

RECLAMATION

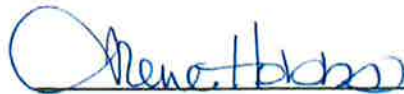
Managing Water in the West

Categorical Exclusion Checklist (CEC)

Ingress/Egress Easement - East Park Reservoir – Orland Project

NCAO-CEC-13- 29

Prepared by:



Date:

10/31/2013

Irene Hobbs
Realty Specialist
Northern California Area Office

Concurrence by:

See Attachment 3

Date:

10/25/2013

Patricia Rivera
Native American Affairs Program Manager
Mid-Pacific Regional Office

Concurrence by:

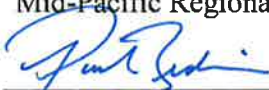
See Attachment 4

Date:

10/29/2013

William Soule
Archaeologist
Mid-Pacific Regional Office

Concurrence by:



Date:

10/31/2013

Paul Zedonis
Natural Resource Specialist
Northern California Area Office

Approved by:



Date:

Nov. 1, 2013

Brian Person
Area Manager
Northern California Area Office



Proposed Action

The Northern California Area Office (NCAO) has identified a need to obtain legal access for ingress/egress to the north side of East Park Reservoir (Reservoir) over property owned by Bravo Swift Rascal, LLC (Bravo) (Figure 1). The ingress/egress route extends from County Road 401 along an unimproved road located in Sections 23 and 26, Township 18 North, Range 6 West, in Glenn County and Section 26, Township 18 North, Range 6 West, Colusa County. A legal description and plat map for the easement (access road) in Glenn and Colusa Counties is presented in Attachment 1 and 2, respectively. The access road easement is needed by Reclamation for routine operation, maintenance and inspection of the Reservoir and Bruggman Dike. The only alternative for access to the north side of the Reservoir is by boat. All previous access for operation and maintenance since the construction of the Reservoir was completed in 1910, has been allowed by verbal approval from the landowner. This easement will give Reclamation legal rights for access independent of the charity of the landowner.

Bureau of Reclamation Exclusion Categories: C (2): Minor acquisitions of land and rights-of-way or easements.

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 ecologically significant or critical areas (43 CFR 46.215 (b)). No ☒ Uncertain ☐ Yes ☐
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 effect on low income or minority populations (EO 12898; and 43 CFR 46.215 (j)). | No | ☒ | Uncertain | ☐ | Yes | ☐ |
| 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:

Explanation and/or remarks:

