

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

CGB-153 Tracking Number: 20-SCAO-077.002

Project Name: Los Banos Creek Detention Reservoir Regulation and Storage Project, Merced County, California

NEPA Contact: Rain Emerson, Natural Resources Specialist

CGB-153 Cultural Resources Reviewer: Karen (Carrie) Reichardt, Archaeologist

KAREN REICHARDT


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REICHARDT
Date: 2023.05.04 10:54:06 -07'00'

Date: May 4, 2023

The Bureau of Reclamation (Reclamation), in cooperation with the San Luis Water District (SLWD), Grasslands Water District, and the member agencies of the San Joaquin River Exchange Contractors Water Authority (herein collectively referred to as Project Proponents), proposes to construct a water conveyance system on Reclamation land to convey Central Valley Project water from the San Luis Canal for storage in the Los Banos Creek Detention Reservoir (LBCDR) in Merced County, California. This action constitutes an undertaking as defined in 36 CFR § 800.16(y) and is the type of activity that has the potential to cause effects to historic properties, assuming such properties are present, requiring compliance under Title 54 USC § 306108, commonly known as Section 106 of the National Historic Preservation Act (Section 106), as amended.

The proposed project entails the installation of a new pipeline to connect an existing pump station to the LBCDR, the extension of an existing boat ramp, and the construction of a box culvert on Canyon Road. The proposed pipeline will extend from, and connect to, an existing SLWD pump station and the LBCDR. The proposed pipeline will have a length of 3,542 feet and its construction will include associated infrastructure. The proposed boat ramp extension will consist of the installation of an approximately 90-foot-long by 30-foot-wide extension of an existing boat ramp. The proposed new box culvert will be installed at the Los Banos Creek Canyon Road crossing near the California State Parks entrance. Additionally, the project will entail the excavation of two geotechnical borings and backhoe pit soil samples. The two geotechnical borings will measure 8 inches in diameter to a depth of up to 40 feet and nine backhoe pit soil samplings would measure 20 feet in length and 20 feet in width and up to a depth of 10 feet.

The area of potential effects (APE) is located 6 miles southwest of the city of Los Banos in Sections 1 and 12, T. 11 S., R. 9 E. and Section 7, T. 11 S., R. 10 E. of the U.S. Geological Survey 7.5' Ortigalita Peak NW, California topographic quadrangle map. The APE includes the proposed discontinuous locations for the pipeline infrastructure, geotechnical testing, box

culvert, boat ramp extension as well as material and equipment staging, and access roads. The total acreage of the APE is 12.07 acres. The vertical APE is a maximum of 40 feet below ground surface to accommodate the geotechnical borings.

The Project Proponents contracted with Provost & Prichard Consulting Group whose subconsultant, Kleinfelder, conducted the identification efforts for the LBCDR Regulation and Storage Project. Kleinfelder requested a record search from the Central California Information Center on March 31, 2022 and received the results on April 1, 2022 (Record Search File No. 121351). Kleinfelder archaeologists conducted a pedestrian survey of the APE on June 6, 2022. Archival research identified four resources within the current APE: 1) Los Banos Creek Archaeological District (P-24-000621/CA-MER-002); 2) Los Banos-Panoche No. 1 230 kilovolt (kV) transmission line segment (P-24-002128); 3) Los Banos-Panoche No. 2 230 kV transmission line segment (P-24-002129); and 4) a segment of Canyon Road. Kleinfelder observed three of the four previously identified resources during their June 2022 pedestrian survey and identified two new resources: 1) a new segment of Canyon Road and 2) the Los Banos Creek Detention Reservoir Boat Launch. No evidence of prehistoric sites related to the Los Banos Creek Archaeological District (P-24-00621/CA-MER-002) was observed during the pedestrian survey and no previously recorded prehistoric sites within the archaeological district were recorded within the current project APE.

