

# RECLAMATION

*Managing Water in the West*

## Categorical Exclusion Checklist

### Land Use Authorization for 13 Geotechnical Borings at 3 Reverse Pump-back Facility Locations

CEC-18-015

Prepared by:

Kathleen A. Linder

Kathleen A. Linder  
Natural Resources Specialist  
South-Central California Area Office

Date: 6/13/18

Concurred by:

See Attachment A

Gary Scholze, Archaeologist  
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:

Rain L. Emerson

Rain L. Emerson  
Environmental Compliance Branch Chief  
South-Central California Area Office

ITA Designee concurred with Item 11. Their determination has been placed within the project file.

Date: 06/15/2018

Approved by:

Michael P. Jackson

Michael P. Jackson, P.E.  
Area Manager  
South-Central California Area Office

Date: 6/15/2018





## Background

The Friant-Kern Canal (FKC) is a part of the Bureau of Reclamation's Central Valley Project which provides water to the eastern portion of the San Joaquin Valley. The Applicant, BSK Associates, has submitted a land use application requesting a land use authorization (LUA) to perform a total of 13 geotechnical borings in three areas along the FKC. These borings are required for the design and construction of the San Joaquin River Restoration Program's Reverse Flow project.

## Nature of the Action

Reclamation proposes to issue a Land Use Authorization for conducting 13 geotechnical borings on following areas of the FKC:

1. Deer Creek Crossing (FKC MP 102.69) will have five boring sites;
2. Lake Woollomes Check structure (FKC MP 121.51) will have four boring sites; and
3. Shafter Check structure (FKC MP 137.20) will also have four boring sites.

Boring depths will be up to 50 feet. Borings will be drilled by a truck-mounted drill rig equipped with an 8" diameter hollow stem auger. Borings will be backfilled with cement grout and excess soil cuttings to be disposed of/spread on site. The approximate timeframe for the project is one month. All ground disturbance will be in the access roads only and there will be no modifications (i.e. building new access roads, etc.) necessary to perform this work. Staging areas will be within access roads and will be within a 25-foot radius of the drill rig. On-site equipment will include a drill rig (approximately 22' long and 11' wide, including the stabilizers), and two pickups, one with a trailer. The truck and trailer will be 21 feet long and 9 feet wide.

## Environmental Commitments

The Applicant shall implement the following environmental protection measures to avoid environmental consequences associated with the Proposed Action:

- If any San Joaquin Kit Fox individuals or suspected dens are seen, all construction will stop immediately and the siting will be reported to Reclamation within 24 hours.
- Disturbance of any burrow with an entrance of 4-inches or greater will be avoided.
- All staging and boring locations will be flagged so that the operator will know the maximum extent of impacts.
- The Applicant may choose to conduct a migratory bird nesting survey and, if no evidence of nesting is found, may move forward with the project. Or, the proposed action will not occur between February 1 and August 15 of the calendar year, so that disturbance of any breeding migratory birds will be avoided.
- No vegetation will be impacted at the Deer Creek Crossing site, unless a species-specific survey is done to avoid impacts to the San Joaquin woollythreads.

Environmental consequences for resource areas assume the measures specified would be fully implemented.

## Exclusion Category

516 DM 14.5 B (3). *Data collection studies that involve test excavations for cultural resources excavations or test pitting, drilling, or seismic investigations for geologic exploration purposes where impacts will be localized.*

## Evaluation of Criteria for Categorical Exclusion

Below is an evaluation of the extraordinary circumstances as required in 43 CFR 46.215.

Extraordinary Circumstance	No	Uncertain	Yes
1. This action would have a significant effect on the quality of the human environment (40 CFR 1502.3).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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)).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. This action would have significant impacts on public health or safety (43 CFR 46.215(a)).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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)).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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)).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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)).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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)).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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)).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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)).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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)).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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)).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Extraordinary Circumstance	No	Uncertain	Yes
adversely affect the physical integrity of such sacred sites (EO 13007, 43 CFR 46.215 (k), and 512 DM 3)).			
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)).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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 RESOURCES COMPLIANCE**  
**Mid-Pacific Region**  
**Division of Environmental Affairs**  
**MP-153 Cultural Resources Branch**