PROPOSED RECLAMATION INGRESS/EGRESS EASEMENT



Figure 1

ATTN: East Park res - ingress_egress easement.dwg

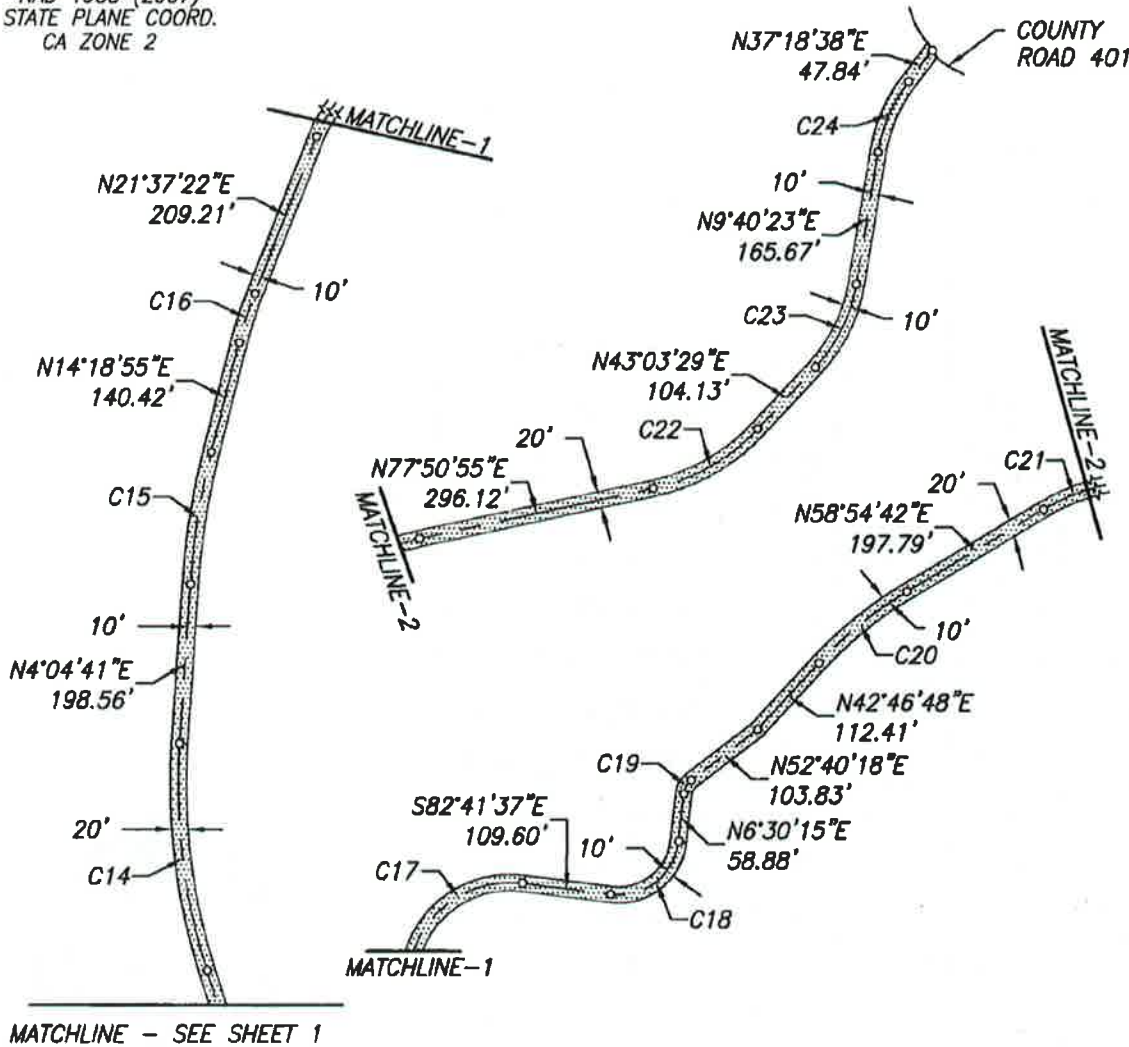




BASIS OF BEARINGS:
NAD 1983 (2007)
STATE PLANE COORD.
CA ZONE 2

T. 18 N., R. 6 W., M.D.M.

RECLAMATION
Managing Water in the West



LEGEND

- DESCRIPTION LINE
- DESCRIPTION BOUNDARY
- o DIMENSION POINT



SIGNING DATE: 9-4-2013

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

EAST PARK EASEMENT GLENN COUNTY

DATE	09/03/2013	SCALE	1" = 200'
DRWN BY	NDB	CHKD BY	GTD
		SHEET NO.	2 OF 3

FILE: East Park res - Ingress_Egress_Easement.dwg

T. 18 N., R. 6 W., M.D.M.

RECLAMATION
Managing Water in the West

Curve Table

Curve #	Length	Radius	Delta	Direction	Chord
C1	97.99'	150.00'	37°25'43"	N31°40'29"E	96.25'
C2	52.07'	100.00'	29°50'03"	N65°18'22"E	51.48'
C3	88.19'	100.00'	50°31'39"	N54°57'34"E	85.36'
C4	82.25'	100.00'	47°07'23"	N53°15'26"E	79.95'
C5	104.63'	90.00'	66°36'25"	N43°30'54"E	98.83'
C6	104.41'	250.00'	23°55'42"	N22°10'32"E	103.65'
C7	127.68'	141.30'	51°46'14"	N8°15'16"E	123.38'
C8	81.16'	250.00'	18°36'05"	N8°19'48"W	80.81'
C9	730.03'	3250.00'	12°52'12"	N7°24'21"E	728.50'
C10	121.33'	300.00'	23°10'17"	N2°15'18"E	120.50'
C11	84.25'	300.00'	16°05'23"	N1°17'09"W	83.97'
C12	44.94'	300.00'	8°34'58"	N2°28'04"E	44.90'
C13	212.65'	703.53'	17°19'06"	N8°27'04"W	211.84'
C14	285.01'	770.70'	21°11'19"	N6°30'58"W	283.39'
C15	166.03'	929.22'	10°14'14"	N9°11'48"E	165.80'
C16	63.77'	500.00'	7°18'27"	N17°58'09"E	63.73'
C17	165.12'	125.00'	75°41'01"	N59°27'53"E	153.37'
C18	118.86'	75.00'	90°48'08"	N51°54'19"E	106.81'
C19	20.14'	25.00'	46°10'03"	N29°35'16"E	19.60'
C20	140.77'	500.00'	16°07'53"	N50°50'45"E	140.31'
C21	82.63'	250.00'	18°56'13"	N68°22'48"E	82.25'
C22	151.80'	250.00'	34°47'26"	N60°27'12"E	149.48'
C23	116.54'	200.00'	33°23'06"	N26°21'56"E	114.89'
C24	96.47'	200.00'	27°38'15"	N23°29'30"E	95.54'



