

RECLAMATION


Managing Water in the West

Categorical Exclusion Checklist

City of Orland –Pipeline Enclosure of a Portion of Lateral 51 – Orland Project – Glenn County, CA

NCAO-CEC-18-06

Prepared by:


Irene Hobbs
Realty Specialist
Northern California Area Office (Willows)

Date:

8/6/2018

Prepared by:

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

Date:

May 29, 2018


Concurrence by:

Attachment 2
Kevin Palmer
Architectural Historian
Mid-Pacific Regional Office

Date:

August 2, 2018

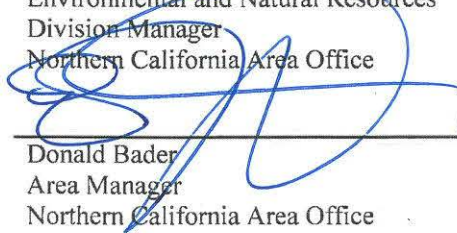
Concurrence by:


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

Date:

8/7/18

Approved by:


Donald Bader
Area Manager
Northern California Area Office

Date:

8/7/18



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

August 2018

Proposed Action

The City of Orland (City) is requesting permission to place approximately 1,075 feet of a concrete-lined open ditch located on a 30-foot wide Reclamation right-of-way (ROW) in the Orland Project, identified as Lateral 51, into underground pipeline. The 36-inch high-density polyethylene (HDPE) pipeline will be installed four to five feet below ground surface to accommodate the new Linwood subdivision, in accordance with the City's policy to underground any open ditches located adjacent to new construction for public safety purposes. The west end of the proposed underground pipeline will connect with the previously-pipelined portion of Lateral 51 that lies adjacent to Paigewood Apartments.

Construction equipment to be used includes a backhoe, hand tools and pick-up trucks. The work area will be accessed, and equipment staged, within and along the existing roads. Minor vegetation removal is necessary to complete the work. Following the installation of the pipeline, the excavation will be backfilled with pea gravel, sand, concrete and native soil and finished with a 10-foot wide bike path and light landscaping.

The project location is in Section 23, Township 22 North, Range 3 West, Mount Diablo Meridian, Glenn County, CA. Project Location Figures are included as Figure 1. An Engineer's Drawing and photograph of the site are included as Figures 2 and 3.

A Categorical Exclusion Checklist (CEC) was completed for the project in 2007. However, the project was not pursued at that time. A new developer will construct the subdivision that necessitates the City's under-grounding of the subject portion of the lateral. Reclamation staff conducted a site visit on May 22, 2018. Engineers representing Reclamation and the Orland Unit Water Users Association reviewed the proposal and determined it beneficial to the operation and maintenance of Lateral 51.

Exclusion Categories

Bureau of Reclamation Categorical Exclusion – 516 DM 14.5, 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 No ☒ Uncertain ☐ Yes ☐

concerning alternative uses of available resources (NEPA Section 102(2)(E) and 43 CFR 46.215(c)).

- | | |
|---|--|
| 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 ☒ 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.

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

☐ EA

☐ EIS

Environmental commitments, explanations, and/or remarks:

The ROW and area to be used for this action is maintained with weed abatement and does not provide habitat for any threatened or endangered species.

