

Attachment A: Cultural Resources Determination

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

MP-153 Tracking Number: 16-SCAO-123

Project Name: License for City of Bakersfield (City) Multi-Use Trail Along Friant Kern Canal (FKC), Kern County California

NEPA Contact: Kate Connor, Natural Resource Specialist

EA Number: 15-061

MP 153 Cultural Resources Reviewer: Lex Palmer, Architectural Historian

Date: June 19, 2018

Reclamation is proposing to issue a perpetual land use authorization license to the City for the construction and maintenance of a 6-mile long Multi-Use Path along the Reclamation-owned FKC. The award of Federal funding 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 Mid-Pacific Region cultural resources branch staff, Reclamation consulted with, and received concurrence from, the State Historic Preservation Officer (SHPO) on a finding of no adverse effect to historic properties, pursuant to 36 CFR § 800.5(b). 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 May 25, 2018

Letter: SHPO to Reclamation dated June 19, 2018



United States Department of the Interior

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

MAY 25 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 City of Bakersfield (City) Friant-Kern Canal (FKC) Multi-Use Path License, Kern County, California (Project #16-SCAO-123).

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 issue a perpetual land use authorization license to the City for the construction and maintenance of a 6-mile-long Multi-Use Path along the Reclamation-owned FKC in Kern County (Figures 1a and 1b in Appendix A of enclosed report). Reclamation determined that the authorization of this work on Federal lands 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). We are entering into consultation with you on this undertaking and are requesting your concurrence on our finding of no adverse effect to historic properties, pursuant to 36 CFR § 800.5(b).

The City would construct a paved Multi-Use Path along the FKC berm and a series of crossings over and along the canal. A pedestrian bridge would be built over the FKC to connect the trail to Madison Grove Park. Three pre-fabricated metal overpass plates would be constructed along the canal over three FKC turnouts. The City would construct a culvert under the existing Burlington, Northern, and Santa Fe Railroad (BNSF) grade. A pre-fabricated metal equestrian bridge would be installed over the south end of the FKC (refer to Figure 2 in Appendix B of enclosed report). The proposed project would link missing Multi-Use Path sections of the Kern River Parkway in metropolitan Bakersfield. The project would improve recreational opportunities for City residents and encourage citizens to use bicycles instead of automobiles for travel.

The Multi-Use Path would have a 12-foot-wide asphalt pavement area with flanking 4-foot-wide dirt shoulders on each side. The asphalt path surface would be 12 inches deep. The City would

install chain link fencing along both sides of the path, employing existing fencing when possible. New fencing would require 10-inch wide holes, 3 feet deep, at 8-foot intervals. The three prefabricated overpasses would be installed over FKC canal turnouts. These metal plate overpasses would be 9 feet by 19 feet and would cover a portion of the turnouts. The proposed pedestrian Madison Grove Park Bridge is a prefabricated metal truss bridge 40 feet long and 10 feet wide, and would be secured to the canal's earthen berm with concrete abutments at an unknown depth (Figure 5 in Appendix B of enclosed report). The BNSF culvert would be diamond shaped with a 12-foot, 6-inch-wide passage that would cut through the existing railroad grade. The structure would be 30 to 35 feet long, match the existing grade height and width, and would be excavated to an unknown depth in engineered soils. The prefabricated metal arch equestrian bridge would cross the south end of the FKC in an unlined section. This structure would be 135 feet long by 12 feet wide, and would rest on the west and east banks on concrete abutments excavated to an unknown depth and width, in previously disturbed soils (Figures 17 and 18 in the enclosed report).

The horizontal area of potential effects (APE) would be approximately 6 miles long and range from 25 to 250 feet wide, for a total of 27.5 acres. The vertical APE depth would range from one to an estimated six feet deep. All equipment and materials staging would occur on the existing canal road. The proposed project is located in Sections 6-8, 17, 20, 21, 28 and 33, T. 29 S., R. 27 E., as shown on the Oildale and Gosford, California U.S. Geological Survey 7.5' Quadrangle topographic maps (Figures 1 to 1b, in enclosed report). The APE is surrounded by a mixture of light industrial parks, residential housing tracts, the Kern River Oil Field, and agricultural fields.

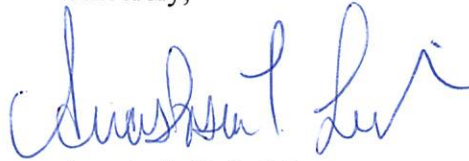
In an effort to identify historic properties within the APE, Reclamation used the results of a reconnaissance-level inventory of the FKC by JRP Historical Consulting, LLC (JRP), performed in 2017, and on-site images of the proposed path by the City Public Works Department. Reclamation also requested a records search in the California Historic Resources Information System Southern San Joaquin Valley Information Center (File Number 18-173). Two cultural resources were identified within the APE: the FKC and the Santa Fe Railroad Minkler Spur, established in the 1920s. JRP evaluated the spur as being ineligible for listing in the National Register of Historic Places (National Register) in 1993 and 2009 due to a lack of physical integrity (refer to Appendix C for site form). Reclamation contractors built a siphon under the railroad grade during the FKC construction. The FKC has been previously determined as eligible for listing in the National Register in a 1997 consensus determination by the State Historic Preservation Officer and is a historic property.