**MP-153 Tracking Number:** 17-SCAO-016.001

**Project Name:** Land Use Authorization for 13 Geotechnical Borings at 3 Reverse Pump Facility Locations

**NEPA Document:** CEC-18-014

**NEPA Contact:** Kathleen Linder, Natural Resources Specialist

**MP-153 Cultural Resources Reviewer:** Gary Scholze, Archaeologist



**Date:** June 7, 2018

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Reclamation is proposing to issue a land use authorization to BSK associates to perform a total of thirteen geotechnical borings in the three areas for the reverse pump facility areas along the Friant Kern Canal (FKC). These borings are required for the design and construction of the San Joaquin River Restoration Program's Reverse Flow project. Borings will be drilled by a truck mounted drill rig equipped with an 8-inch diameter hollow stem auger to depths of up to 50 feet. Reclamation determined the proposed investigations constitute an undertaking as defined in 36 CFR § 800.16(y) and involve the type of activity that has the potential to cause effects on historic properties under 36 CFR § 800.3(a), requiring compliance with Title 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act (NHPA).

In an effort to identify historic properties in the area of potential effects (APE), as required for Section 106 compliance, Reclamation conducted an in-house records review and through previous Reclamation projects in the area. Reclamation did not consult with Indian tribes or other Native American groups because the undertaking is confined to the FKC constructed corridor. The records review showed that, the FKC is the only property identified in the area of potential effect (APE). For the current undertaking only (i.e., proposed geotechnical investigations), Reclamation treated the FKC as a historic property; applied the criteria of adverse effect to these properties, as described at 36 CFR § 800.5(a); and reached a finding of no adverse effect, pursuant to 36 CFR § 800.5(b). Reclamation entered into consultation with the California State Historic Preservation Officer (SHPO) on this finding through correspondence dated May 25, 2018. Through correspondence dated June 6, 2018, the SHPO concurred with Reclamation's finding.

Receipt of SHPO concurrence concludes the Section 106 process for this undertaking. Item 8 on CEC-18-14 is supported by Reclamation's Section 106 finding and SHPO concurrence: the proposed action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places. This document conveys completion of the NHPA Section 106 process for this undertaking. Please retain a copy with the administrative record for this action. Should changes be made to the proposed action, if specific concerns about the investigations are expressed by Indian tribes or other Native Americans, or in the event of a post-review discovery, additional NHPA Section 106 review and consultation, may be required.





**DEPARTMENT OF PARKS AND RECREATION  
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June 06, 2018

In reply refer to: BUR\_2013\_0220\_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 Continuing Consultation for the Friant-Kern Canal (FKC) Reverse Pumps Project (FKCRP) Pre-Construction Geotechnical Borings at Three Locations, Kern and Tulare Counties, California (Project No. 17-SCAO-016.001; SHPO No. BUR\_2013\_0220\_001); Expedited Review Requested

Dear Ms. Leigh:

The State Historic Preservation Officer (SHPO) received on May 25, 2018 your letter continuing consultation, under the *Programmatic Agreement Between the Bureau of Reclamation Mid-Pacific Region and the California State Historic Preservation Officer Regarding Modifications to the Friant Kern Canal, Fresno, Tulare, and Kern Counties, California* (PA), executed February 6, 2017, for the above referenced undertaking, in order 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 Bureau of Reclamation (Reclamation) intends to grant a land use authorization for geotechnical investigations associated with the FKCRP project. Reclamation requests expedited review pursuant to Stipulation IV.B.1 (a) of the PA, which allows for a 15-day review for actions occurring within the construction berms of the FKC Area of Potential Effects (APE), and seeks concurrence with a finding of no adverse effects to historic properties. Along with the consultation letter, the following documentation was provided:

- *Enclosure 1 – Project Mapping:*
  - *Figure 1-Project Location and Vicinity, 3 Pump-back Facility Locations on Friant-Kern Canal (overlaid USGS Quad map);*
  - *Figure 2A: Project APE- Deer Creek Crossing Location (overlaid aerial photo map);*
  - *Figure 2B: Project APE – Lake Wollomes Check Location (overlaid aerial photo map)*
  - *Figure 2C: Shafter Check Location (overlaid aerial photo map)*

Pursuant to Stipulation III.A, the Historic Context and Inventory Methodology report consulting was completed on January 3, 2018, when the documentation was agreed to, satisfying the requirements for the Stipulations III.A and a portion of III.B of the PA. Reclamation states that it intends to fulfill the remaining portion of Stipulation III.B, but due to contracting issues, inventory of the FKC has been postponed. However, Reclamation says that it will follow through with fulfilling the FKC inventory and related consulting prior to construction of the overall FKCRP project. The current pre-construction geotechnical activities are needed to finalize the design of the FKCRP project.