Of the four previously identified resources within the APE, three had been previously evaluated by Applied Earthworks, Inc. (Applied Earthworks) in 2020 and recommended as ineligible for listing in the National Register of Historic Places (National Register): 1) Los Banos-Panoche No. 1 230 kV transmission line segment (P-24-002128); 2) Los Banos-Panoche No. 2 230 kV transmission line segment (P-24-002129); and 3) a segment of Canyon Road. The fourth resource, the Los Banos Archaeological District, has not been formally evaluated to date.

Pursuant to 36 CFR § 800.3(f)(2), Reclamation identified three federally recognized Indian tribes who may attach religious and cultural significance to historic properties in the APE. Through correspondence dated November 23, 2022, these tribes were invited to participate in the Section 106 process pursuant to 36 CFR § 800.4(a)(4). Seven additional tribal organizations and individuals were invited to identify concerns regarding potential effects of the undertaking on historic properties pursuant to 36 CFR § 800.4(a)(3). Multiple tribes responded to Carrie Reichardt, Reclamation archaeologist, stating that they had concerns regarding the sensitive nature of the project area. This resulted in a meeting with tribal representatives, Reclamation cultural staff, and the Project Proponents on February 1, 2023. The major request of the tribes is to have archaeological and tribal monitors on site during ground disturbing activities. Consultation and coordination among Reclamation, the tribes, and the Project Proponents is ongoing, and we will continue to act as a facilitator to ensure that tribal concerns are addressed for the project.

Based upon the identification and evaluation efforts of Kleinfelder, Reclamation determined that the undertaking would have a finding of no adverse effect to historic properties from the proposed undertaking pursuant to 36 CFR § 800.5(d)(1). Reclamation consulted with the SHPO on the findings via digital submission on March 31, 2023. On May 3, 2023, the SHPO responded via email that there were no objections to Reclamation's finding for the proposed undertaking. The consultation effort between Reclamation and the SHPO is provided as an attachment to this document for inclusion in the administrative record.

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

Attachments:

Letter: Reclamation to SHPO dated March 31, 2023

Letter: SHPO to Reclamation dated May 3, 2023

Attachment 1



United States Department of the Interior

BUREAU OF RECLAMATION

2800 Cottage Way
Sacramento, CA 95825-1898



IN REPLY REFER TO:

March 31, 2023

CGB-153
2.1.1.04

VIA ELECTRONIC MAIL ONLY

Ms. Julianne Polanco
State Historic Preservation Officer
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816-7100
calshpo.ohp@parks.ca.gov

Subject: National Historic Preservation Act (NHPA) Section 106 Consultation for the Los Banos Creek Detention Reservoir Regulation and Storage Project, Merced County, California (20-SCAO-077.002)

Dear Ms. Polanco:

The Bureau of Reclamation, in cooperation with the San Luis Water District (SLWD), Grasslands Water District, and the member agencies of the San Joaquin River Exchange Contractors Water Authority (herein collectively referred to as Project Proponents), proposes to construct a water conveyance system on Reclamation land to convey Central Valley Project water from the San Luis Canal for storage in the Los Banos Creek Detention Reservoir (LBCDR) in Merced County, California (Enclosure 1: Appendix A). The action requires compliance with Title 54 U.S.C. § 306108, commonly known as Section 106 of the NHPA, and its implementing regulations found at 36 CFR § 800. We determined that the proposed action 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). We are entering into consultation with you on this undertaking and request your concurrence on the eligibility determination for five cultural resources and our finding of no adverse effect to historic properties pursuant to 36 CFR § 800.5(b).

