



BUREAU OF RECLAMATION

COPY

National Environmental Policy Act
Categorical Exclusion Checklist

Categorical Exclusion No.: 22-SCAO-040-CX

DATE: AUG 14 2023

PROJECT: WIIN-030 Syphon Reservoir Improvement Project

NATURE OF ACTION:

Irvine Ranch Water District has been awarded Title XVI-WIIN Water Reclamation and Reuse Program funding available under the Bipartisan Infrastructure Law (P.L. 117-58) for the Syphon Reservoir Improvement Project in Orange County, California. The project will increase the capacity of an existing recycled water reservoir from 500 acre-feet (AF) to 5,000 AF by replacing the existing 59-foot dam with a new 136-foot dam. The project will allow more storage of recycled water to meet seasonal and future needs, reduce dependence on imported water, maximize recycled water use, reduce sewage diversions to Orange County Sanitation District and reduce discharges to the Pacific Ocean.

EXCLUSION CATEGORY:

43 CFR § 46.210(c) - Routine financial transactions including such things as salaries and expenses, procurement contracts (e.g., in accordance with applicable procedures and Executive Orders for sustainable or green procurement), guarantees, financial assistance, income transfers, audits, fees, bonds, and royalties.

EVALUATION OF EXCEPTIONS TO ACTIONS WITHIN CATEGORICAL EXCLUSION

Table with 4 columns: Would the action:, No, Uncertain, Yes. Rows 1-7 detailing various environmental impact questions with 'X' marks in the 'No' column.

- |   |   |       |       |
|---|---|-------|-------|
| 8. 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?   | X | _____ | _____ |
| 9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?  | X | _____ | _____ |
| 10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?  | X | _____ | _____ |
| 11. 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 (Executive Order 13007)?   | X | _____ | _____ |
| 12. Adversely affect Indian Trust Assets?   | X | _____ | _____ |
| 13. 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 and Executive Order 13112)? | X | _____ | _____ |

**EXPLANATION/REMARKS**

Project impacts will be contained within a 265-acre action area/Area of Potential Effect. A California Environmental Quality Act (CEQA) environmental impact report (SCH # #2019080009) concluded that the project would not cause significant impacts. Notice of determination was filed with the County Clerk on July 27, 2021, and with the State Clearinghouse on July 28, 2021. The CEQA review is sufficient to determine that no extraordinary circumstances (43 CFR 46.215) apply.

No significant scientific, prehistorical, historical, or archeological data that might be irrevocably lost or destroyed has been identified. The California State Historic Preservation Officer (SHPO) did not object to our finding of "no historic properties affected" (BUR\_2023\_0407\_001). The Fish and Wildlife Service (FWS) agreed with Irvine Ranch Water District's habitat conservation concept and concurred that the action is a covered activity under an existing incidental take permit (23-0055190\_S7-F\_OR). The new engineered dam and reservoir will meet or exceed current safety and design requirements established by the California Department of Water Resources, Division of Safety of Dams.

**COMMITMENTS:**

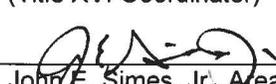
None

Preparer's Signature: DOUGLAS MCPHERSON Digitally signed by DOUGLAS MCPHERSON Date: 2023.08.11 15:55:26 -07'00' Date: \_\_\_\_\_  
 Doug McPherson, Environmental Protection Specialist

Concurrence with Item 7: SHPO concurrence attached Date: \_\_\_\_\_  
 Regional Archaeologist

Concurrence with Item 8: FWS concurrence attached Date: \_\_\_\_\_  
 Carlsbad (CA) Fish and Wildlife Office

Recommended: VIRANOUSACK SOUBANNARATH Digitally signed by VIRANOUSACK SOUBANNARATH Date: 2023.08.14 13:45:22 -07'00' Date: \_\_\_\_\_  
 Viranousack (Alex) Soubannarath, Program Analyst (Title XVI Coordinator)

Approved:  Date: 8/14/23  
 John E. Simes, Jr., Area Manager  
 Southern California Area Office



## United States Department of the Interior

### U.S. FISH AND WILDLIFE SERVICE

Ecological Services  
Carlsbad Fish and Wildlife Office  
2177 Salk Avenue, Suite 250  
Carlsbad, California 92008



In Reply Refer To:  
23-0055190\_S7-F\_OR

August 3, 2023  
*Sent Electronically*

#### Memorandum

To: John E. Simes, Jr., Area Manager, Southern California Area Office.,  
Bureau of Reclamation  
Attention: Doug McPherson

