.

A site inspection was completed on August 4, 2016, with Irene Hobbs, Hank Harrington and the landowner, John Viegas. Photographs of the site are included as Figure 4. Reclamation's and Orland Unit Water Users' Association (OUWA) engineers have reviewed the plans and have no objections. A licensed contractor will complete the work upon Reclamation's approval.

Exclusion Categories

Bureau of Reclamation Categorical Exclusion - D(10): Issuance of permits, licenses, easements and crossing agreements which provide right-of-way over Bureau of Reclamation lands where the action does not allow or lead to larger public or private action.

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	No	\boxtimes	Uncertain	Yes	
	the human environment (40 CFR 1502.3).					

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	\boxtimes	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 46.215 (b)).	No		Uncertain	Yes	
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		Uncertain	Yes	
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		Uncertain	Yes	
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	\boxtimes	Uncertain	Yes	
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	\boxtimes	Uncertain	Yes	
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		Uncertain	Yes	
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	\boxtimes	Uncertain	Yes	
11.	This action would affect ITAs (512 DM 2, Policy	No	\boxtimes	Uncertain	Yes	

	Memorandum dated December 15, 1993).								
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		Uncertain		Yes			
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		Uncertain		Yes			
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.								
	\Box Further environmental review is required, and the following document should be prepared.								
	□ EA □ EIS								

Environmental commitments, explanations, and/or remarks:

Reclamation researched the California Natural Diversity Database (CNDDB), maintained by the California Department of Fish and Wildlife, and its Biogeographic Information and Observation System (BIOS) mapping complement, as well as the US Fish and Wildlife Service's (Service) Information, Planning, and Conservation System (IPaC) application, to determine the potential for the presence of species protected by the Federal Endangered Species Act within the work area. Species Federally-listed as Threatened or Endangered with the potential to inhabit the work area, according to the IPaC report, were limited to the California red-legged frog (Rana draytonii), Conservancy fairy shrimp (Branchinecta conservation), vernal pool fairy shrimp (Branchinecta lynchi), vernal pool tadpole shrimp (Lepidurus packardi), Delta smelt (Hypomesus transpacificus), Central Valley steelhead (Oncorhynchus mykiss), Valley elderberry longhorn beetle (Desmocerus californicus dimorphus) and giant garter snake (Thamnophis

gigas). Sixteen species protected under the Migratory Bird Treaty Act were also reported as having the potential to inhabit the work area, including the burrowing owl (Athene cunicularia).

No Critical Habitat for Federally- listed species is located in the work area, according to the IPaC report. The California red-legged frog is widely accepted as extirpated from the Valley floor and, thus, not anticipated to be encountered on-site. No vernal pools have been reported on-site. The site is located within the Northwestern Sacramento vernal pool region, as mapped in the Service's recovery plan for vernal pool species. However, no Core area was mapped in the site vicinity. Trees in the immediate area are limited to an immature orchard to the adjacent east of the site which is not anticipated to function as nesting habitat for migratory birds and would not be disturbed during work activities. The disturbance associated with site work will be minor, short term and temporary. Work activities are anticipated to be completed before the start of nesting season. No burrow holes that would function as habitat for the burrowing owl have been observed in the vicinity of the proposed work area.

The lateral receives water diverted from the South Canal of the Orland Project, which was created by a diversion from Stony Creek. Stony Creek flows from Black Butte Lake through a weir flow control structure. Without the construction of complementary fish "screens", diversion weirs impact downstream fish passage by entraining some portion of the stream's populations as they migrate downstream – especially juveniles. Although Central Valley spring run Chinook salmon have been extirpated from Stony Creek, Central Valley steelhead, a migratory species listed as Threatened by the National Marine Fisheries Service (NMFS), are extant in its waters. However, the potential for this species' occurrence lessens with downstream distance from Stony Creek. Construction activities will occur outside of the irrigation season when the water level in the lateral is too low to sustain fish populations. In addition, construction activities will be completed by a licensed contractor that will adhere to a sediment and erosion control plan to minimize unintended soil contributions to the lateral and a spill prevention plan, if applicable, based on the materials planned for use in construction activities. Therefore, listed fish species are not anticipated to be affected by the action.