The proposed project would entail the installation of a new pipeline to connect an existing pump station to the LBCDR, the extension of an existing boat ramp, and the construction of a box culvert on Canyon Road. The proposed pipeline would extend from, and connect to, an existing SLWD pump station and the LBCDR. The proposed pipeline would have a length of 3,542 feet and its construction would include associated infrastructure. The proposed boat ramp extension would consist of the installation of an approximately 90-foot-long by 30-foot-wide extension of an existing boat ramp. The proposed new box culvert would be installed at the Los Banos Creek Canyon Road crossing near the California State Parks entrance. Additionally, the project

INTERIOR REGION 10 • CALIFORNIA-GREAT BASIN

CALIFORNIA*, NEVADA*, OREGON*

* PARTIAL

would entail the excavation of two geotechnical borings and backhoe pit soil samples. The two geotechnical borings would measure 8 inches in diameter to a depth of up to 40 feet and nine backhoe pit soil samplings would measure 20 feet in length and 20 feet in width and up to a depth of 10 feet. For more detail on the project description, see pages 1-3 in Enclosure 1.

The area of potential effects (APE) is located 6 miles southwest of the city of Los Banos in Sections 1 and 12, T. 11 S., R. 9 E. and Section 7, T. 11 S., R. 10 E. of the U.S. Geological Survey 7.5' Ortigalita Peak NW, California topographic quadrangle map (Enclosure 1: Appendix A, Figure 2). The APE includes the proposed discontinuous locations for the pipeline infrastructure, geotechnical testing, box culvert, and boat ramp extension, as well as material and equipment staging and access roads. The total acreage of the APE is 12.07 acres. The vertical APE is a maximum of 40 feet below ground surface to accommodate the geotechnical borings (Enclosure 1: Appendix A, Figure 3).

The Project Proponents contracted with Provost & Prichard Consulting Group whose subconsultant, Kleinfelder, conducted the identification efforts for the LBCDR Regulation and Storage Project. Kleinfelder requested a record search from the Central California Information Center on March 31, 2022 and received the results on April 1, 2022 (Record Search File No. 121351). Kleinfelder archaeologists Jessica Neal and Ella Lockhart conducted a pedestrian survey of the APE on June 6, 2022. Archival research identified four resources within the current APE: 1) Los Banos Creek Archaeological District (P-24-000621/CA-MER-002); 2) Los Banos-Panoche No. 1 230 kilovolt (kV) transmission line segment (P-24-002128); 3) Los Banos-Panoche No. 2 230 kV transmission line segment (P-24-002129); and 4) a segment of Canyon Road. Kleinfelder observed three of the four previously identified resources during their June 2022 pedestrian survey and identified two new resources: 1) a new segment of Canyon Road; and 2) the Los Banos Creek Detention Reservoir Boat Launch. No evidence of prehistoric sites related to the Los Banos Creek Archaeological District (P-24-00621/CA-MER-002) was observed during the pedestrian survey and no previously recorded prehistoric sites within the archaeological district were recorded within the current project APE.

Of the four previously identified resources within the APE, three had been previously evaluated by Applied Earthworks, Inc. (Applied Earthworks) in 2020 (see Enclosure 1, Appendix G) and recommended as ineligible for listing in the National Register of Historic Places (National Register): 1) Los Banos-Panoche No. 1 230 kV transmission line segment (P-24-002128); 2) Los Banos-Panoche No. 2 230 kV transmission line segment (P-24-002129); and 3) a segment of Canyon Road. The fourth resource, the Los Banos Archaeological District, has not been formally evaluated to date.

Kleinfelder conducted a desktop geoarchaeological sensitivity analysis and determined that the overall sensitivity of the APE is moderate for buried archaeological resources. The steep nature of the landforms along the western portion of the APE evinces a low sensitivity for *in situ* archaeological deposits. The portion of the APE with the greatest potential for buried resources is located along the original creek alignment that passes under Canyon Road; however, given that this area has been subject to extensive ground disturbing activities for the construction of the dam and reservoir, this reduces the sensitivity of encountering buried resources significantly to a low to lowest sensitivity. Due to the high level of ground disturbance at depth, it is very likely

that there should be some manifestation of a significant deposit on the ground surface, if it was present. For the complete geoarchaeological analysis of the current APE, please see Enclosure 1, pages 35-38.

