



**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

March 23, 2018

Reply in Reference To: BUR_2018_0222_001

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

Subject: Section 106 Consultation for the Eastside Bypass Improvements Project,
Merced County, California (Project #17-SCAO-108)

Dear Ms. Leigh:

The Office of Historic Preservation (OHP) received your letter on February 22, 2018 initiating consultation with the State Historic Preservation Officer (SHPO) regarding the above referenced undertaking in compliance with Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. 470f), as amended, and its implementing regulations 36 CFR 800. The Bureau of Reclamation (Reclamation) is seeking the SHPO's comments on their finding of effect.

The Eastside Bypass Improvements Project (EBIP), a component of the San Joaquin River Restoration Program (SJRRP), is intended to facilitate fish migration and increased restoration flows in the Eastside Bypass by 2020. The EBIP is located in Merced County and is a joint undertaking with the California Department of Water Resources (DWR). The EBIP also crosses through portions of the Merced National Wildlife (NWR) and the U.S. Fish and Wildlife Service has designated Reclamation as the lead federal agency for Section 106 compliance. As currently proposed, the EBIP includes improvement of four existing facilities and three sections of levee within the Reach O portion of the middle segment of the East Side Bypass. More specifically, the EBIP improvements involve the following: 1. modifying the Eastside Bypass Control Structure with a rock ramp; 2. modifying the Dan McNamara Road crossing; 3. removing the Merced NWR upper and lower weirs and rehabilitating a well on the NWR; and 4. reinforcing three levee segments within Reach O.

Reclamation has defined and documented the area of potential effects (APE) as comprising five discontinuous locations referred to as the Eastside Bypass Rock Ramp, Dan McNamara Road, Merced NWR Lower Weir, Merced NWR Upper Weir, and Reach O. The APE is approximately 416 acres and encompasses both private and public

lands, and portions of the Merced NWR. All staging will take place on existing access roads or levees.

Along with your letter, you submitted the following to support your identification efforts:

- Enclosure 1: Mapping-Figures 1-7;
- Enclosure 2: Table of Eastside Bypass Project Components;
- Enclosure 3: *Eastside Bypass Improvements Project, Merced County: Historical Resources Inventory and Evaluation Report* (Norby and Wee 2017);
- Enclosure 4: *Cultural Resources Survey and Inventory for the San Joaquin River Restoration Program Reach 4B1, Eastside Bypass Reach 2, and Eastside Bypass Reach 3, Merced County, California* (Schneider, Lane, and Holson 2017);
- Enclosure 5: *Cultural Resources Report for the Eastside Bypass Improvements Project, Merced County, California* (Holm and Peske, and Holson 2018); and
- Enclosure 6: *Supplemental Buried Site Sensitivity Report for Eastside Bypass Improvements Project* (Scholze 2018).

Efforts to identify historic properties that may be affected by the undertaking are documented in the above referenced reports and included archival research, record searches, an archaeological pedestrian survey, Native American consultation, and a buried site sensitivity analysis. Identification efforts identified the Eastside Bypass (P-24-001962) and the Lone Tree Canal (PL-2823-11-01), both of which have not been previously evaluated according to the National Register of Historic Places (NRHP) criteria.

Reclamation initiated consultation with Native American tribes that might attach religious and cultural significance to historic properties within the APE. To date, no specific concerns or information regarding historic properties of religious and cultural significance to the consulting Native American tribes has been provided.

Reclamation has determined that there are no historic properties listed on or eligible for listing on the NRHP within their APE. Therefore, they are requesting my concurrence on the adequacy of their historic property identification efforts and their finding of no adverse effect for this undertaking. After reviewing the submitted materials, I have the following comments:

- Pursuant to 36 CFR §800.4(a)(1), I find Reclamation's documentation and delineation of the APE to be sufficient;
- Pursuant to 36 CFR 800.4(b), Reclamations historic property identification efforts carried out for this undertaking appear to be adequate;
- Pursuant to 36 CFR 800.4(c)(2), Reclamation has made the following determinations:
 - The Lone Tree Canal is not eligible for listing in the NRHP. **I concur.**
 - The segment of the Eastside Bypass within the APE is eligible under Criteria A and C at the state level of significance, with a period of

significance of 1962. Character-defining features of the Eastside Bypass include the levees, inclusive of their locations, dimension, and materials; and Eastside Bypass Control Structure, San Slough Control Structure, and San Joaquin River Control Structure. **I concur**; and

- Pursuant to 36 CFR 800.5(a), Reclamation has applied the criteria of adverse effect and concludes that proposed modifications of the Eastside Bypass Control Structure will not adversely affect the character-defining features of the Eastside Bypass that make it eligible for listing on the NRHP under criteria A and C. As such, Reclamation finds that the undertaking as a whole will result in no adverse effect to historic properties pursuant to Pursuant to 36 CFR 800.5(b), **I concur**.

If you require further information, please contact Alicia Perez of my staff at 916-445-7020 or Alicia.Perez@parks.ca.gov or Kathleen Forrest of my staff at 916-445-7022 or Kathleen.Forrest@parks.ca.gov.

Sincerely,



Julianne Polanco
State Historic Preservation Officer