

RECLAMATION

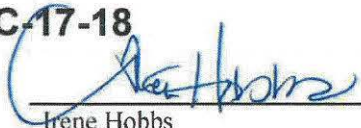
Managing Water in the West

Categorical Exclusion Checklist

Lateral 130 Crossing – Orland Project– Glenn County, CA

NCAO-CEC-17-18

Prepared by:


Irene Hobbs
Realty Specialist
Northern California Area Office (Willows)

Date:

11/28/2017

Concurrence by:

Attachment 1
Megan Simon
Northern California Area Office Designee for
Tribal Trust Assets

Date:

August 31, 2017

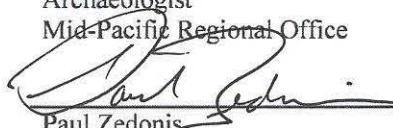
Concurrence by:

Attachment 2
Mark Carper
Archaeologist
Mid-Pacific Regional Office

Date:

November 28, 2017

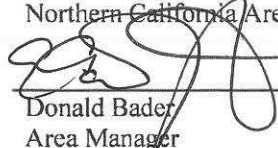
Concurrence by:


Paul Zedonis
Environmental and Natural Resources
Supervisory Natural Resource Specialist/
Division Manager
Northern California Area Office

Date:

11/28/17

Approved by:


Donald Bader
Area Manager
Northern California Area Office

Date:

12/5/17



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

November 2017

Proposed Action

Reclamation will issue a consent document in response to a request from Samuel and Alicia Cabral (Cabral's) to construct, operate and maintain a bridge crossing over Lateral 130 of the Orland Project. Lateral 130 is located on a 40-foot wide easement owned by the United States (Figure 1); the Cabral's are the underlying landowner. The project is adjacent to County Road 10 and east of County Road KK, in Section 15, Township 22 North, Range 3 West, north of Orland, Glenn County, California (Figure 2).

The Cabral's previously accessed their parcel, adjacent to the proposed location of the bridge, via an adjacent land along County Road KK. The Cabral's continued ability to access their parcel via the adjacent land is uncertain. The new private bridge crossing will allow the Cabral's to access their parcel via County Road 10, where they plan to build a residence.

The bridge will be constructed of a steel-reinforced concrete slab, 15-feet long by 16-feet wide, placed approximately two feet from the canal liner and three feet from the top of the canal (Figure 3). The bridge will have #6 rebar and 6-inch by 6-inch curb on each side. The Cabral's will request a permit from Glenn County to approve a 28-foot long bridge approach from County Road 10, 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 130 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 June 29, 2017. 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 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 | <input checked="" type="checkbox"/> | Uncertain | <input type="checkbox"/> | Yes | <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 | <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, 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.

☐ Further environmental review is required, and the following document should be prepared.

☐ EA

☐ EIS

Environmental commitments, explanations, and/or remarks:

The contractor shall institute appropriate sediment and erosion control best management practices to minimize the potential for construction runoff to enter the lateral.