No elderberry trees or shrubs that would function as habitat for the Valley elderberry longhorn beetle were identified within 100 feet of the work area. The canal itself is concrete lined. The OUWA conducts a weed abatement program along the ROW. No sitings of Federally-listed species, including but not limited to the giant garter snake, were reported in BIOS within a two-mile radius of the site. No earthen embankments that would function as over-wintering habitat, or vegetative cover that would function as supplemental upland habitat (e.g. rice fields), for GGS are located within the work area.

Figure 1. Tax Assessor's Parcel Identification Map ORLAND LAND CO. MURDOCK SUB. & 45-19 POR. SEC. 20, T. 22 N., R. 3 W., M. D. B. & M. CENNI/4 COR. SEC. 20 W. 1/4 COR. SEC. 20 /5 24.2" 60' WALKER ST. - ROAD 14 45' 200' PM 12-88 crossing 7 6 (0) (1) (14) 4.96 AC. 4.96 AC. 4.92 Ac, M/L 5.18 Ac, M/L 5.13 Ac. M/L 26 20 (18) () 19.80 AC M/L (5) 8.39 AC M/L 8 9 (12) (13) (15) 4.96 AC. 4.96 AC. 5.05 Ac. M/L 5.06 Ac, M/L 5.13 Ac, M/L NEWPORT AVE. - ROAD 15 60' 22 22 M. & S. Bk. 4 , Pg. 6 - Murdock Sub'n Parcel Map-Bk. 4 , Pg. 94 ; Bk. 9 , Pg. 65 ; Bk. 12 , Pg. 88 Assessor's Map Bk. 45 - Pg. 19 County of Glenn, Calif. NOTE- Assessor's Block Numbers Shown in Ellipses Assessor's Parcel Numbers Shown in Circles (1974)

Figure 2. Site Location Maps

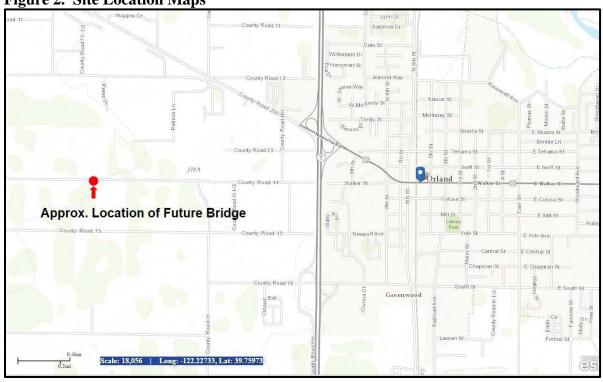
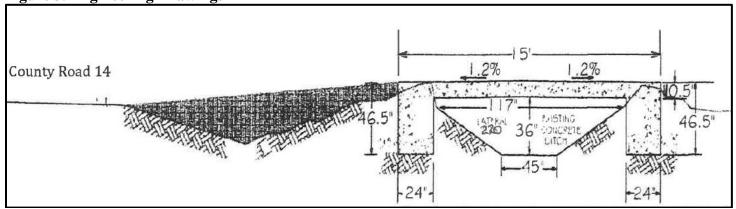




Figure 3. Engineering Drawings



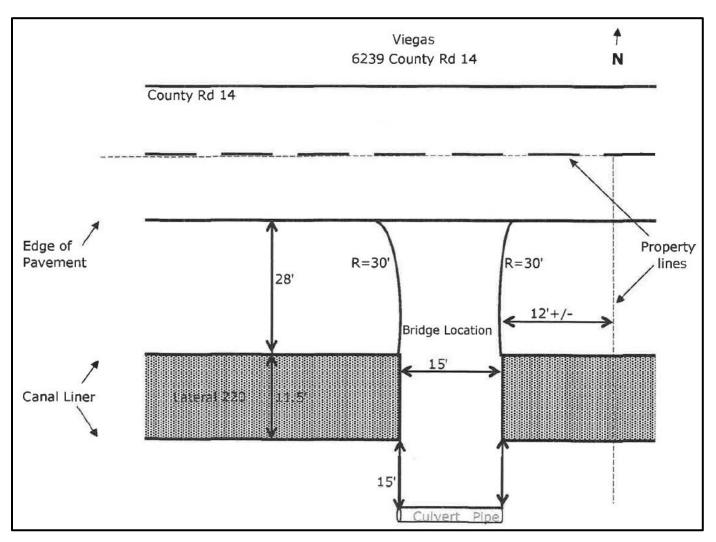
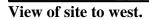




Figure 4. Photos of the location for the bridge to cross over Lateral 220.





