

RECLAMATION

Managing Water in the West

Categorical Exclusion Checklist

OLAM Foods, Inc. Exclusion – Myers-Marsh Mutual Water Company

NCAO-CEC-13-12

Prepared by:

Natalie Wolder

Date: 3-7-13

Natalie Wolder
Repayment Specialist
Willows Office of the Northern California Area Office

Reviewed by:

Paul Zedonis

Date: 3/7/13

Paul Zedonis
Natural Resources Specialist
Northern California Area Office

Approved by:

Brian Person

Date: 3/12/13

Brian Person
Area Manager
Northern California Area Office



Proposed Action

Exclusion of approximately 44.32 acres from Myers-Marsh Mutual Water Company (See Attachment 1 and 2). This land is located at T15NR2W, Section 32.

Exclusion Categories

Bureau of Reclamation Categorical Exclusion - 516 DM 6 Appendix 9.D.3 Administration and implementation of project repayment and water service contracts, including approval of organizational or other administrative changes in contracting entities brought about by inclusion or exclusion of lands in these contracts.

Extraordinary Circumstances

Below is an evaluation of the extraordinary circumstances as required in 43 CFR 46.215.

1. This action would have a significant effect on the quality of the human environment (40 CFR 1502.3). No Uncertain Yes

2. This action would have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA Section 102(2)(E) and 43 CFR 46.215(c)). No Uncertain Yes

3. This action would have significant impacts on public health or safety (43 CFR 46.215(a)). No Uncertain Yes

4. This action would have significant impacts on such natural resources and unique geographical characteristics as historic or cultural resources; parks, recreation, and refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (EO 11990); flood plains (EO 11988); national monuments; migratory birds; and other No Uncertain Yes

ecologically significant or critical areas
(43 CFR 46.215 (b)).

5. This action would have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks (43 CFR 46.215(d)). No Uncertain Yes
6. This action would establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects (43 CFR 46.215 (e)). No Uncertain Yes
7. This action would have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects (43 CFR 46.215 (f)). No Uncertain Yes
8. This action would have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by Reclamation (LND 02-01; and 43 CFR 46.215 (g)). No Uncertain Yes
9. This action would 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 (43 CFR 46.215 (h)). No Uncertain Yes
10. This action would violate a Federal, Tribal, State, or local law or requirement imposed for protection of the environment (43 CFR 46.215 (i)). No Uncertain Yes
11. This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993). No Uncertain Yes
12. This action would have a disproportionately high and adverse No Uncertain Yes

effect on low income or minority populations (EO 12898; and 43 CFR 46.215 (j)).

13. This action would 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 (EO 13007; 43 CFR 46.215 (k); and 512 DM 3). No Uncertain Yes
14. This action would 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; EO 13112; and 43 CFR 46.215 (l)). No Uncertain Yes

Regional Archeologist concurred with Item 8 (email attached).

ITA Designee concurred with Item 11 (email attached).

NEPA Action Recommended

- CEC – This action is covered by the exclusion category and no extraordinary circumstances exist. The action is excluded from further documentation in an EA or EIS.
- Further environmental review is required, and the following document should be prepared.
- EA
 - EIS

Environmental Commitments, Explanations, and/or Remarks

The parcels have not received Central Valley Project water for over a decade and are currently used for municipal and industrial purposes as a plant for OLAM Foods, Inc. The plant was originally built in the mid-1980's and in the last decade, the plant was further expanded to its present capacity.