From: Jonathan Snyder, Assistant Field Supervisor, Carlsbad Fish and Wildlife Office,  
U.S. Fish and Wildlife Service  
CAROL ROBERTS

Subject: Streamlined Formal Section 7 Consultation for the Syphon Reservoir  
Improvement Project, Orange County, California

Digitally signed by CAROL ROBERTS  
Date: 2023.08.03 12:26:15  
497087

This is in response to your July 3, 2023, memorandum requesting formal consultation on behalf of the Bureau of Reclamation (Reclamation) pursuant to section 7 of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*), regarding potential effects of the Syphon Reservoir Improvement project on the federally endangered least Bell's vireo (*Vireo bellii pusillus*, "vireo") and the federally threatened coastal California gnatcatcher (*Poliophtila californica californica*, "gnatcatcher"). The project is proposed by Irvine Ranch Water District (IRWD) within the area addressed by the Orange County Central and Coastal Subregions Habitat Conservation Plan (Central-Coastal HCP), and your letter requests U.S. Fish and Wildlife Service (Service) concurrence that the project is consistent with the Central-Coastal HCP, making the project eligible for a streamlined consultation process under the Act.

On July 17, 1996, we issued section 10(a)(1)(B) permits for the Central-Coastal HCP to several entities, including IRWD. The Central-Coastal HCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit. The proposed project is a Covered Activity under the Central-Coastal HCP.

The Syphon Reservoir Improvement Project will replace the existing engineered dam with a new engineered dam, increasing the existing 59-foot dam height to 136 feet and increasing the elevation of the dam crest from the existing 388 feet above mean sea level (msl) to 466 feet above msl. The new engineered dam will increase the maximum water surface elevation from the existing 376 feet above msl to 456 feet above msl and increase the recycled water storage

capacity from the existing 500 acre-feet (AF) to 5,000 AF. Project features include a new on-site access road, maintenance roads, and riparian mitigation areas.

The status of the vireo and the gnatcatcher and the effects of implementing the Central-Coastal HCP were previously addressed in our biological opinion dated May 24, 1996, in which we concluded that the level of anticipated take from implementing the Central-Coastal HCP and anticipated impacts would not result in jeopardy to these two species. The mitigation measures proposed for the species offset the impacts associated with the proposed project consistent with the requirements of the Central-Coastal HCP and its associated permit. Therefore, it is our conclusion that implementation of the proposed project will not result in jeopardy to the vireo or the gnatcatcher.

The mitigation package for this project includes several elements that will offset losses of woody riparian, tule marsh, and various upland coastal sage scrub (CSS) vegetation assemblages within the Central-Coastal HCP reserve system. IRWD will offset losses of woody riparian vegetation with establishment of new habitat in a combination of onsite (3.0 acres of impact offset at a ratio of 2:1) and offsite (3.2 acres of impact offset at 3:1) for the 6.2 acres that will be removed or inundated when the reservoir is expanded. Offsite habitat creation will occur on lands owned by IRWD at the San Joaquin Marsh in Irvine, California. Impacts to 5.33 acres of tule marsh at the reservoir site will be offset by establishing new freshwater marsh at San Joaquin Marsh at a ratio of 2:1. All restored wetland/riparian habitat will also be conserved and managed in perpetuity.

Impacts to 76.15 acres of CSS and other upland habitat within the Central-Coastal HCP reserve system will be mitigated by debiting 34 acres from IRWD's allotted CSS credits under the Central-Coastal HCP, conserving and managing a 100-acre property north of Irvine Lake, restoring/enhancing and managing 109 acres of CSS surrounding Syphon Reservoir, and providing long-term management for an additional 45 acres of upland habitat surrounding Syphon Reservoir. Credit for restoration/enhancement and long-term management of upland habitat surrounding Syphon Reservoir includes establishing a \$1 million fund to restore CSS in the event of a significant wildfire.

Funding for implementation and long-term management associated with all parts of the mitigation package will be provided from the IRWD operating budget in perpetuity or establishment of a non-wasting endowment, the specifics of which will be spelled out in a Conservation Agreement/Easement that IRWD is developing. Although the Service and California Department of Fish and Wildlife have not provided final approval of IRWD's proposal for the Syphon Reservoir Improvement, we have agreed to the concept proposal, and the project is a covered activity under the Central-Coastal HCP, as described above.

