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## Categorical Exclusion Approval

**Project:** Barker Dam Parking Lot Expansion Project

**PEPC Project Number:** 97997

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### Introduction:

This memorandum with attachments, and the information in the project record, documents and completes the National Environmental Policy Act (NEPA) review and requirements for implementing the Barker Dam Parking Lot Expansion Project.

### Description of Action (Project Description):

See Attachment A

### Project Location:

See Attachment A

### Mitigation(s):

- Agua Caliente has requested a cultural monitor for Phase III of construction.
- Archeological monitoring required.
- Area will be surveyed before groundbreaking activities begin. A desert tortoise monitor will be present to ensure that there is no effect to desert tortoise. Open pits or trenches will be fenced or filled at the end of the day to avoid tortoise entrapment.
- If eligible pre-contact resources are discovered, and avoidance cannot be ensured, an SOI-qualified archaeologist shall be retained to develop a cultural resources Treatment Plan and a Discovery and Monitoring Plan. Drafts of which shall be provided to the traditionally associated Native American communities for review and comment. The Lead Agency or designated POC shall, in good faith, consult with traditionally associated communities on the disposition and treatment of any artifacts or other cultural materials encountered during the project.  
Comment: Requested by San Manuel Band of Mission Indians
- If human remains or funerary objects are encountered during any activities associated with the project, work within a 100-foot buffer of the find shall cease, and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.
  - Comment: Requested by San Manuel
- In the event that any pre-contact cultural resources are discovered during project activities, all work within a 60-foot buffer shall cease, and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Traditionally associated Native American communities (including San Manuel Band of Mission Indians) will be contacted if any such find occurs and be provided information and permitted/invited to perform a site visit when the archaeologist makes his/her assessment, in order to provide Tribal input. The archaeologist shall complete an isolate/site record for the find and submit this document to the

Lead Agency and it will be shared with the traditionally associated communities (including the San Manuel Band of Mission Indians).

- Comment: Requested by San Manuel
- Survey for and control invasive non-native vegetation in the project area for one to three years after project activities are completed.
- A public information program to warn of temporary closures, delays, and hazards during construction shall be implemented. This program would help convey appropriate messages to the public and aid in mitigating potential impacts on visitors' expectations and experiences.
- Assure salvaged trees are not water-stressed during harvest and transplanting through supplemental watering.
  - Comment: Joshua Trees to be salvaged and relocated from parking lot islands shall be watered one or more times prior to salvage to assure trees are not water-stressed at time of salvage and that soil of the harvested root ball is moist to promote it remaining intact. The hole to receive a salvaged tree shall be dug before the tree is removed from its existing location and the hole watered prior to placement of the salvaged tree. Salvaged trees shall be watered immediately or as soon as practically possible after placement.
- Provide supplemental water to transplanted Joshua Trees to promote survival and establishment.
  - Comment: Salvaged and transplanted Joshua Trees shall be periodically watered by filling an earthen ring reservoir around each tree with supplemental water. Supplemental watering shall occur once every two weeks in the month following transplanting and once a month thereafter for a period of one year. Frequency of supplemental watering may be adjusted based on monitoring of salvaged trees. Frequency and quantity of supplemental water may be adjusted on the basis of precipitation events if these events result in moist soil at a depth of 8 inches. Monitoring will be done to track survivability of the relocated Joshua trees.

**CE Citation:** C.18. Construction of minor structures, including small improved parking lots, in previously disturbed or developed areas.

**CE Justification:** Barker Dam parking lot (project area) is in a developed area that receives heavy visitation most of the year, but during the peak season is full most of the time. The improvements being made are minor but will have measurable positive benefits in addressing congestion at this popular visitor destination area.

Additional supporting information for this determination is in the following attachments and the decision file:

- Attachment A: Barker Dam Parking Lot Expansion Project Information; Background; Purpose and Need; Project Description; Impact Assessment; National Historic Preservation Act (NHPA) Section 106 Compliance; Summary of Public Comments; Decision/Implementation Process•
- Attachment B: Letter of NHPA Section 106 Compliance Completion and Assessment of Actions Having an Effect on Historic Properties
- Attachment C: Inventory Report of Joshua Trees in Project Area

**Decision:** I find that the action fits within the categorical exclusion above. Therefore, I am categorically excluding the described project from further NEPA analysis. No extraordinary circumstances apply.

**Signature**

**Superintendent:** \_\_\_\_\_ **Date:** \_\_\_\_\_

David Smith (JOTR)

**Extraordinary Circumstances:**

If implemented, would the proposal...	Yes/No	Notes
<b>A.</b> Have significant impacts on public health or safety?	No	
<b>B.</b> Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas?	No	
<b>C.</b> Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?	No	
<b>D.</b> Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	
<b>E.</b> Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	No	
<b>G.</b> Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office?	No	
<b>H.</b> 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?	No	
<b>I.</b> Violate a federal, state, local or tribal law or requirement imposed for the protection of the environment?	No	
<b>J.</b> Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?	No	
<b>K.</b> Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 13007)?	No	
<b>L.</b> 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)?	No	