Figure 1. Project Location Figures

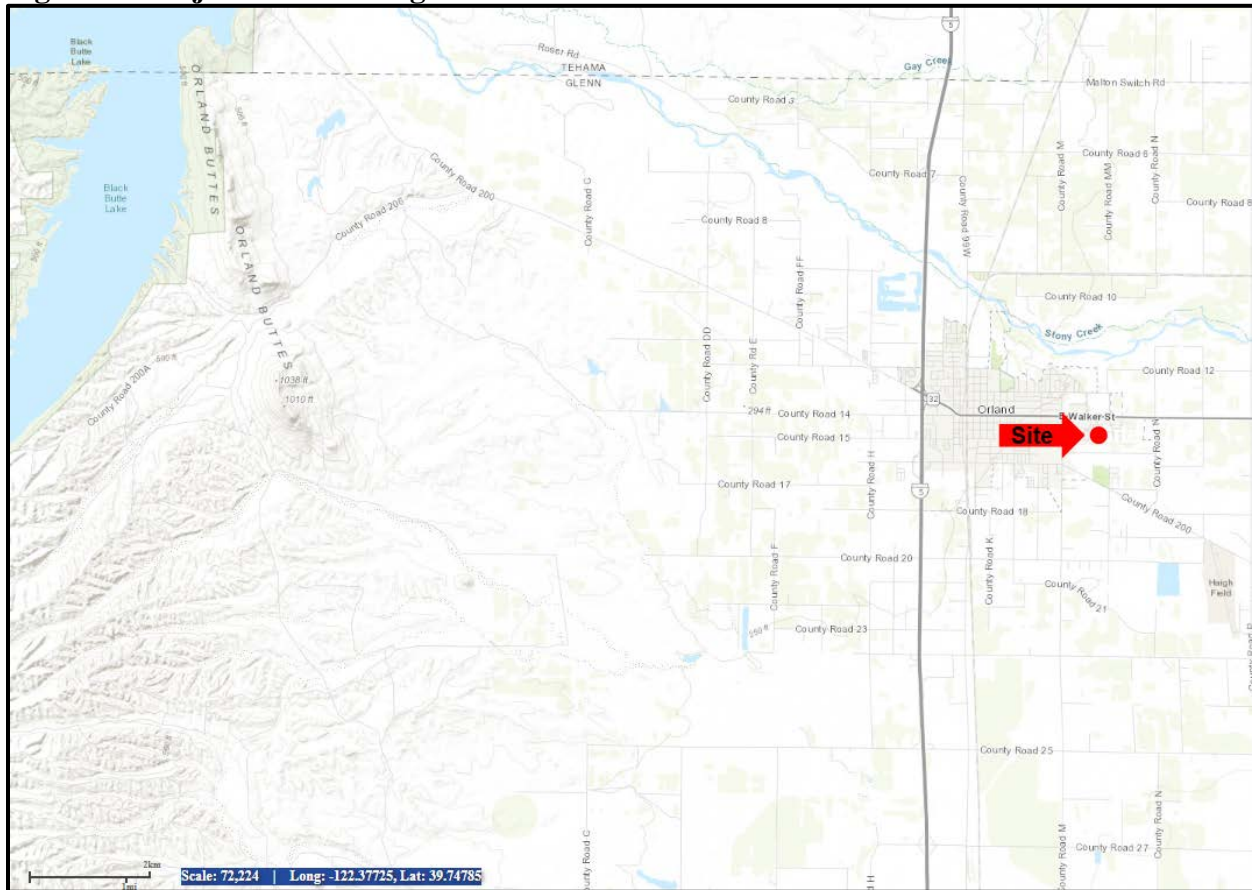


Figure 1A. Vicinity Map.



Figure 1B. Site Map.