Figure 1. Tax Assessor's Parcel Identification Map

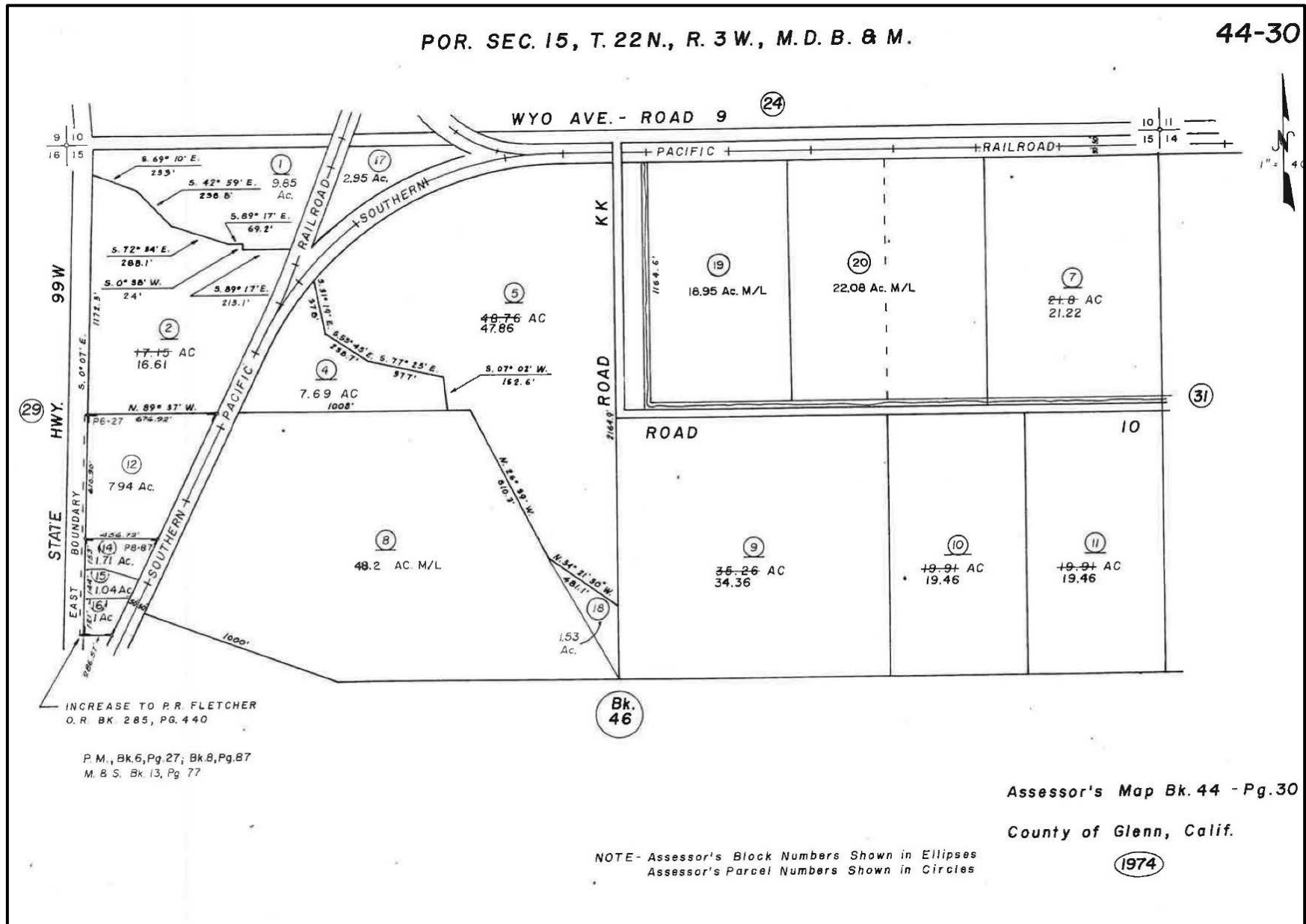


Figure 2. Site Location Maps

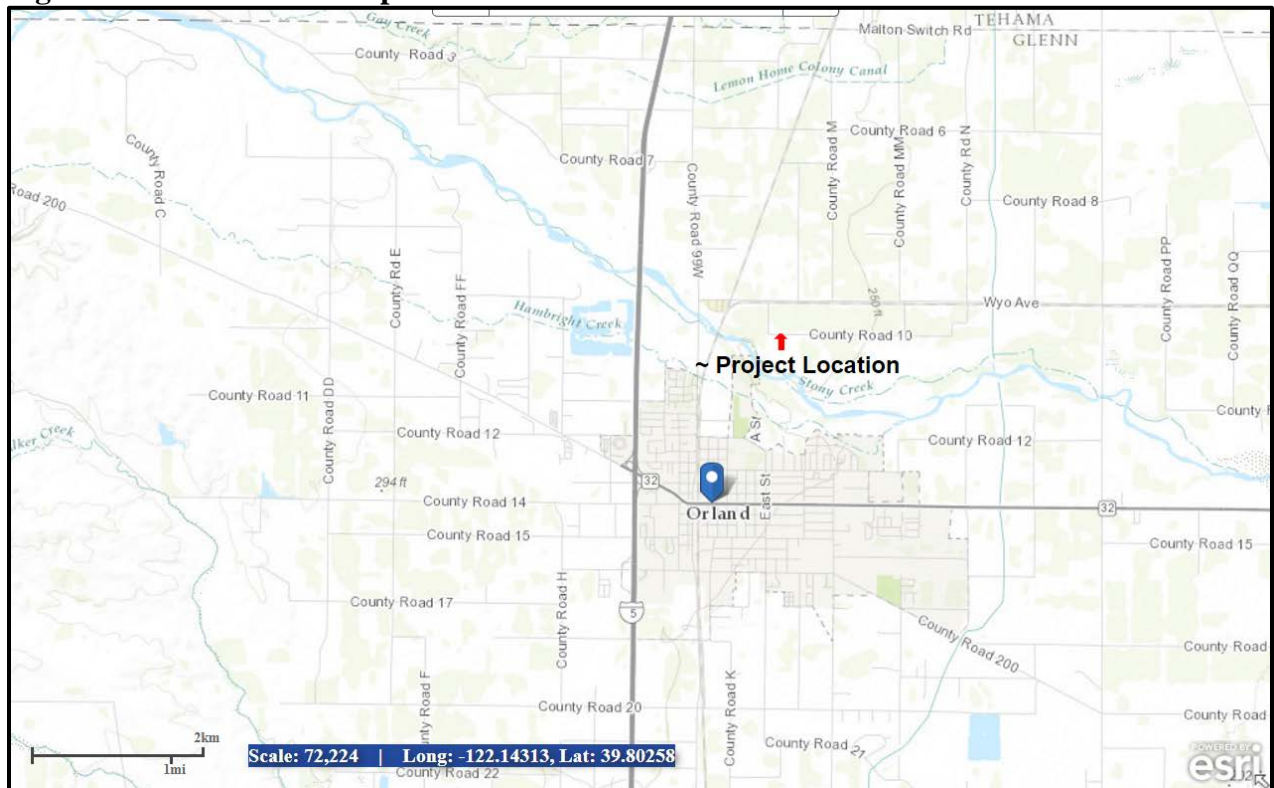


Figure 2A. Vicinity Map