Pursuant to 36 CFR § 800.3(f)(2), Reclamation identified three federally recognized Indian tribes who may attach religious and cultural significance to historic properties in the APE. Through correspondence dated November 23, 2022, these tribes were invited to participate in the Section 106 process pursuant to 36 CFR § 800.4(a)(4). Seven additional tribal organizations and individuals were invited to identify concerns regarding potential effects of the undertaking on historic properties pursuant to 36 CFR § 800.4(a)(3). Multiple tribes responded to Carrie Reichardt, Reclamation Archaeologist, stating that they had concerns regarding the sensitive nature of the project area.

On December 13, 2022, the Southern Sierra Miwuk Nation (SSMN) responded to Reclamation via email and requested the record search records for the current project. On January 9, 2023, Santa Rosa Rancheria Tachi/Yokut Tribe contacted Reclamation via email to alert Ms. Reichardt that their tribal council was in the process of drafting a formal letter asking to participate in the Section 106 process as a consulting party. On January 18, 2023, Mary Stalter of the North Fork Rancheria of Mono Indians of California contacted Ms. Reichardt via email to express the tribe's concerns about the sensitivity of the project area. Ms. Stalter and Ms. Reichardt had a telephone call to discuss the project which resulted in the scheduling of a joint meeting between concerned tribal representatives of several tribes, the consultants, Reclamation, and the Project Proponents on February 1, 2023. The major request of the tribes is to have archaeological and tribal monitors on site during ground disturbing activities. Originally, the Project Proponents were considering spot monitoring, but the tribes requested monitoring during all ground disturbing activities. As of the date of this writing, Ms. Reichardt has followed up with the Project Proponents and is awaiting confirmation that they will be providing archaeological monitoring for all ground disturbing activities. Consultation and coordination among Reclamation, the tribes, and the Project Proponents is on-going, and we will continue to act as a facilitator to ensure that tribal concerns are addressed for the project. For more detailed information on the tribal consultation for the current undertaking, please see Enclosure 2.

Kleinfelder identified a total of five cultural resources in the APE, three of which were previously recorded. Kleinfelder reexamined Applied Earthworks, Inc. 2020 evaluations of the three previously recorded built environment resources and applied the National Register criteria to determine if the two newly identified resources, one built environment and one a prehistoric district. Applied Earthworks evaluated a 386-foot-long segment of Canyon Road in 2020 and recommended that it did not meet any of the four National Register criteria. Kleinfelder recorded another segment of this road and determined that Applied Earthworks' original evaluation was appropriate and has recommended expanding the prior determination to include the new segment of Canyon Creek Road. Reclamation agrees with this recommendation. Segments of the two Los Banos-Panoche 240 kV transmission lines were evaluated by Applied Earthworks and recommended as ineligible for listing in the National Register. Kleinfelder reexamined this evaluation and concluded that it was still valid. Reclamation agrees with the conclusion that these two transmission line segments are not eligible. Kleinfelder evaluated the

Los Banos Creek Detention Reservoir boat launch for eligibility for the National Register and recommended that this resource did not meet any of the National Register criteria. Reclamation agrees with this recommendation. Finally, while no prehistoric materials were observed during pedestrian survey, Kleinfelder recommended treating the Los Banos Archaeological District (P-24-002129) as eligible for the purposes of this undertaking only as a full evaluation of this resource is beyond the current scope and scale of the current undertaking. Reclamation agrees with this recommendation. Although no physical expression of P-24-002129 was identified within the APE, Reclamation is treating it as eligible for the National Register under criteria A and C for the purposes of this undertaking only. Pursuant to 36 CFR § 800.5(a), we applied the criteria of adverse effect to P-24-002129 and have found the proposed undertaking will have a limited and temporary impact to the area and will not diminish the location, design, setting, materials, workmanship, feeling, or association of this resource. Therefore, Reclamation has determined that the proposed undertaking will result in a finding of no adverse effect to historic properties pursuant to 36 CFR § 800.5(b). Additional information on the evaluation efforts and the application of the criteria of adverse effect can be found in Enclosure 1 (see pages 30-40).