SIGNING DATE: 9-4-2013

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

**EAST PARK
EASEMENT
GLENN COUNTY**

DATE	09/03/2013	SCALE	1" = 200'
DRWN BY	NDB	CHKD BY	GTD
		SHEET NO.	3 OF 3

FILE: East Park res - Ingress-Egress Easement.dwg

LAND DESCRIPTION

A portion of the East Half of Section 23 and the North Half of Section 26, Township 18 North, Range 6 West, Mount Diablo Meridian, County of Glenn, State of California, being a 20 foot wide strip of land, the centerline of which is more particularly described as follows:

Beginning at a Point on the southerly line of the North Half of said Section 26, being the boundary between the County of Glenn and the County of Colusa, from which the southwest corner of said Section 26, marked by a one and one-quarter inch iron pipe with brass tag stamped "RE 474", bears the following two courses;

- 1) South $14^{\circ}09'22''$ West 2703.84' to the south line of the Southwest Quarter of said Section 26;
- 2) Along said south line, North $89^{\circ}35'19''$ West 1693.96'.

Thence from the Point of Beginning, the following fifty courses:

- 1) Along a curve to the right a distance of 97.99', having a radius of 150.00', a central angle of $37^{\circ}25'43''$, and being subtended by a chord bearing North $31^{\circ}40'29''$ East a distance of 96.25';
- 2) North $50^{\circ}23'21''$ East 165.96' to the beginning of a curve to the right;
- 3) Along said curve to the right a distance of 52.07', having a radius of 100.00', a central angle of $29^{\circ}50'03''$, and being subtended by a chord bearing North $65^{\circ}18'22''$ East a distance of 51.48';
- 4) North $80^{\circ}13'24''$ East 35.06' to the beginning of a curve to the left;
- 5) Along said curve to the left a distance of 88.19', having a radius of 100.00', a central angle of $50^{\circ}31'39''$, and being subtended by a chord bearing North $54^{\circ}57'34''$ East a distance of 85.36' to a point of reverse curvature;
- 6) Along said reverse curve to the right a distance of 82.25', having a radius of 100.00', a central angle of $47^{\circ}07'23''$, and being subtended by a chord bearing North $53^{\circ}15'26''$ East a distance of 79.95';
- 7) North $76^{\circ}49'07''$ East 41.88' to the beginning of a curve to the left;
- 8) Along said curve to the left a distance of 104.63', having a radius of 90.00', a central angle of $66^{\circ}36'25''$, and being subtended by a chord bearing North $43^{\circ}30'54''$ East a distance of 98.83';
- 9) North $10^{\circ}12'42''$ East 109.19' to the beginning of a curve to the right;
- 10) Along said curve to the right a distance of 104.41', having a radius of 250.00', a central angle of $23^{\circ}55'42''$, and being subtended by a chord bearing North $22^{\circ}10'32''$ East a distance of 103.65';
- 11) North $34^{\circ}08'23''$ East 65.84' to the beginning of a curve to the left;
- 12) Along said curve to the left a distance of 127.68', having a radius of 141.30', a central angle of $51^{\circ}46'14''$, and being subtended by a chord bearing North $8^{\circ}15'16''$ East a distance of 123.38';
- 13) North $17^{\circ}37'51''$ West 52.10' to the beginning of a curve to the right;
- 14) Along said curve to the right a distance of 81.16', having a radius of 250.00', a central angle of $18^{\circ}36'05''$, and being subtended by a chord bearing North $8^{\circ}19'48''$ West a distance of 80.81';
- 15) North $0^{\circ}58'15''$ East 69.20' to the beginning of a curve to the right;