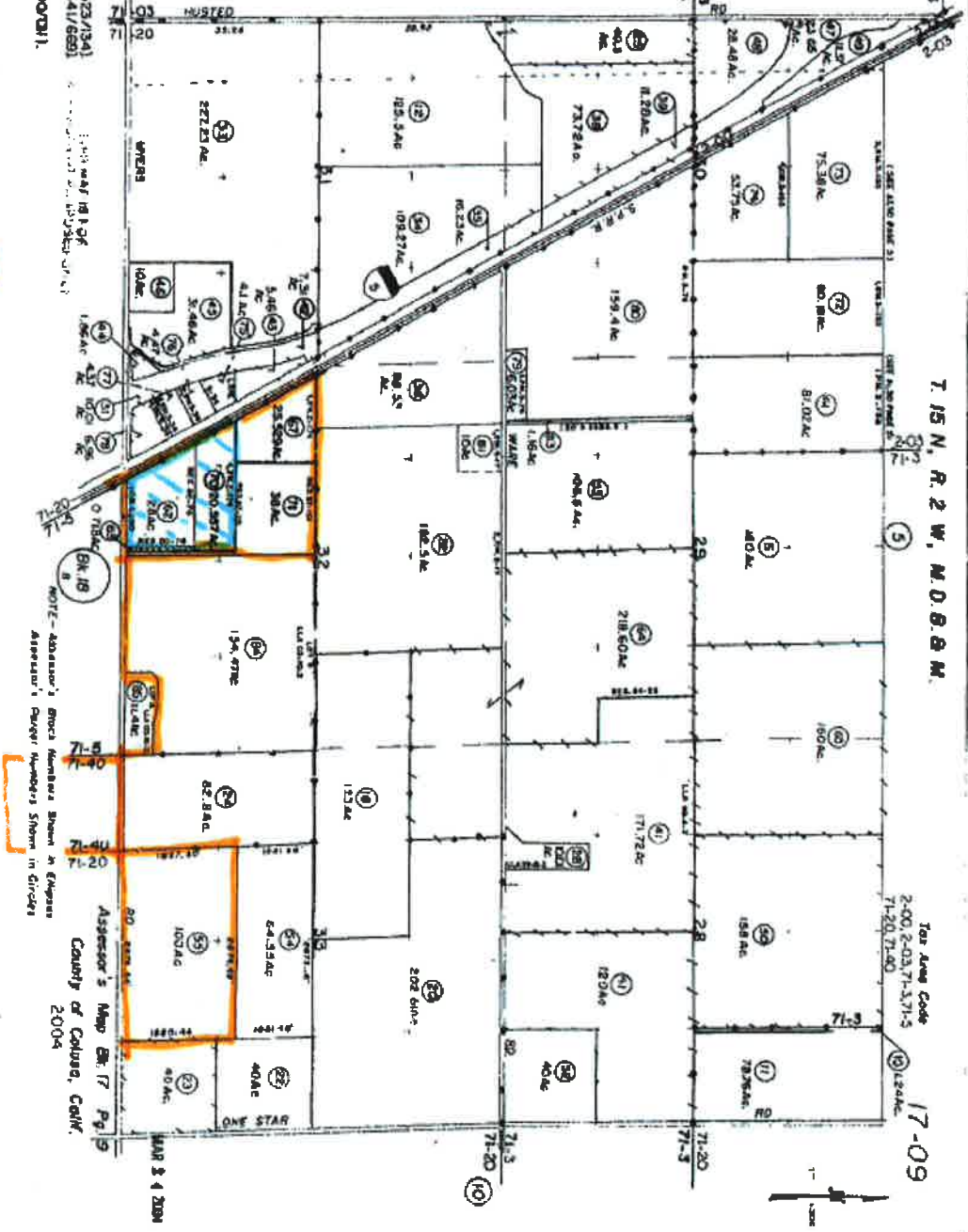
The owners do not desire present or future water service from the Myers-Marsh Mutual Water Company (Company).

The Company paid off their interest bearing Operation and Maintenance deficit; therefore, the exclusion will not have an impact to the financial standing of the Project. There is no federally financed distribution system, therefore, there is no financial obligation associated with a distribution system.

The Company's board of directors approved the exclusion at a regular board meeting conducted on March 15, 2012.