View of site to south. Attachment 1. Indian Trust Asset Review



Simon, Megan <msimon@usbr.gov>

ITA Review - Lateral 220 Bridge Crossing - Glenn Co.

1 message

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

Mon, Aug 29, 2016 at 10:41 AM

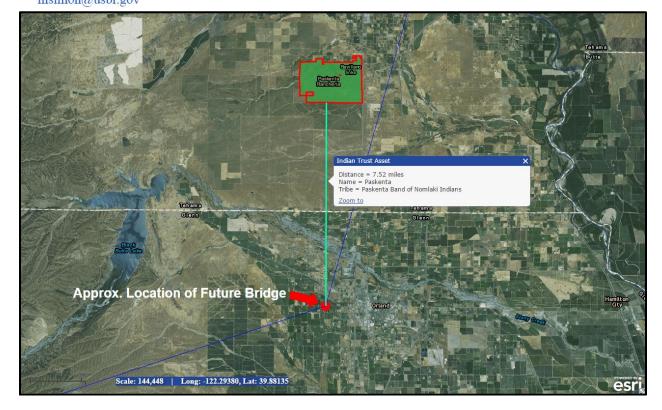
I have examined the referenced proposal and have determined that the facility is at least 7.5 miles from the closest Indian Trust Asset.

I have determined that there is no likelihood that this action will adversely impact Indian Trust Assets.

__

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

MP-153 Tracking Number: 16-NCAO-224

Project Name: Orland Lateral 220 Crossing Project

NEPA Document: NCAO-CEC-16-14

MP 153 Cultural Resources Reviewer: Amy J. Barnes

Date: December 15, 2016

This proposed undertaking by Reclamation to issue a permit to the landowner to construct, operate, and maintain the new bridge crossing over the Reclamation's Orland Lateral 220 approximately 1.5 miles west of Orland, 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 landowner proposes to have a licensed contractor construct a pre-cast concrete bridge across Orland Lateral 220 in order to access a land-locked portion of their property from County Road 14. The bridge will be 15 feet long and 15 feet wide with a 6-inch by 6-inch curb on each side. The concrete footings for the bridge will be placed adjacent to the canal lining and will measure approximately 2-feet wide, 15-feet long, and 3 feet 9 inches tall, most of which will be buried. A backhoe will excavate a trench measuring approximately 3 feet wide, 4.5 feet deep, and 16 feet long on both sides of Lateral 220 for the footings to be cast in place. The 28-foot long bridge approach from County Road 14 will consist of asphalt laid over an approximately 6-inch deep gravel base. The 15 foot long bridge approach on the south side will consist of a 6-inch deep layer of gravel and compacted asphalt. A new corrugated plastic culvert measuring 12 inches in diameter and 20-feet long will be installed in a field drain parallel to Lateral 220 and covered by the road base materials. The area of potential effects (APE) for this undertaking includes an approximately 40-foot wide by 60-foot long (2,400 square feet, 0.05 acres) area for constructing the new bridge in Section 20 in T. 22 N., R. 3 W., Mount Diablo Meridian, as depicted on the Orland 7.5' U.S. Geological Survey topographic quadrangle map.

The historic property identification efforts included a search of the Reclamation's archaeological site index and project data, as well as General Land Office and Master Title Plat maps. The only cultural resources identified in the APE included County Road 14 and Orland Lateral 220. The Orland Project is considered one of the oldest Federal reclamation projects in the country, among the first 25 project selected by the Reclamation Service. It is one of the first Federal reclamation projects undertaken in California, authorized by the Secretary of the Interior in October 1907. The Orland Project is clearly eligible for the National Register of Historic Places (National Register) on a district level under Criterion A, for its association with the early Federal Reclamation Service efforts to establish farming communities in the western United States. Reclamation determined that Lateral 220 is not one of the primary features of the Orland Project.