Figure 2. Engineer's Drawing

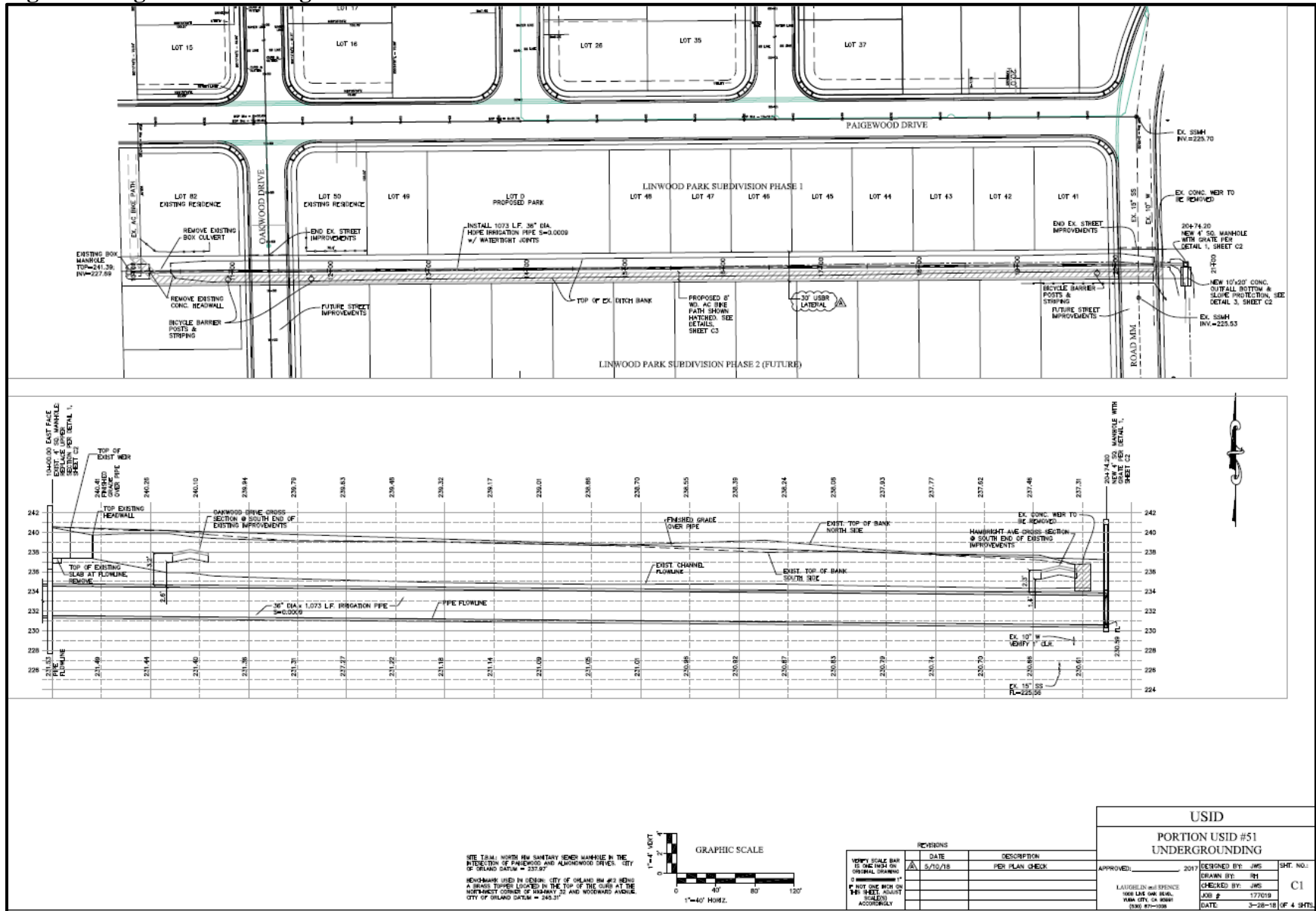
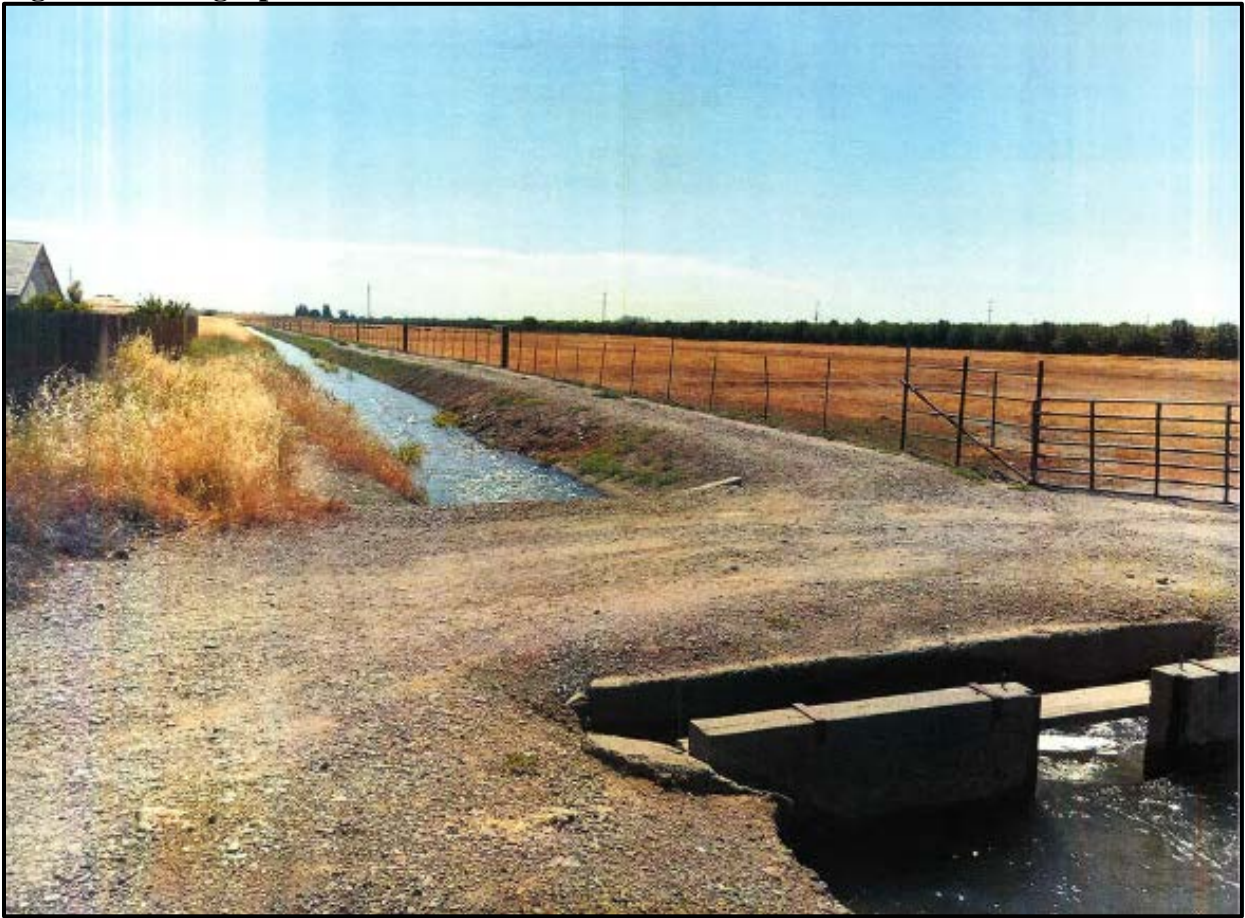