Based on the above and enclosed information, we find no adverse effect to historic properties from the proposed undertaking pursuant to 36 CFR § 800.5(d)(1). We are notifying you that we are treating the Los Banos Archaeological District as eligible for the National Register for the purposes of this undertaking. Reclamation seeks your concurrence on the eligibility determinations for the aforementioned four sites found not eligible to the National Register and invites your comments on the delineation of the APE and the appropriateness of the identification and evaluation efforts. In the event of a post-review discovery, we will follow the procedures outlined at 36 CFR § 800.13. If you have any questions or concerns, please contact Ms. Carrie Reichardt, Archaeologist, at (916) 978-4694 or kreichardt@usbr.gov.

Sincerely,

**ANASTASIA
LEIGH**

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ANASTASIA LEIGH
Date: 2023.03.31 10:44:29
-07'00'

Anastasia T. Leigh
Regional Environmental Officer

2 Enclosures

cc: Ms. Jeanette Schulz
Associate State Archeologist, Lead Reviewer
Archaeology & Environmental Compliance Unit
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816-7100
jeanette.schulz@parks.ca.gov
(w/encl)

Attachment 2

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

Armando Quintero, 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

May 03, 2023

In reply refer to: BUR_2023_0403_001

VIA ELECTRONIC MAIL

Anastasia T. Leigh, Regional Environmental Officer
U.S. Bureau of Reclamation, Interior Region 10 • California-Great Basin
2800 Cottage Way, CGB-153, Sacramento, CA 95825-1898

Subject: Section 106 Consultation for the Los Banos Creek Detention Reservoir Regulation and Storage Project, Merced County, California (20-SCAO-077.002)

Dear Anastasia T. Leigh:

The State Historic Preservation Officer (SHPO) received your letter on April 03, 2023, initiating consultation on the above referenced undertaking to comply with Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108), and its implementing regulations found at 36 CFR Part 80 (as amended). The U.S. Bureau of Reclamation (Reclamation) in cooperation with the San Luis Water District (SLWD), Grasslands Water District, and the member agencies of the San Joaquin River Exchange Contractors Water Authority (herein collectively referred to as Project Proponents), proposes to construct a water conveyance system on Reclamation land to convey Central Valley Project water from the San Luis Canal for storage in the Los Banos Creek Detention Reservoir (LBCDR) in Merced County). Reclamation has made a finding of *no adverse effect to historic properties* for this undertaking and requests concurrence. Submitted documentation in support of the finding is:

- *Enclosure 1: REPORT: Cultural Resources Identification Report for the Los Bannos Creek Detention Reservoir Regulation and Storage Project, Merced County, CA, January 2023 (232 pp.) [By: J. Neal, J. Castells & R. Nordstrom, Kleinfelder, Rancho Cordova, CA] [For: A. Wilson, Provost & Pritchard Consulting Group, Bakersfield CA] [cited as: Report 2023];*
- *Enclosure 2: Log of Native American Consultation Efforts by Reclamation (07 pp.) dated: November 23, 2022 through February 01, 2023.*

Project elements include installation of a new pipeline to connect an existing pump station to the LBCDR, the extension of an existing boat ramp, and the construction of a new box culvert on Canyon Road. The proposed pipeline will extend from, and connect to, an existing SLWD pump station and the LBCDR and will be 3,542 feet long and construction includes associated infrastructure. The proposed boat ramp extension is the installation of an approximately 90-foot-long by 30-foot-wide extension of an existing boat ramp. The proposed new box culvert will be installed at the Los Banos Creek Canyon Road crossing near the California State Parks entrance. Additionally, the project would require excavation of two geotechnical borings and backhoe pit soil samples. Geotechnical borings will measure 8 inches in diameter to a depth of up to 40 feet and nine backhoe pit soil samplings will measure 20 feet long and 20 feet in width and up to a depth of 10 feet.