Work Scope for this undertaking consists of conducting 13 geotechnical boring excavations within 3 areas: Deer Creek Crossing (FKC Milepost [MP] 102.69), Lake Wollomes Check Structure (MP 121.51), and Shafter Check Structure (MP 137.20). A truck-mounted drill rig, equipped with an 8-inch-diameter hollow stem auger, will bore up to a depth of 50 feet. Borings will be backfilled with cement grout and excess soil cuttings will be spread on site. All ground disturbance will be along the canal berms and in the maintenance roads only. Staging areas will be within existing access roads and will be within a 25-foot radius of the drill rig. On-site equipment will include a drill rig and two pickup trucks.

The APE is defined as the locations where drilling along the FKC will occur and is about 1.3 acres in total. Testing involves utilizing a total of 13 boring locations, with 5 borings at the Deer Creek Crossing (Figure 2A), 4 borings at the Lake Wollomes Check Structure (Figure 2B), and 4 borings at the Shafter Check Structure (Figure 2C). Staging and access to and from the drilling locations will be on existing roads, with no improvements proposed.

Historic properties identification efforts were done in-house by reviewing information and reports generated through previous Reclamation projects in the area. The FKC is the only property identified in the APE through these efforts. Constructed between 1945 and 1951, it is a component of the much larger Central Valley Project (CVP), Friant Division. In 1997, the Federal Highway Administration obtained a consensus determination of eligibility for the National Register of Historic Places (National Register) for the FKC, and Reclamation has treated the FKC as eligible for inclusion in the National Register under Criterion A, but does not yet have a determination on its own formal evaluation of the FKC. For the purposes of the current undertaking only, it is proposed to treat the FKC as an eligible property, under Criterion A. As the contributing and non-contributing features of the FKC have yet to be determined, all features will be considered as contributing to the treated-eligible property.

As the current boring activities will be confined to the constructed berm of the FKC and adjacent maintenance roads, there is no potential to cause effects to archaeological deposits from the proposed work and no records search or archaeological surveys were conducted. Additionally, Reclamation did not consult with Indian tribes or other Native American groups concerning properties of religious or cultural significance because the undertaking is confined to the FKC constructed berm. Reclamation will coordinate and consult with Indian Tribes and other Native American groups, organizations, and interested individuals, as appropriate, pursuant to Stipulation IV.B.2 of the PA.

Reclamation applied the criteria of adverse effect at 36 CFR 800.5(a)(1) and found that the proposed geotechnical boring investigations will not alter any of the characteristics that qualify FKC for inclusion in the National Register. Effects on FKC from the proposed boring will be temporary in nature and will not significantly change or diminish the integrity of the appearance, design, or function of the canal. No other features of the FKC (Deer Creek Crossing, Lake Wollomes Check Structure, Shafter Check Structure) will be modified or impacted as part of this project. As a result, Reclamation concludes, and therefore finds, that the FKC will not be adversely effected by the proposed undertaking.

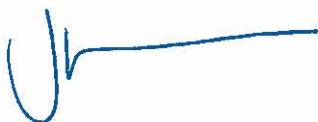
Based on the above discussion and enclosed information, pursuant to 36 CFR 800.5(b), Reclamation has reached a finding of *No Adverse Effect to Historic Properties* for the currently proposed undertaking of conducting 13 geotechnical boring excavations, to be located within 3 areas: Deer Creek Crossing (FKC Milepost [MP] 102.69), Lake Wollomes Check Structure (MP 121.51), and Shafter Check Structure (MP 137.20). Reclamation requests comments on the delineation of the APE and the appropriateness of the historic properties identification efforts and seeks concurrence with its finding of no adverse effect to historic properties for the current undertaking.

After review of the submitted documentation, and in consideration of the above discussion, the following comments are offered:

- Pursuant to 36 CFR 800.4(a)(1), there are no objections to the discontinuous APE as defined and illustrated (Figure 1 and Figures 2A, 2B, and 2C);
- 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 do not object** that, for the purposes of this undertaking only, Reclamation will treat the Friant-Kern Canal and its features as an eligible water conveyance system, under Criterion A, for the theme of development of irrigated agriculture related to the Central Valley Project (CVP), Friant Division.
- Reclamation finds that the proposed undertaking will result in no adverse effect to historic properties. Pursuant to 36 CFR 800.5(b), **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](mailto:Jeanette.Schulz@parks.ca.gov) or her desk phone is: (916) 445-7031.

Sincerely,



Julianne Polanco  
State Historic Preservation Officer