Figure 3. Photograph



View of Lateral 51 to east.

Attachment 1. Indian Trust Asset Review



Simon, Megan <msimon@usbr.gov>

ITA Review - Lateral 51 Undergrounding

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

Tue, May 29, 2018 at 4:42 PM

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

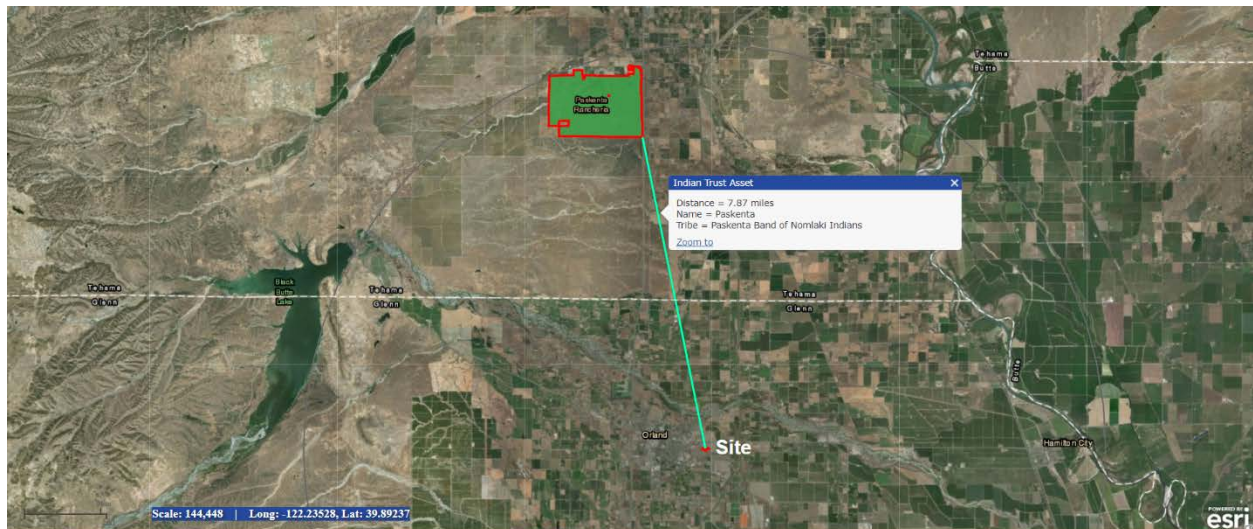
I have determined that there is no likelihood that this action will adversely impact Indian Trust Assets.