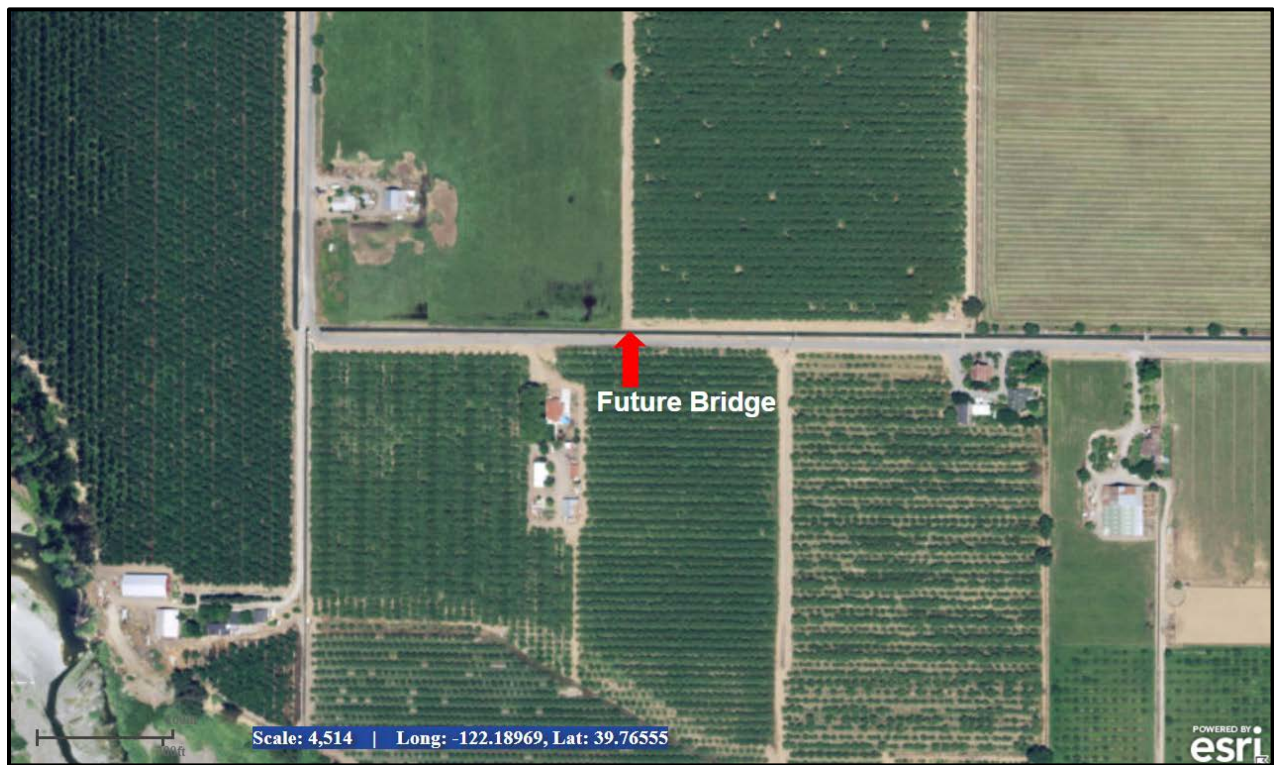


Figure 2B. Site Map

Figure 3. Engineer's Drawings

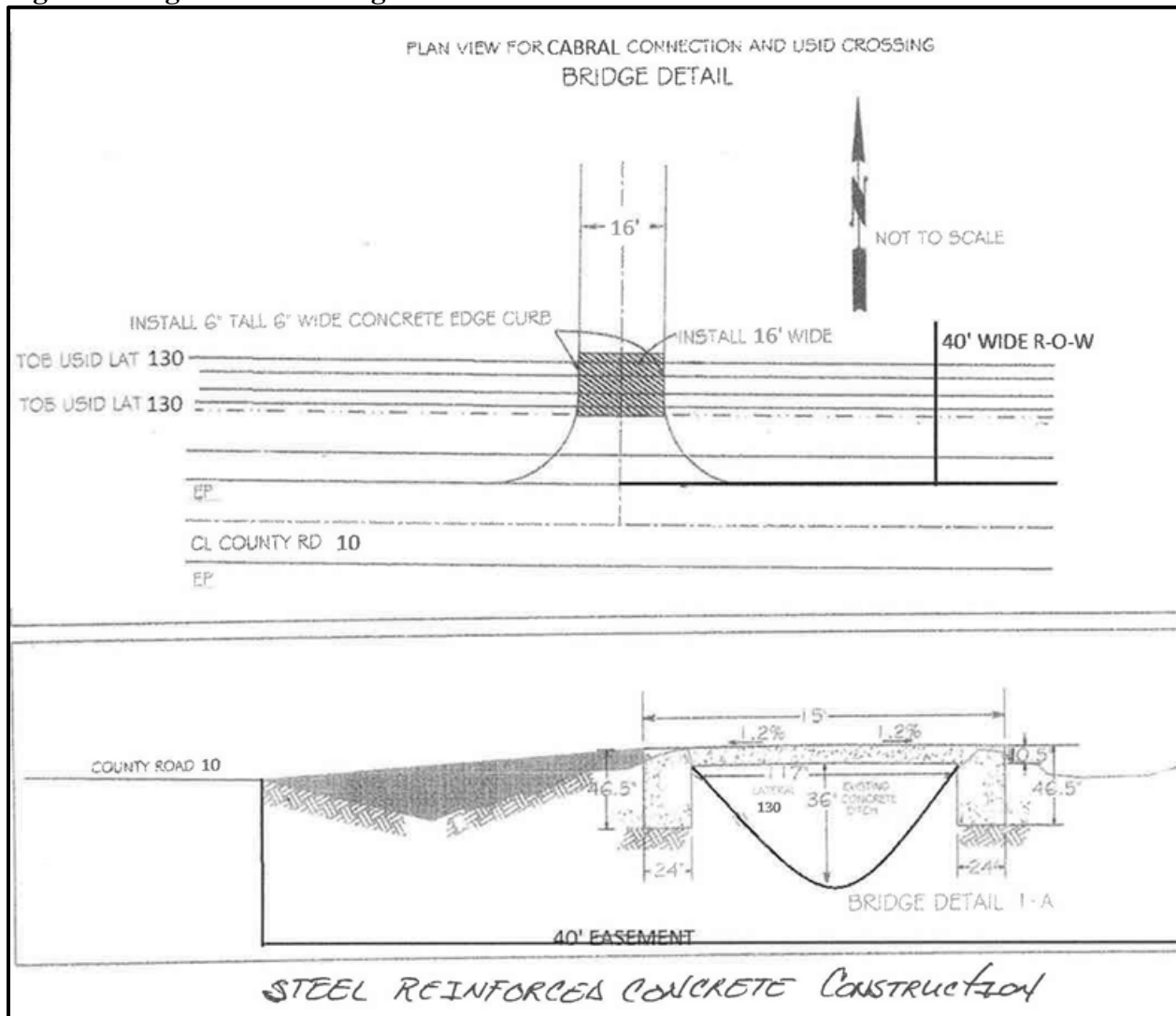


Figure 4. Photos of the location for the bridge to cross over Lateral 130.



View of site to north.