The area of potential effects (APE) is located on the west side of Interstate 05, six miles southwest of the city of Los Banos in Merced County. The APE includes the proposed discontinuous locations for the pipeline infrastructure, geotechnical testing, box culvert,

and boat ramp extension, as well as material and equipment staging and access roads. The total combined acreage of the APE is 12.07 acres. The vertical APE is a maximum of 40 feet below ground surface to accommodate the geotechnical borings and circa four to five feet for pipeline trenches, six feet for boat ramp supports and about five feet below the roadway for the culvert at the creek crossing (Report 2023 Appendix A: Figures 3 and 4).

Efforts to identify historic properties included archival review and review of a report prepared on behalf of the Project Proponents (Report 2023-see above) which includes archival review, a formal records search (April 01, 2022), a buried precontact site potential assessment; Native American contact outreach (April 14, 2022) and a field survey (June 06, 2022). Results indicate four previously recorded cultural resources are within the APE 1) Los Banos Creek Archaeological District (P-24-000621/CA-MER-002); Los Banos-Panoche No. 1 230 kilovolt (kV) transmission line segment (P-24-002128); Los Banos-Panoche No. 2 230 kV transmission line segment (P-24-002129); and 4) a segment of Canyon Road. and the pedestrian survey identified two new resources: 1) a new segment of Canyon Road; and 2) the Los Banos Creek Detention Reservoir Boat Launch. It is noted no evidence of prehistoric sites related to the Los Banos Creek Archaeological District (P-24-00621/CA-MER- 002) was observed during the pedestrian survey and no previously recorded prehistoric sites within the archaeological district were recorded within the current project APE.

Of the four previously identified resources, three had been previously evaluated (Applied Earthworks) in 2020 (see Report 2023, Appendix G) and recommended as ineligible for National Register of Historic Places (National Register) listing: 1) Los Banos-Panoche No. 1 230 kV transmission line segment (P-24-002128); 2) Los Banos-Panoche No. 2 230 kV transmission line segment (P-24-002129); and 3) a segment of Canyon Road. The fourth resource, the Los Banos Archaeological District, has not been formally evaluated to date.

A desktop geoarchaeological sensitivity analysis determined that the overall sensitivity of the APE is moderate for buried archaeological resources. The steep nature of the landforms along the western portion of the APE evinces a low sensitivity for *in situ* archaeological deposits. The portion of the APE with the greatest potential for buried resources is located along the original creek alignment that passes under Canyon Road; however, given that this area has been subject to extensive ground disturbing activities for the construction of the dam and reservoir, this reduces the sensitivity of encountering buried resources significantly to a low to lowest sensitivity. Reclamation states that given the high level of ground disturbance at depth, it is very likely that there should be some manifestation of a significant deposit on the ground surface, if it was present. The APE is within several borrow areas used for the original dam construction.

Reclamation identified three federally recognized Indian tribes who may attach religious and cultural significance to historic properties and invited their participation in the Section 106 process (November 23, 2022). Seven additional tribal organizations and individuals were invited to identify concerns regarding potential effects of the undertaking on historic properties. Multiple tribes responded to Reclamation stating that they had concerns regarding the sensitive nature of the project area. On December 13, 2022, the Southern Sierra Miwuk Nation (SSMN) responded to Reclamation via email and requested the record search records for the current project. On January 9, 2023, Santa Rosa Rancheria Tachi/Yokut Tribe contacted Reclamation via email to state that their tribal council was in the process of drafting a formal

letter asking to participate in the Section 106 process as a consulting party. On January 18, 2023, Mary Stalter of the North Fork Rancheria of Mono Indians of California made an email contact to express the tribe's concerns about the sensitivity of the project area. Ms. Stalter

and Ms. Reichardt (Reclamation) had a telephone call to discuss the project which resulted in the scheduling of a joint meeting between concerned tribal representatives of several tribes, the consultants, Reclamation, and the Project Proponents on February 01, 2023. The major request of the tribes is to have archaeological and tribal monitors on site during ground disturbing activities. Originally, the Project Proponents were considering spot monitoring, but the tribes requested monitoring during all ground disturbing activities. As of the date of this writing, Ms. Reichardt has followed up with the Project Proponents and is awaiting confirmation that they will be providing archaeological monitoring for all ground disturbing activities. Consultation and coordination among Reclamation, the tribes, and the Project Proponents is on-going, and Reclamation will continue to act as a facilitator to ensure that tribal concerns are addressed for the project. Reclamation will address any future concerns that may arise and will make any required notifications.