An analysis of buried site sensitivity indicates that this setting has a low potential for intact subsurface archaeological sites. The construction of the FKC and the plowing of fields within, and adjacent to, the APE, has disturbed between 6 and 50 feet or more of the vertical context. Refer to Figure 10 in the survey report for an image of the FKC during construction at the APE, which shows massive, deep excavation taking place. Given the depositional characteristics of the landform and soils in the APE, ongoing impacts of agricultural development, and previous canal construction activity, 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 access road, Reclamation determined that no Native American consultation would be needed.

Reclamation applied the criteria of adverse effect (36 CFR § 800.5(a)) for the current undertaking and found that the proposed activities would result in no significant alterations to the historic characteristics that make this segment of the FKC eligible for the National Register. The length of the canal (152 miles) helps lessen the degree of any potential effects to the FKC from new proposed construction in the APE. The path would be sited below the canal concrete lining grade at ground level in the bulk of the 6-mile path, and would not result in a direct or indirect visual effect to the FKC. The introduction of the pedestrian and equestrian bridges would not have a direct effect on the FKC as they would be pre-fabricated and the abutments would be installed in the earthen canal berm. The structures could be easily removed and the canal berm could be returned to its pre-project configuration. The FKC is already spanned by 235 bridges in its 152-mile length; the canal would retain its integrity of feeling and association of a water conveyance system.

Based on the information summarized above and the enclosed material, Reclamation finds that the undertaking will result in no adverse effect to historic properties pursuant to 36 CFR Part 800.5(b). We invite your comments on our delineation of the APE and our efforts to identify historic properties. We request your concurrence with our finding of no adverse effect to historic properties. Please contact Mr. Lex Palmer, Architectural Historian, at 916-978-5213 or kpalmer@usbr.gov, if you have any questions concerning this project.

Sincerely,



Anastasia T. Leigh
Regional Environmental Officer

Enclosure



**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

June 19, 2018

Reply in Reference To: BUR_2018_0525_001

Ms. Anastasia T. Leigh
Regional Environmental Officer
Bureau of Reclamation, Mid-Pacific Region
2800 Cottage Way
Sacramento, CA 95825-1898

RE: Friant-Kern Canal (FKC) Multi-Use Path, Bakersfield, Kern County, California
(Project #16-SCAO-123)

Dear Ms. Leigh:

The State Historic Preservation Officer (SHPO) received your letter on May 25, 2018, initiating consultation for the above-referenced project to comply with Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 300101), as amended, and its implementing regulation found at 36 CFR § 800. The Bureau of Reclamation (Reclamation) is seeking my comments regarding the effects the undertaking described below will have on historic properties. Included with the consultation letter was the *City of Bakersfield Phase 1 Multi-Use Trail along the Friant-Kern Canal, Kern County, California*, prepared by Kevin (Lex) Palmer of Reclamation.

Reclamation is planning to issue a perpetual land use authorization to the City of Bakersfield for the construction of a paved Multi-Use Path along the FKC berm and a series of crossings over and along the canal. As described in the consultation package, the trail would extend six miles from the Kern River Channel to Seventh Standard Road that would connect to the existing Kern River Parkway. The undertaking includes a pedestrian bridge would be built over the FKC to connect the trail to Madison Grove Park. Three pre-fabricated metal overpass plates would be constructed along the canal over three FKC turnouts. The City would construct a culvert under the existing BNSF rail grade, and a pre-fabricated metal equestrian bridge would be installed over the south end of the FKC.

Reclamation delineated the Area of Potential Effect (APE) as the 6 mile long alignment, ranging from 25 feet to 250 feet wide, for a total of 27.5 acres. The vertical APE depth would be a maximum of six feet deep. All equipment and materials staging would occur on the existing canal road.

Ms. Anastasia T. Leigh
June 19, 2018
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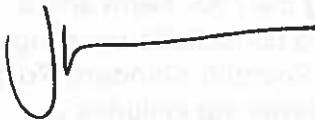
Identification efforts included the use of a 2017 reconnaissance-level inventory of the FKC by JRP Historical Consulting, LLC and a records search. Two potential historic properties were identified in the APE: the FKC and the Santa Fe Railroad Minkler Spur. The FKC was previously determined eligible for listing in the National Register of Historic Places (NRHP) in 1997. The Santa Fe Railroad Minkler Spur was evaluated in 1993 and 2009 and recommended as ineligible for listing. An analysis of buried site sensitivity indicated that the potential for intact subsurface archaeological sites in the APE is low.

Reclamation has determined that the Santa Fe Railroad Minkler Spur is ineligible for listing in the NRHP, and found that the undertaking will result in no adverse effect to historic properties. After reviewing the information submitted with your letter, I offer the following comments:

- I agree that the Area of Potential Effect (APE) as represented in the attachments to your letter is appropriate, per 36 CFR § 800.4(a)(1).
- I concur that Reclamation's identification and evaluation efforts are sufficient for this undertaking, per 36 CFR § 800.4(b).
- I agree that the Santa Fe Railroad Minkler Spur is ineligible for listing in the NRHP, per 36 CFR 800.4(c)(2).
- I concur with your finding and agree that pursuant to 36 CFR § 800.5(b), a Finding of No Adverse Effect is appropriate for the undertaking as described.
- Please be advised that under certain circumstances, such as an unanticipated discovery or a change in project description, Reclamation may have future responsibilities for this undertaking under 36 CFR § 800.

Thank you for seeking my comments and considering historic properties as part of your project planning. If you have any questions or concerns, please contact Kathleen Forrest, Historian, at (916) 445-7022 or Kathleen.Forrest@parks.ca.gov.

Sincerely,



Julianne Polanco
State Historic Preservation Officer