View of site to west.

Attachment 1. Indian Trust Asset Review



Simon, Megan <msimon@usbr.gov>

ITA Review - Lateral 130 Bridge Crossing

1 message

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

Thu, Aug 31, 2017 at 12:45 PM

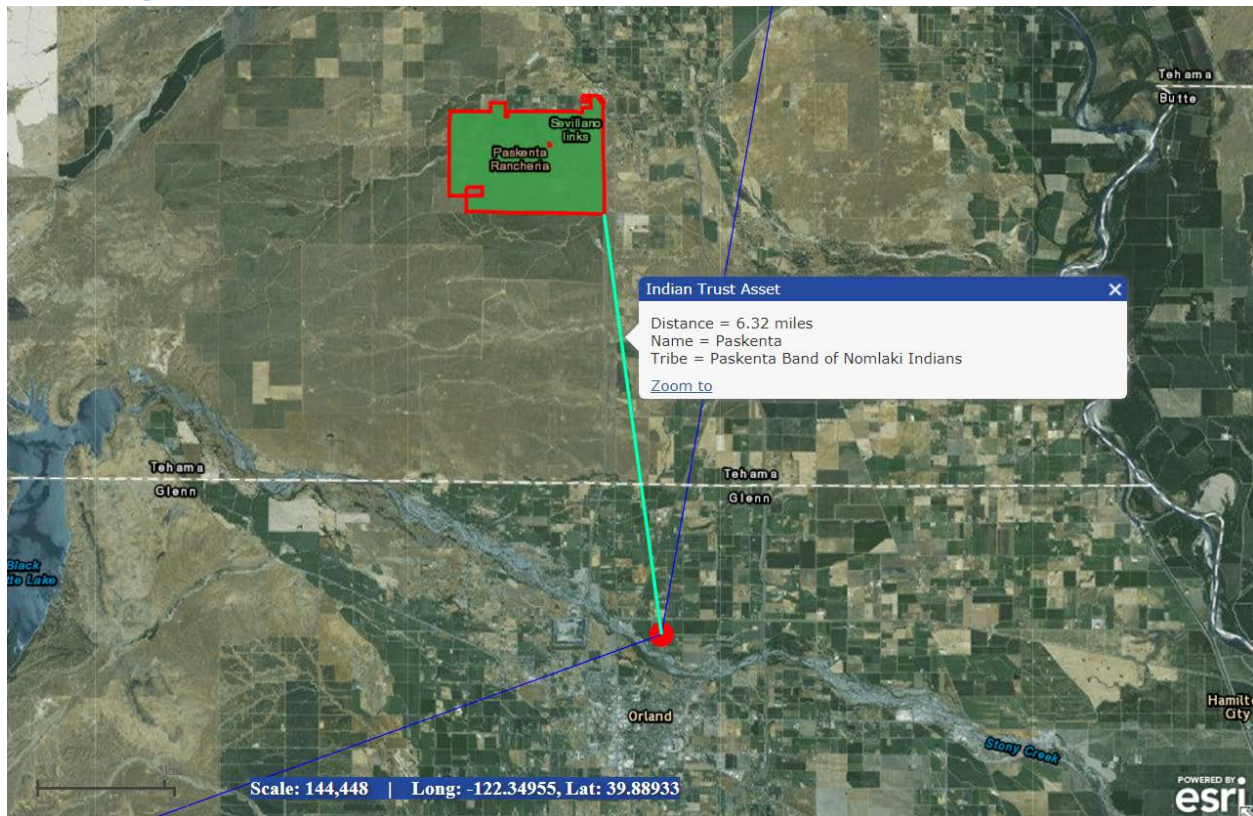
I have examined the referenced proposal and have determined that the property is located at least 6 miles from the closest Indian Trust Asset.