Reclamation states that it has analyzed the data and recommendations of the two reports and has made the following determinations of National Register eligibility: All recorded segments of the Canyon Road are not eligible for National Register listing under any criterion, as the road is a local road likely built when the dam was constructed and has no especial historic context. Segments of the two Los Banos-Panoche 240 kV transmission lines were previously evaluated and recommended as ineligible for listing in the National Register. Kleinfelder reexamined this evaluation and concluded that it was still valid. Reclamation has determined that these two transmission line segments are not eligible under any criterion. Reclamation has also determined that the Los Banos Creek Detention Reservoir boat launch is not National Register eligible under any criterion; it has been heavily modified through time.

While no prehistoric materials were observed during pedestrian survey, Kleinfelder (2023) recommended treating the Los Banos Archaeological District (P-24-002129) as National Register eligible for the purposes of this undertaking only as a full evaluation of this resource is beyond the current scope and scale of the current undertaking. Therefore, although survey efforts did not observe any physical expression of P-24-002129 within the APE, Reclamation is treating it as eligible for the National Register under criteria A and C for the purposes of this undertaking only.

Reclamation has considered the criteria of adverse effect for this undertaking and finds that the proposed project for water regulation and storage will not significantly change or diminish Los Banos Archaeological District and it will continue to possess the ability to convey its historic significance as a traditional and tribal cultural landscape. No features that characterize the District will be modified or impacted as part of this project. Reclamation seeks concurrence for the determination of National Register eligibility and finding of *no adverse effect to historic properties* is appropriate. Following documentation review, the following comments are offered:

- *Pursuant to 36 CFR 800.4(a)(1), there are no objections to the overall, discontinuous APE as described and illustrated;*
- *Pursuant to 36 CFR 800.4(b), Reclamation has documented a reasonable and good faith effort to appropriately identify historic properties within the area of potential effects;*

- Pursuant to 36 CFR 800.4(c)(2), **I do not object** that Reclamation is treating the Los Banos Archaeological District (P-24-002129) as National Register eligible, under Criteria A, and C, as a traditional and tribal cultural landscape, with a period of significance of early times to present, for the purposes of this undertaking only;
- Pursuant to 36 CFR 800.4(c)(2), **I do not object** that Reclamation has determined that the Canyon Road segments, Los Banos-Panoche No. 1 230 kV transmission line segment (P-24-002128); Los Banos-Panoche No. 2 230 kV transmission line segment (P-24-002129); and the Los Banos Creek Detention Reservoir boat launch, are not eligible under any criterion, due to a lack of significant historic context and due to a lack of any special historic features under any National Register criterion;
- Reclamation finds that this undertaking will result in no adverse effect to historic properties. Pursuant to 36 CFR 800.5(c)(1), **I do not object to this finding.**
- Reclamation is encouraged to support recommended monitoring for ground disturbing activities on federal lands and also Worker's Environmental Awareness Program training for construction personnel for archaeological sensitivity and tribal cultural sensitivity and cultural values;
- Should an unexpected discovery occur during project work, Reclamation is advised to proceed pursuant to applicable state and local government regulations and pursuant to procedures at 36 CFR 800.13(B)- Post-review discoveries.

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. Should you require further information, please contact Lead Reviewer, Jeanette Schulz at Jeanette.Schulz@parks.ca.gov or (916) 445-7031.

Sincerely,



Julianne Polanco
State Historic Preservation Officer