Attachment 2, Cont.

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

It is a minor lateral that does not meet the significance requirements under Criterion A for listing in the National Register, either individually or as a contributing element to a potential Orland Project historic district. Since the APE is limited to the built environment and within a few inches of the original ditch prism, we concluded that there is little or no potential for intact buried archaeological resources in the APE. As such, Reclamation determined that consultation with Indian tribes regarding sites of religious or cultural significance was not necessary for this undertaking.

The only identified historic properties within the APE is the Orland Project, of which Lateral 220 is a part. For the purposes of this undertaking only, Reclamation will treat the Orland Project as a district eligible for inclusion on the National Register, and Lateral 220 as a contributing feature of that district. Reclamation applied the criteria of adverse effect [36 CFR § 800.5(a)] for the current undertaking and found that the proposed activities would result in no significant alterations to the historic characteristics that make the Orland Project eligible for the National Register. The proposed actions on Lateral 220 will not alter any physical characteristics that would make the Orland Project eligible for inclusion on the National Register.

Reclamation entered into consultation with the California State Historic Preservation Officer (SHPO) on November 14, 2016, 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 December 13, 2016 (consultation attached).

After reviewing the NCAO-CEC-16-14, dated August 2016 and entitled Lateral 220 Crossing – Orland Project – Glenn County, CA, 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

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



December 13, 2016

In reply refer to: BUR_2016_1114_001

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

Subject: Section 106 Consultation for the Orland Lateral 220 Crossing Project, Glenn County, California (Project #16-NCAO- 224)

Dear Ms. Leigh:

The Office of Historic Preservation (OHP) received on November 14, 2016 your letter initiating consultation on the above referenced undertaking under Section 106 of the NHPA, and its implementing regulations found at 36 CFR Part 800. Reclamation proposes to issue a permit to a landowner to construct, operate, and maintain a new bridge crossing over Reclamation's Orland Lateral 220 Canal, located approximately 1.5 miles west of Orland, California. Although the underlying land is privately-owned, Reclamation maintains a 40-foot wide easement for purposes of operating and managing the lateral canal. Reclamation has determined that a finding of *no adverse effects to historic properties* is appropriate for this undertaking. Documentation provided with the submittal consists of:

- Figure 1: Project location (line drawing); Figures 2a, 2b: line drawing schematic of proposed bridge structure; Figure 3: Area of Potential Effects (APE) (USGS Quad); Figure 4: Orland Project 1916 map (line drawing); Photos 1 & 2: current overviews of proposed bridge location.
- Cultural Resources Survey Report for the Flying J Travel Center Realignment of Irrigation Features, Orland Project, Glenn County, CA. (Project Tracking No. 16-NACO-019) (by: K. Palmer, Architectural Historian, Bureau of Reclamation Mid-Pacific Region, Sacramento, CA; January 2016). [Palmer: 2016]

The landowner proposes install a pre-cast concrete bridge across Lateral 220 in order to access a land-locked portion of their property. The bridge will be 15 feet long and 15 feet wide with a 6-inch by 6-inch curb on each edge. Cast-in-place concrete footings will be placed adjacent to each side of the canal lining in an excavated trench measuring about 3 feet wide, 4.5 feet deep, and 16 feet long. The 28-foot long bridge approach from County Road 14 will consist of asphalt laid over a gravel base about 6-inches deep. The 15 foot long bridge approach on the south side will consist of a 6-inch deep layer of gravel and compacted asphalt. A new corrugated plastic culvert measuring 12 inches in diameter and 20-feet long will be installed in a field drain parallel to Lateral 220 and covered by the road base materials.

The area of potential effects (APE) includes about a 40-ft wide by 60-ft long (2,400 square feet, 0.05 acres) area for constructing the new bridge, including the paved County Road 14, Lateral 220, staging areas, access and fields. The vertical APE will be 4.5 feet below existing grade, which is maximum construction depth for the bridge footings. The footings will be located within the foot print of original lateral canal construction, which occurred by 1916.