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: 17-NCAO-218

Project Name: Orland Project Lateral 130 Crossing Project

NEPA Document: NCAO-CEC-17-18

MP 153 Cultural Resources Reviewer: Mark Carper

NEPA Contact: Megan Simon

Determination: No Adverse Effect

Date: November 28, 2017

The proposed project entails the installation of a concrete slab bridge by an adjacent landowner over the Reclamation-owned Lateral 130 of the Orland Project in Glenn County, California. The proposed project is situated on land owned by Reclamation. Construction of the proposed project requires Reclamation authorization. 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).

The proposed bridge will be constructed of a steel-reinforced concrete slab measuring 15 feet long (over the lateral) and 16 feet wide. The concrete footings for the bridge will be placed adjacent to the canal lining and will measure approximately 2 feet wide and 15 feet long. A backhoe will excavate a trench measuring approximately 3 feet wide, 4.5 feet deep, and 16 feet long on both sides of Lateral 130 for the footings to be cast in place. A compactor and carpenter tools will be used to build the forms.

Since Reclamation's undertaking and the entire APE is within the confines of Lateral 130, identified as a potential historic property as part of the Orland Project, no additional archaeological survey was considered necessary to identify historic properties. Because of the small scale and nature of the proposed crossing, documentation and identification of the lateral was limited to internal records and archival research. This project is entirely within a built environment and has no potential to affect sites of religious or cultural significance to Indian tribes or other Native Americans. Reclamation did not consult with these groups for this undertaking.

Attachment 2, Cont.

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

Authorized by the Secretary of the Interior in October 1907, the Orland Project is the first Federal water project constructed entirely within the state of California. The Orland Project is in Glenn, Tehama, and Colusa counties with its hub in the town of Orland in northern Glenn County. The Orland Project is irrigated by Stony Creek, a tributary of the Sacramento River that drains the east side of the North Coast Range and includes 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. Lateral 130 is a tertiary lateral that feeds directly to agriculture fields.

The Orland Project has not been formally evaluated for eligibility for listing on the National Register of Historic Places. Because of the small scale of the proposed project, Reclamation is treating the Orland Project as a historic property under Criterion A for its contribution to Federal roles in the development of agriculture and irrigation in California. As one of the Orland Project's laterals, for the current undertaking Lateral 130 is also being treated as an eligible property under Criterion A as a contributing component to the Orland Project.

Reclamation applied the criteria of adverse effect [36 CFR § 800.5(a)(1)] and the Secretary of the Interior's Standards for the Treatment of Historic Properties (36 CFR § 68.3) and determined that the proposed project will result in no adverse effect to historic properties pursuant to 36 CFR § 800.5(b). Construction of a crossing over Lateral 130 will not adversely affect any of the characteristics which would make it eligible as a contributing property to the Orland Project or the current condition of the lateral. The new crossing is small in scale to the lateral, is consistent with existing crossings over this and other Orland Project laterals, and may be removed to return the lateral to pre-existing conditions.

Reclamation initiated consultation with the California State Preservation Office (SHPO) by letter dated October 25, 2017 requesting concurrence with a finding of no adverse effects to historic properties for the proposed project. Pursuant to the regulations at 36 CFR §800.5(c), SHPO has 30 days from receipt to review an agency finding. The SHPO has yet to respond to Reclamation's finding of effect. If after 30 days the SHPO has not responded, the regulations state that "...the agency official shall then carry out the undertaking in accordance with paragraph (d)(1) of this section" [§800.5(c)(1)]. Because the SHPO has failed to comment on Reclamation's finding within the period of time provided to them pursuant to the Section 106 regulations, Reclamation may move on to the next step of the Section 106 process.

Attachment 2, Cont.

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

I concur with Item 8 on NCAO-CEC-17-18. 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.