Order: Colusa County, CA Assessor Map - Book Page 17, 9 Page 1 of 1 Only

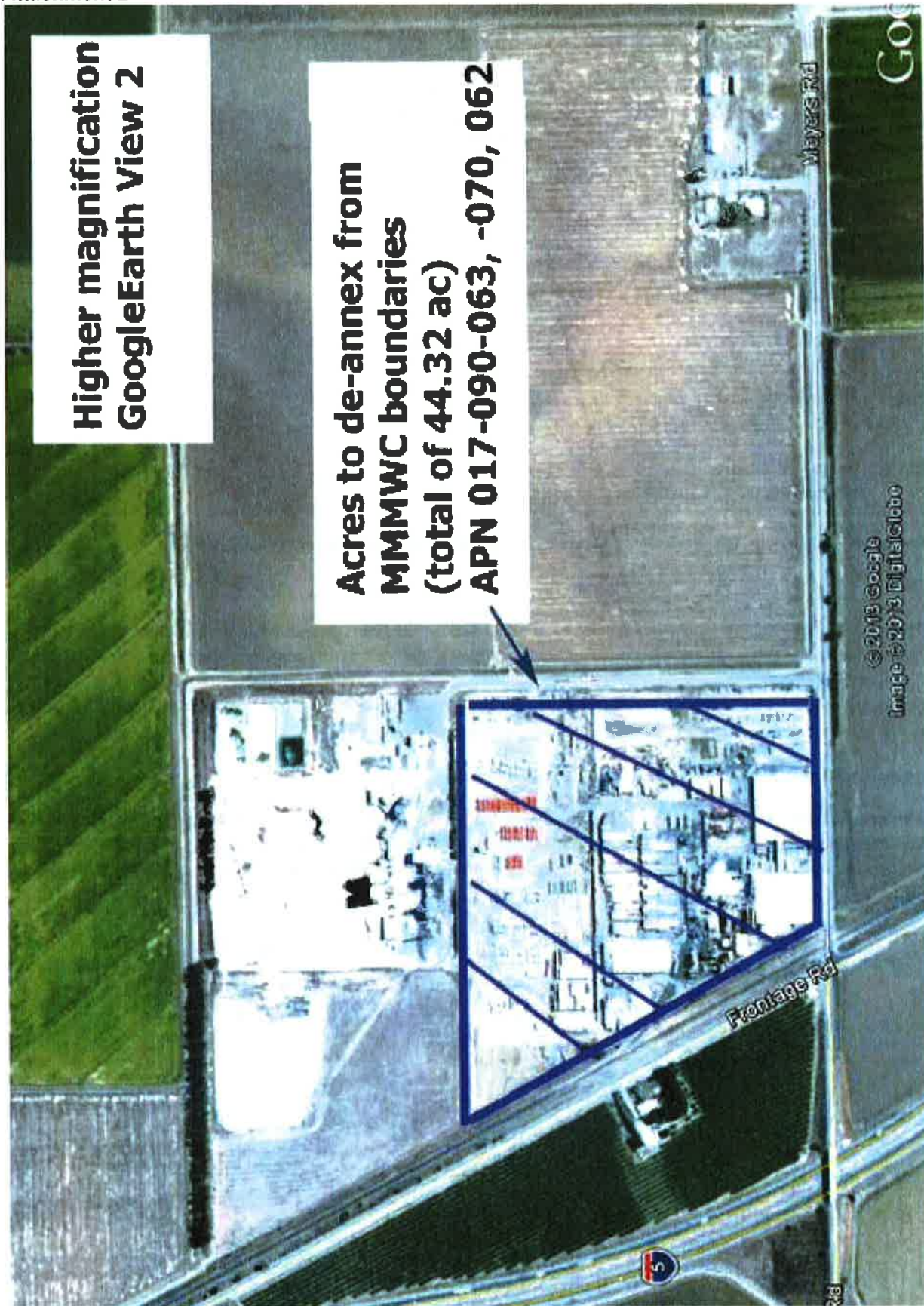
UA 03-032000+728)
 PA BK 6, PG 17
 UA 99-6-(199-004802)
 PM BK 3, PG 75
 PM BK 1, PG 130
 RES 82-78 (LOT LIME ADJ. O.R. 541/694)
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 RES 82-78 (LOT LIME ADJ. O.R. 541/694)



Area to de-annex, 2013
MMMMWC boundaries

NOTE: Assessor's Block Numbers Shown in Circles
 Assessor's Range Numbers Shown in Circles

Assessor's Map BK 7 Pg 19
 County of Colusa, Calif.
 2004



**Higher magnification
GoogleEarth View 2**

**Acres to de-annex from
MMMWC boundaries
(total of 44.32 ac)
APN 017-090-063, -070, 062**

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United States Department of the Interior

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

IN REPLY
REFER TO:
MP-153
ENV-3.00

VIA ELECTRONIC MAIL ONLY

March 4 2013
MEMORANDUM

To: Paul Zedonis
NCAO

From: Scott A. Williams
Archaeologist – Division of Environmental Affairs

Subject: OLAM Foods, Inc. Exclusion – Myers-Marsh Mutual Water Company (13-NCAO-108)

Paul

The proposed undertaking for exclusion of approximately 44.32 acres from Myers-Marsh Mutual Water Company has no potential to cause effects to historic properties pursuant to the Section 106 implementing regulations at 36 CFR Part 800.3(a)(1). The parcel (APN 017-090-063, -070, -062) is situated in Colusa County, T15N, R2W. The purpose of the project is exclude approximately 44.32 acres from Myers-Marsh Mutual Water service area. This action is administrative in nature and will not involve any ground disturbance.

I concur with Item 8 of the NCAO-CEC-13-12, for this action.

This concludes the Section 106 review process. Please retain a copy of this Memo with the administrative record for this action. If the project activities change or circumstances are altered after this review, there may be additional Section 106 review responsibilities up to and including consultation with the California State Historic Preservation Officer.



Zedonis, Paul <pzedonis@usbr.gov>

ITA Review: NCAO CEC OLAM Foods Exclusion 03012013

RIVERA, PATRICIA <privera@usbr.gov>

Thu, Mar 7, 2013 at 6:20 AM

To: Paul Zedonis <pzedonis@usbr.gov>, Kristi Seabrook <kseabrook@usbr.gov>

Paul,

I reviewed the proposed action on the Myers-Marsh Mutual Water Company project for the administration and implementation of project repayment and water service contracts, including approval of organizational or other administrative changes in contracting entities brought about by inclusion or exclusion of lands in these contracts.

This proposed project does not have a potential to affect Indian Trust Assets.

[Quoted text hidden]