By this consultation, we are extending to Reclamation the take exemption for vireo and gnatcatcher already provided to IRWD via their incidental take permit as a participating landowner under the Central-Coastal HCP. Extension of this take exemption to Reclamation is limited to the proposed project identified herein as a covered activity under the Central-Coastal HCP and IRWD's permit.

This concludes formal consultation regarding the Syphon Reservoir Improvement project as outlined in materials submitted to us. As provided in 50 CFR §402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: (1) the amount or extent of incidental take is exceeded; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; and (3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action. In instances where the amount or extent of incidental take is exceeded, any operations causing such take must cease pending reinitiation.

Thank you for your coordination on this project. If you have any questions regarding this memorandum, please contact Will Miller<sup>1</sup> of this office at 760-431-9440, extension 206.

cc:

Fiona Sanchez, Irvine Ranch Water District

David Mayer, California Department of Fish and Wildlife

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<sup>1</sup> [William\\_B\\_Miller@fws.gov](mailto:William_B_Miller@fws.gov)



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

Armando Quintero, Director

Julianne Polanco, State Historic Preservation Officer  
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Telephone: (916) 445-7000 FAX: (916) 445-7053  
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May 09, 2023

In reply refer to: BUR\_2023\_0407\_001

**VIA ELECTRONIC MAIL**

John E. Simes, Jr., Area Manager  
US Bureau of Reclamation, Interior Region 8  
Lower Colorado Basin, Southern California Area Office  
27226 Via Industria, Suite A, Temecula, California, 92590

**Attention: Justin DeMaio, Regional Archaeologist**

Subject: Section 106 Consultation: Syphon Reservoir Improvement Project, Orange  
County California (LCB 2631-2.1.1.04)

Dear John E. Simes, Jr.,

The State Historic Preservation Officer (SHPO) is initiating consultation to comply with Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. 306108, as amended) and its implementing regulations at 36 CFR 800 *et seq.* By letter received on April 07, 2023, the US Bureau of Reclamation (Reclamation) states that Irvine Ranch Water District (IRWD) has been awarded Bipartisan Infrastructure Law funds from Reclamation, authorized by the Reclamation Wastewater and Groundwater Study and Facilities Act [Title XVI of Public Law 102-575, as amended by section 4009(c) of the Water Infrastructure Improvements for the Nation Act]. The funds will be used to implement the Syphon Reservoir Improvement Project in Orange County, California, which involves replacing the current dam structure and enlarging the holding reservoir. Reclamation is requesting comments on their identification efforts, determinations of eligibility and finding of effect of *no historic properties affected*. Submitted documentation is:

- *REPORT: Syphon Reservoir Improvement Project, County of Orange, California: Cultural Resource Assessment Report, January 2019 [83 pp.] [By: F. Clark, J. Levanetz & M. R. Bever, ESA, Los Angeles, CA.] [For: Irvine Ranch Water District, Irvine, CA. and US Bureau of Reclamation, Temecula, CA.]*

The project goal is to increase the capacity of the existing recycled water storage reservoir from 500 acre-feet (AF) to 5,000 AF. The existing engineered dam will be replaced with a new engineered dam, increasing the 59-foot dam height to 136 feet and raising the dam crest elevation from 388 feet above mean sea level (msl) to 466 feet msl. A new spillway will be installed to protect the reservoir from overtopping.

Included is a seepage control drainage system and a circulation system for the reservoir. Existing strainer and disinfection facilities will be demolished, and a larger system will be reconstructed at the toe of the new dam to provide filtration and disinfection. Additional project features include new onsite access and maintenance roads, wetland and riparian mitigation areas, and potential recreational facilities.

Reclamation's area of potential effects (APE) consists of a 265-acre area where the project activities will take place, and it includes all the areas needed to conduct the work, stage equipment, and provide access. The maximum vertical APE is 270 feet for geotechnical

work and the new dam construction activities. This includes the reservoir, dam, dirt roads, and mountainous terrain surrounding the reservoir, which will be inundated.