Attachment 2, Cont.

Ms. Anastasia T. Leigh December 13, 2016 Page 2 BUR 2016 1114 001

Identification efforts included a review of Reclamation's archaeological site index and project data files, as well as General Land Office and Master Title Plat maps. A recent Reclamation cultural resources report (Palmer: 2016) provides a historic context for the overall Orland Project water conveyance system. Reclamation staff completed a pedestrian survey of the APE on December 22, 2015. The only cultural resources identified in the defined APE were County Road 14 and Orland Lateral 220.

The county road is a contemporary paved rural road. Lateral 220 is a V-shaped, concrete lined structure with a top width of about 10 feet, a bottom width of about 4 feet, and a depth of approximately 3 feet. An Orland Project History map, dated 1916, shows Lateral 220 had been completed by that time.

The entire APE is pavement or engineered fill; no natural ground surfaces exist within the canal alignment. The immediately surrounding area consists of long developed local roads, the canal system, farms, orchards and agricultural fields. Reclamation concluded therefore that there is no potential for buried archaeological resources in the APE. Given the overall current environment and setting, Reclamation determined that consultation with Indian tribes regarding sites of potential religious or cultural significance was not necessary.

In the event of a post-review discovery, Reclamation intends to follow procedures as outlined in 36 CFR §800.13 and make notifications as required.

The only identified historic property within the APE is the Orland Project, of which Lateral 220 is a part. The Orland Project was authorized by the Secretary of the Interior in October 1907 and incorporates parts of Glenn, Tehama, and Colusa Counties. The hub of the project is the town of Orland in northern Glenn County and the system comprises two main dams to store water (East Park and Stony Gorge), two diversion dams (Rainbow and Northside), 17 miles of canals, and 139 miles of laterals. The Orland Project is considered one of the oldest (and first in California) Federal reclamation projects in the country, among the first 25 projects selected by the Reclamation Service. The Orland Project is considered eligible for listing in the National Register of Historic Places (NTHP) as a district under Criterion A, for its association with the early Federal Reclamation Service efforts to establish farming communities in the western United States by proving reliable water conveyance systems for agricultural irrigation.

For the purposes of this undertaking only, Reclamation will treat the Orland Project as a district eligible for inclusion in the NRHP, and Lateral 220 as a contributing feature of that district. Reclamation applied the criteria of adverse effect [36 CFR § 800.5(a)] for the current undertaking and found that the proposed activities will result in no significant alterations to any of the historic features and characteristics that make the Orland Project district eligible for the NRHP. The proposed undertaking also will not alter any physical characteristics at Lateral 220 that make it eligible for inclusion as a contributor to the greater Orland Project eligible district.

Based on the above discussion and information provided in the enclosed report, Reclamation has reached a finding of no adverse effect on historic properties and invites comments on the APE and historic properties identification efforts, and is requesting concurrence with its finding of no adverse effect.

Attachment 2, Cont.

Ms. Anastasia T. Leigh December 13, 2016 Page 3 BUR 2016 1114 001

After OHP staff review of the documentation for the Orland Lateral 220 Crossing Project, Glenn County, California (Project #16-NCAO- 224), the following comments are offered:

- Pursuant to 36 CFR 800.4(a)(1), there are no objections to the APE as defined;
- Pursuant to 36 CFR 800.4(b), Reclamation has documented a reasonable and good faith effort to identify historic properties within the area of potential effects.
- Pursuant to 36 CFR 800.4(c)(1) and 800.4(c)(2), I do not object that the Orland
 Project will be treated as a district eligible for inclusion in the National Register under
 Criterion A for Reclamation's early development of water conveyance systems for
 western states agriculture, and that Lateral 220 will be treated as a contributing feature
 of that district, for purposes of Section 106 on this particular undertaking only.
- Reclamation has determined that the proposed undertaking will result in no adverse effects to the historic properties affected. Pursuant to 36 CFR 800.5(b), I concur.

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 or (916) 445-7031.

Sincerely,

Julianne Polanco

State Historic Preservation Officer