☐

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

MP-153 Tracking Number: 18-NCAO-103

Project Name: Orland Project Lateral 51 Piping Project, Glenn County, California

NEPA Contact: Megan Simon, Natural Resource Specialist

EA Number:

MP 153 Cultural Resources Reviewer: Lex Palmer, Architectural Historian

Date: August 2, 2018

Reclamation is proposing to authorize a project that involves piping of the Orland Project Lateral 51 by the City of Orland within Reclamation's right-of-way. The issuance of a Federal authorization constitutes an undertaking as defined in 36 CFR § 800.16(y) and is a type of activity that has the potential to cause effects on historic properties under 36 CFR § 800.3(a), requiring compliance under Title 54 USC § 306108, commonly known as Section 106 of the National Historic Preservation Act (NHPA) as amended.

Based on historic properties identification efforts conducted by Reclamation cultural resources staff, 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.

Attachments:

Letter: Reclamation to SHPO dated July 2, 2018

Letter: SHPO to Reclamation dated July 31, 2018

Attachment 2, Cont.



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825-1898

JUL 02 2018

IN REPLY REFER TO:

MP-153
ENV-3.00

SPECIAL DELIVERY – HAND DELIVERED

Ms. Julianne Polanco
State Historic Preservation Officer
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Subject: National Historic Preservation Act (NHPA) Section 106 Consultation for the Orland Project
Lateral 51 Piping Project, Glenn County, California (Project #18-NCAO-103)

Dear Ms. Polanco:

The Bureau of Reclamation is initiating consultation under Title 54 USC § 306108, commonly known as Section 106 of the NHPA, and its implementing regulations found at 36 CFR Part 800, to authorize a project that involves piping of the Orland Project Lateral 51 by the City of Orland (City) within Reclamation's right-of-way (ROW) (Enclosure 1: Figures 1-2). Reclamation determined that the issuance of a Federal authorization requires compliance with Section 106 of the NHPA, and its implementing regulations found at 36 CFR Part 800, and is a type of activity that has the potential to cause effects on historic properties under 36 CFR § 800.3(a). We are entering into consultation with you regarding this undertaking and notifying you of our finding of no historic properties affected pursuant to 36 CFR § 800.4(d)(1).

In accordance with the City's policy to fill open ditches located adjacent to new construction for public safety purposes, the City is requesting permission to convert approximately 1,075 feet of Lateral 51, an unlined open ditch located on a 30-foot-wide Reclamation ROW in the Linwood Park subdivision, into an underground pipeline. The 36-inch high-density polyethylene (HDPE) pipeline would be installed in a trench excavated within the existing Lateral 51 prism. Following the pipe installation, the City would construct a 10-foot-wide bike path, a pedestrian walkway, and landscaping over the pipeline alignment. The west end of the proposed underground pipeline would connect with a previously-piped portion of Lateral 51 that lies adjacent to the Paigewood Apartments.

Reclamation determined the area of potential effects (APE) includes a horizontal area measuring approximately 10 feet wide and 1,075 feet long, totaling approximately 0.03 acres (see Enclosure 1: Figure 2 and Enclosure 2: Project Drawings). The vertical APE may extend to approximately 4 feet below the existing Lateral 51 channel. Equipment and materials would be staged on existing roads, with no additional access road construction or other ground disturbance required for this project. The APE is located in Section 23, T. 22 N., R. 3 W., Mount Diablo Base and Meridian, as depicted on the Orland, California, 7.5 minute U.S. Geological Survey topographic quadrangle map.