Efforts to identify historic properties included preparation of a summary inventory and evaluation report on behalf of IRWD (ESA, January 2019) which includes a formal records search (October 02, 2018), historic maps and archival research, Native American tribes outreach, and pedestrian survey done on November 6-7 and 14, 2018 with mixed ground visibility. The results identified 33 cultural resources studies within the ½-mile radius study area. Nine archaeological surveys and one additional study overlapped the current APE, covering the entire area included in its boundaries. The studies recorded 11 cultural resources, of which four precontact archaeological sites: CA-ORA-601, -1237, -1246 and -1400 are located within the APE. The survey revisited the four archaeological sites, of which two were relocated; the others are in areas with evidence of activities that likely destroyed them. In addition, ESA identified previously unrecorded resources: a modern pump station facility south of the dam; a club house from a 1949 conveyance was gone with a recreation area in its place; one prehistoric isolate (ISO-HC-001), one historic-period archaeological resource (the Latrine Site), and three historic architectural resources (IRWD) cottage, a segment of the Highline Canal/P-30- 176748, and the Syphon Reservoir and dam and associated facilities. The archaeological sites are summarized below:

- *CA-ORA-601/P-30-000601* - is a prehistoric archaeological site originally recorded in 1974. Located immediately south of the Syphon Reservoir, it consists of a flake scatter containing seven chert flakes, two basalt flakes, and one quartzite flake. It is indicated in a 1982 report that only one non-cortical white chert flake was observed and that it is possible that the site was destroyed by construction of the Foothill Transportation Corridor. ESA did not identify any surface remnants of CA-ORA-601 during the pedestrian survey and concluded that the resource was destroyed by construction of a modern concrete ditch and a sports complex to the south.
- *CA-ORA-1237/P-30-001237* - was recorded in 1990 as a prehistoric archaeological resource, consisting of a light scatter of lithic debris and tools. The archaeological site record indicates that items found include cores, core fragments, debitage, hammerstones, one chopper, one biface fragment, and one unifacially modified tool. Site integrity was poor due to terracing for orange groves, excavation for irrigation pipes, and improvements to Sand Canyon Avenue. ESA revisited site CA-ORA-1237. Two artifacts (a hammerstone and a unifacially modified tool) were observed. The site is on a heavily vegetated slope that was previously terraced, likely creating disturbance to the resource. This resource will not be affected by the undertaking.
- *CA-ORA-1246/P-30-001246* – was recorded in 1990 as a precontact archaeological site consisting of nine manos and one possible meta-volcanic core. No artifacts associated with CA-ORA-1246 were observed during the survey. ESA concluded that the site has been disturbed and eroded by off road vehicles that have crossed the site.
- *CA-ORA-1400/P-30-001400* - is a precontact archaeological site recorded in 1994 during an archaeological survey for the Eastern Transportation Corridor (SR 231): Syphon Revegetation Area project. The site is described as consisting of two loci on a hilltop and along a hillslope. and measures approximately 400 meters long by 50 meters wide (1312 by 164 feet). Among the artifacts encountered are cobble cores, one chert core, one cobble chopping tool, less than 10 pieces of chert debitage, one white chert thumbnail scraper, a half of a dish-shaped grinding slab, several handstones, and various pieces of rock showing striations and grinding polish

The site record indicates that site integrity was poor due to previous disturbances as it is within a portion of the Syphon Ridge Revegetation Area used to replace coastal sage scrub affected by the Eastern Transportation Corridor. Additional scientific study of CA-ORA- 1400 was not recommended due to previous disturbances, the lack of datable materials, and low artifact diversity. The Archaeological Determinations of Eligibility List indicates that this resource was determined ineligible for the National Register of Historic Places. ESA identified a high density

of naturally occurring cobbles, and major disturbances to terraces and a dirt road which crosses the site were noted within the CA-ORA-1400 site boundaries. A high density of artifacts was also observed at the highest point of the ridge. ESA found that the site appears to be in the same condition as previously documented. ESA advises that alterations and use of the dirt road which passes through the site could result in an impact to the resource.

- *ISO-HC-001* - is a prehistoric isolate recorded in the northeast portion of the APE. It consists of a basalt handstone measuring 6.2 centimeters (cm) in length by 3.7 cm in width. The resource was impacted by a recent fire and by construction of SR-133. This resource will not be affected by the undertaking.
- Latrine Site – is a historic-period archaeological resource was identified in the southwest portion of the APE. The resource consists of a latrine area with five toilet seats on a cement block, measuring 23 feet long by 17 feet wide, two incomplete concrete foundation features with rebar and wood reinforcement on the sides, a circular cement feature, measuring eight feet in diameter, a scatter of unidentifiable metal and seven glass bottles scattered around. ESA dates the bottles between 1945 and 1950, based on the maker's marks. This resource will not be affected by the undertaking
- *IRWD Cottage* - consists of a small building with stucco exterior and corrugated metal roofing, located 500 feet southwest of the reservoir. The resource is rectangular, 45 feet long by 33 feet wide. The resource has a gabled roof and two small windows: one located in the upper front and another one on the upper back facade. ESA noted several significant alterations, including a covered porch addition to the primary facade, transparent corrugated plastic panels installed atop the roof to serve as skylights, repairs to the stucco exterior walls, and recent modifications to weatherize the structure including metal sheeting patches and wood panels to block exterior openings. A large commercial propane tank was found outside and about 20 feet east of the cottage. As part of the undertaking, this resource will be demolished.
- Highline Canal/P-30-176748 - a one-mile segment of the Highline Canal is within the APE. A different segment of the Highline Canal (P-30-176748), of 10 linear miles, was previously recorded outside and 0.20 miles northwest of the APE. The primary record form for the previously recorded segment indicates that the Highline Canal was constructed in 1933 with associated features (diversion gates, debris traps, flume remains, and conduits) and extended from Santiago Reservoir (Irvine Lake) to Laguna Canyon. The resource carried water by gravity flow to the reservoirs and agricultural fields of Irvine Ranch. During the 1940s, a large segment of the canal was destroyed when the El Toro Marine Base was constructed. The remaining segments of the canal were used until the 1970s, when it was replaced with an underground pipeline.

The primary record form indicates that the previously recorded segment of the Highline Canal is a good example of a gravity-fed water conveyance system but does not retain integrity of design, association, location, setting or materials and is ineligible for National Register of Historic Places (National Register) listing. The pedestrian survey revealed that the one-mile segment of the Highline Canal within the APE is in very poor condition showing signs of disrepair and degradation and is no longer in operation. The resource will be impacted by the undertaking.

- Syphon Reservoir and Associated Facilities – is identified as a built environment resource. Since its initial development in the 1930s, the reservoir was used to store irrigation water and distribute it to two citrus packing plants along the former Santa Fe Railway spur line in the center of the ranch. Irrigation services came to an end around 1970.

In 2010, IRWD acquired the "Reservoir Property" including the dam, reservoir, and other facilities (Highline Canal, pipelines, pump stations, and vaults) along with recreational rights over the reservoir. The reservoir was operating as a small seasonal storage facility with a capacity of 535 acre-feet. The dam wall associated with Syphon Reservoir constitutes the southwest perimeter of the basin, as well as portions of a historic-period dock. The dock appears to have been installed between 1963 and 1967 at the southern corner of the reservoir while the original dam wall was constructed during the initial construction of the reservoir between 1948 and 1949. Both elements have been altered since first being installed within the current APE. The resource will be impacted by the undertaking.

IRWD's consultant initiated Native American tribal contact on May 24, 2019 and received a response from Mr. Michael Mirelez, Cultural Resources Coordinator of the Torres-Martinez Desert Cahuilla Indians who sent a letter dated June 6, 2019, indicating that they would defer to tribes closer to the project and would not seek consultation. Mr. Andrew Salas, Chairman of the Gabrielino Band of Mission Indians - Kizh Nation sent an email and letter in response indicating that the tribe wished to engage in consultation. On June 27, 2019, IRWD conducted consultation via telephone with the tribe. Mr. Salas provided historic maps, documents, and other reference materials confirming the tribe's association with the proposed project area. He discussed tribal ancestry in the broader vicinity of the project and indicated that the project area falls along a prominent travel route for the tribe. Given the sensitivity of the project area to the tribe, Mr. Salas requested Native American monitoring during ground disturbing activities. IRWD contacted the Juaneño Band of Mission Indians - Acjachemen Nation, but did not receive a follow up response for that consultation request. Reclamation is silent about their efforts to engage in Native American consultation and are reminded that it is a Nation-to-Nation contact and cannot be delegated to other parties, pursuant to 800.2(c)(2)(ii)(C).

Reclamation concludes that CA-ORA-601, -1237, -1246, ISO-HC-001, and the Latrine Site will not be impacted by the undertaking. Two resources (CA-ORA-601 and -1246) were not relocated during the field survey and are presumed destroyed. Isolated finds like ISO-HC-001 generally do not qualify for listing in the National Register.