Attachment 2, Cont.

In an effort to identify historic properties within the APE, Reclamation conducted an in-house review of past projects and located information developed for a proposed Lateral 51 piping project in 2007, which was later cancelled due to the housing market slump. The only cultural resource identified within the current APE is Lateral 51 (Enclosure 3: Lateral 51 Images; Enclosure 4: DPR-523 Site Form). Reclamation has developed a preliminary National Register of Historic Places (National Register) context and evaluation criteria for the Orland Project (Palmer, 2018). The Orland Project period of historic significance is 1908-1928. The Orland Project laterals as a whole have integrity issues associated with the setting and feeling, and the piping of many of the laterals that has affected the integrity of materials, workmanship, and design. Lateral 51, completed in 1922, is a tertiary water conveyance structure within the Orland Project. It draws water off Lateral 50 which has a turnout off the main South Canal. Reclamation's historical records and Orland Project literature do not indicate that any unusual engineering challenges arose with Lateral 51, and the structure does not have an unusual design. Most, if not all, the appurtenant features on Lateral 51 have been upgraded, altered, and replaced over time due to constant ongoing maintenance needs. It was lined with concrete at some point after its 1922 construction, all the turnout and drop mechanisms were replaced in 1999, and other segments have been piped (see Enclosure 3). Thus, Lateral 51 does not have a high level of integrity that would make it a contributing element to the larger Orland Project system. It is not a principal lateral and does not incorporate a large number of contributing appurtenant features because they have been replaced. The lateral does not meet the significance requirements under Criterion C for listing in the National Register on an individual or district basis.

The initial construction of Lateral 51 and the plowing of fields within and adjacent to the APE, has disturbed the vertical context to depths up to 6 feet or more. Given the depositional characteristics of the landform and soils in the APE, ongoing impacts of agricultural development, and previous canal construction activity, Reclamation determined there is low potential for encountering intact subsurface cultural resources in the APE. Since the APE is within the built environment of the previously disturbed canal prism and adjacent agricultural fields, Reclamation determined that no Native American consultation would be needed for the current undertaking.

Based on the information presented above and in the enclosed documentation, Reclamation determined there are no historic properties in the APE. We invite your comments on the delineation of the APE and the appropriateness of the historic properties identification efforts. We are also notifying you of our finding of no historic properties affected, pursuant to 36 CFR § 800.4(d)(1). If you have any questions or concerns regarding this project, please contact Mr. Lex Palmer, Architectural Historian, at 916-978-5213 or kpalmer@usbr.gov.

Sincerely,



for Anastasia T. Leigh
Regional Environmental Officer

Enclosures – 4

Attachment 2, Cont.



State of California • Natural Resources Agency

Edmund G. Brown Jr., Governor

**DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION**

Lisa Ann L. Mangat, Director

Julianne Polanco, State Historic Preservation Officer
1725 23rd Street, Suite 100, Sacramento, CA 95816-7100
Telephone: (916) 445-7000 FAX: (916) 445-7053
calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

July 31, 2018

In reply refer to: BUR_2018_0702_001

VIA ELECTRONIC MAIL

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: Orland Project Lateral 51 Piping Project, Glenn County,
California (Project #18-NCAO-103)

Dear Ms. Leigh:

The State Historic Preservation Officer (SHPO) received on July 03, 2018 your letter initiating consultation on the above referenced undertaking to comply with Section 106 of the National Historic Preservation Act of 1966 (as currently amended) and its implementing regulations found at 36 CFR Part 800. The U.S. Bureau of Reclamation (Reclamation) proposes to authorize the undergrounding of a section of the Orland Project Lateral 51 open canal, through piping, by the City of Orland (City). Orland Lateral 51 is within Reclamation's Right of Way (ROW). Reclamation has reached a finding of *no historic properties affected* and requests concurrence. Provided documentation is:

- *Enclosure 1: Figure 1. Project Location (overlaid USGS Quad map); Figure 2: Area of Potential Effects (overlaid aerial photo map)*
- *Enclosure 2: 18-NACO-103 Project Drawings; Sheets CS and C1-C3*
- *Enclosure 3: Lateral 51 Images: Image 1 and Image 2 – color photos*
- *Enclosure 4: Orland Project Lateral 51 DPR-523 Site Form (3 pp).*

The City has a public safety policy to fill open ditches located adjacent to new construction. Therefore, it is requesting permission to convert about 1,075 feet of Lateral 51, an unlined open ditch located on a 30-foot-wide Reclamation ROW in the Linwood Park subdivision, into an underground pipeline. A 36-inch pipeline is to be installed in a trench excavated within the existing Lateral 51 prism. After the pipe is installed and back-filled, the City proposes to construct a 10-foot-wide bike path, a pedestrian walkway, and add landscaping over the alignment. The west end of the proposed underground pipeline will be connected to a previously-piped portion of Lateral 51 that lies adjacent to the Paigewood Apartments.

The area of potential effects (APE) is a horizontal area measuring about 10 feet wide and 1,075 feet long, for a total of 0.03 acres. The vertical APE may extend to four (4) feet below the existing Lateral 51 channel. Equipment and materials staging will be on existing roads, with no additional access road construction or other ground disturbance required.

For historic properties identification efforts, Reclamation conducted an in-house review of past projects and located information developed for a proposed Lateral 51 piping project in 2007, which was later cancelled. The single cultural resource identified within the current APE is Lateral 51. Reclamation has developed a preliminary National Register of Historic Places (NRHP) context and evaluation criteria for the overall Orland Project (Palmer, 2018). The Orland Project period of historic significance is 1908-1928. About 117.6 miles of lateral canals were developed as part of the Orland Project delivery system. Overall, these laterals

Attachment 2, Cont.

Ms. Anastasia T. Leigh

July 31, 2018

Page 2

BUR_2018_0702_001

have integrity issues associated with setting and feeling, and previous piping of many of the laterals has affected integrity of materials, workmanship, and design. Lateral 51, completed in 1922, is a tertiary water conveyance structure within the Orland Project delivery system. It draws water off Lateral 50, which has a turnout off the main South Canal. It appears that no unusual engineering challenges arose with Lateral 51, and it does not have a distinctive design. Most, if not all, appurtenant features on Lateral 51 have been upgraded, altered, and replaced due to constant ongoing maintenance needs. It was lined with concrete sometime after its 1922 construction (which has deteriorated over time-Image 1); all the turnout, control and drop mechanisms were replaced in 1999; and other nearby segments have been piped. Thus, Lateral 51 does not retain sufficient visual or material integrity or significant original character defining features to be eligible. This segment of Lateral 51 does not meet the significance requirements under Criterion C (or other criteria) for listing in the NRHP on either an individual or district contributor basis.

Initial construction of Lateral 51 and continual plowing of fields within and adjacent to the APE, has disturbed the vertical context to depths up to 6 feet or more. Given the depositional characteristics of the landform and soils in the APE, Reclamation determined there is low potential for encountering any intact subsurface cultural resources. As the APE is within the built environment of the previously disturbed canal prism and adjacent agricultural fields, Reclamation determined that no Native American consultation would be needed for the current undertaking.

Reclamation has determined that no historic properties exist within the APE and that a finding of *no historic properties affected* is therefore appropriate and seeks concurrence. After OHP review of the documentation, 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 appropriately identify historic properties;
- Pursuant to 36 CFR 800.4(c)(2), **I agree with** Reclamation's determination that this segment of Lateral 51, which has lost significant integrity, is not eligible for listing in the NRHP, either individually or as a contributor to the Orland Project.
- Reclamation finds that the proposed undertaking will 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 currently amended). Should you require further information, please contact Jeanette Schulz at Jeanette.Schulz@parks.ca.gov or her desk phone is: (916) 445-7031.

Sincerely,



Julianne Polanco
State Historic Preservation Officer