Four resources (CA-ORA-1400, P-30-176748, IRWD Cottage, and the Syphon Reservoir and associated facilities) will be impacted by the undertaking. Reclamation staff have determined that these resources are not eligible for listing in the National Register of Historic Places (National Register) under any of the significance criteria:

- *CA-ORA-1400*: Previously determined ineligible for National Register listing due to a lack of integrity related to previous disturbances (bulldozing, terracing, the placement of a dirt road which crosses the site), and subsurface testing that produced negative results.
- *P-30-176748 (the Highline Canal)*: A previously recorded segment of the Highline Canal located outside the APE was determined ineligible for National Register listing because it does not retain integrity. The segment of P-30-176748 within the APE is likewise in poor condition, shows signs of disrepair, and is no longer in operation. The resource is not eligible for National Register listing due to a lack of a significant historic context and loss of integrity.
- *IRWD Cottage*: Although the structure is over 45 years in age, several significant alterations were noted. These include a covered porch addition to the primary facade, transparent corrugated plastic panels installed atop the roof to serve as skylights, repairs to the stucco exterior walls, and modifications resulting from recent changes to weatherize the structure including metal sheeting patches and wood panels to block exterior openings. A large commercial propane tank was found outside and about 20 feet east of the cottage. As a result of these significant alterations, the structure, which has no significant historic context, is considered ineligible for National Register listing.
- *Syphon Reservoir and Associated Facilities*: Associated facilities for the reservoir include a dam wall that constitutes the southwest perimeter of the basin and portions of a historic-period dock. The dock appears to have been installed between 1963 and 1967 and the dam wall was part of the original construction of the reservoir. Both elements have been altered since initial construction. Alterations to the dam wall include terracing, reinforcements, and circulation improvements. Only portions of the historic-period dock remain. A modern dock facility appears to have been installed within the last decade. Syphon Reservoir and associated facilities have been subject to significant alterations that have severely compromised their integrity. The resource is considered National Register ineligible as it is a small local reservoir serving a common function of water conveyance with no significant associations under any criterion.

Based on the above discussion Reclamation states that the undertaking will not affect historic properties within the APE and that it has made a finding of *No Historic Properties Affected* pursuant to 36 CFR 800.4(d)(1).

Reclamation also notes that IRWD will contract with a qualified archaeologist to supervise environmentally sensitive areas and to establish best practices to avoid two unevaluated resources; CA-ORA-1237 and the Latrine Site in the event activities occur adjacent to them. The qualified archaeologist will also supervise an archaeological monitor for construction monitoring, during all ground disturbing activities. Prior to commencement of earthwork activities, In addition, IRWD will provide a written notification to Gabrieleno Band of Mission Indians - Kizh Nation, indicating a date and time of earthwork activities. Kizh Nation will be invited, at their own expense, reasonable access to the project activities of the undertaking to have a tribal monitor on site to observe subsurface and ground disturbing construction activities.

Reclamation finds that this undertaking will result in *no historic properties affected* due to the lack of any historic properties in the APE and seeks concurrence. After 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 and illustrated;
- Pursuant to 36 CFR 800.4(c)(2), **I do not object** that Reclamation has determined that precontact archaeological site CA-ORA-1400 lacks context under any criterion and does not contain information sufficient to qualify under criterion D and is not National Register eligible; and that the historic era structures P-30-176748 (the Highline Canal) and the IRWD Cottage are common structures lacking historic context and have diminished aspects of integrity and Reclamation has therefore determined that they are not NRHP eligible under any criterion; and that the Syphon Reservoir and Associated Facilities are common structures lacking historic context and the dam wall and dock have diminished integrity and therefore the Syphon Reservoir and Associated Facilities are not National Register eligible under any criterion;
- Reclamation finds that the proposed undertaking will result in no historic properties affected. Pursuant to 36 CFR 800.4(d)(1)(i), **I do not object**.
- As Reclamation is silent on its efforts to consult with Native American Tribes and tribal Organizations, it is encouraged to support the efforts of IRWD to contract with a qualified archaeologist to avoid resources and provide monitoring for ground disturbing activities in sensitive areas and to provide on-site access to the Gabrieleno Band of Mission Indians - Kizh Nation should they choose to provide a tribal monitor;
- Should an unexpected discovery occur during project work, Reclamation is advised to proceed pursuant to applicable state and local regulations and pursuant to the provisions 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](mailto:Jeanette.Schulz@parks.ca.gov) or (916) 445-7031.

Sincerely,



Julianne Polanco  
State Historic Preservation Officer