- 16) Along said curve to the right a distance of 730.03', having a radius of 3250.00', a central angle of $12^{\circ}52'12''$, and being subtended by a chord bearing North $7^{\circ}24'21''$ East a distance of 728.50';
- 17) North $13^{\circ}50'27''$ East 96.31' to the beginning of a curve to the left;
- 18) Along said curve to the left a distance of 121.33', having a radius of 300.00', a central angle of $23^{\circ}10'17''$, and being subtended by a chord bearing North $2^{\circ}15'18''$ East a distance of 120.50';
- 19) North $9^{\circ}19'50''$ West 73.62' to the beginning of a curve to the right;
- 20) Along said curve to the right a distance of 84.25', having a radius of 300.00', a central angle of $16^{\circ}05'23''$, and being subtended by a chord bearing North $1^{\circ}17'09''$ West a distance of 83.97';
- 21) North $6^{\circ}45'33''$ East 83.36' to the beginning of a curve to the left;
- 22) Along said curve to the left a distance of 44.94', having a radius of 300.00', a central angle of $8^{\circ}34'58''$, and being subtended by a chord bearing North $2^{\circ}28'04''$ East a distance of 44.90';
- 23) North $1^{\circ}49'25''$ West 245.67';
- 24) North $1^{\circ}24'55''$ East 383.10';
- 25) North $0^{\circ}12'28''$ East 105.83' to the beginning of a curve to the left;
- 26) Along said curve to the left a distance of 212.65', having a radius of 703.53', a central angle of $17^{\circ}19'06''$, and being subtended by a chord bearing North $8^{\circ}27'04''$ West a distance of 211.84';
- 27) North $17^{\circ}06'37''$ West 100.28' to the beginning of a curve to the right;
- 28) Along said curve to the right a distance of 285.01', having a radius of 770.70', a central angle of $21^{\circ}11'19''$, and being subtended by a chord bearing North $6^{\circ}30'58''$ West a distance of 283.39';
- 29) North $4^{\circ}04'41''$ East 198.56' to the beginning of a curve to the right;
- 30) Along said curve to the right a distance of 166.03', having a radius of 929.22', a central angle of $10^{\circ}14'14''$, and being subtended by a chord bearing North $9^{\circ}11'48''$ East a distance of 165.80';
- 31) North $14^{\circ}18'55''$ East 140.42' to the beginning of a curve to the right;
- 32) Along said curve to the right a distance of 63.77', having a radius of 500.00', a central angle of $7^{\circ}18'27''$, and being subtended by a chord bearing North $17^{\circ}58'09''$ East a distance of 63.73';
- 33) North $21^{\circ}37'22''$ East 209.21' to the beginning of a curve to the right;
- 34) Along said curve to the right a distance of 165.12', having a radius of 125.00', a central angle of $75^{\circ}41'01''$, and being subtended by a chord bearing North $59^{\circ}27'53''$ East a distance of 153.37';
- 35) South $82^{\circ}41'37''$ East 109.60' to the beginning of a curve to the left;
- 36) Along said curve to the left a distance of 118.86', having a radius of 75.00', a central angle of $90^{\circ}48'08''$, and being subtended by a chord bearing North $51^{\circ}54'19''$ East a distance of 106.81';
- 37) North $6^{\circ}30'15''$ East 58.88' to the beginning of a curve to the right;
- 38) Along said curve to the right a distance of 20.14', having a radius of 25.00', a central angle of $46^{\circ}10'03''$, and being subtended by a chord bearing North $29^{\circ}35'16''$ East a distance of 19.60';
- 39) North $52^{\circ}40'18''$ East 103.83';
- 40) North $42^{\circ}46'48''$ East 112.41' to the beginning of a curve to the right;

- 41) Along said curve to the right a distance of 140.77', having a radius of 500.00', a central angle of $16^{\circ}07'53''$, and being subtended by a chord bearing North $50^{\circ}50'45''$ East a distance of 140.31';
- 42) North $58^{\circ}54'42''$ East 197.79' to the beginning of a curve to the right;
- 43) Along said curve to the right a distance of 82.63', having a radius of 250.00', a central angle of $18^{\circ}56'13''$, and being subtended by a chord bearing North $68^{\circ}22'48''$ East a distance of 82.25';
- 44) North $77^{\circ}50'55''$ East 296.12' to the beginning of a curve to the left;
- 45) Along said curve to the left a distance of 151.80', having a radius of 250.00', a central angle of $34^{\circ}47'26''$, and being subtended by a chord bearing North $60^{\circ}27'12''$ East a distance of 149.48';
- 46) North $43^{\circ}03'29''$ East 104.13' to the beginning of a curve to the left;
- 47) Along said curve to the left a distance of 116.54', having a radius of 200.00', a central angle of $33^{\circ}23'06''$, and being subtended by a chord bearing North $26^{\circ}21'56''$ East a distance of 114.89';
- 48) North $9^{\circ}40'23''$ East 165.67' to the beginning of a curve to the right;
- 49) Along said curve to the right a distance of 96.47', having a radius of 200.00', a central angle of $27^{\circ}38'15''$, and being subtended by a chord bearing North $23^{\circ}29'30''$ East a distance of 95.54';
- 50) North $37^{\circ}18'38''$ East 47.84' to the point of termination.

Excepting therefrom any portion lying within the County Road 401 right of way.

Containing 3.08 acres of land, more or less.

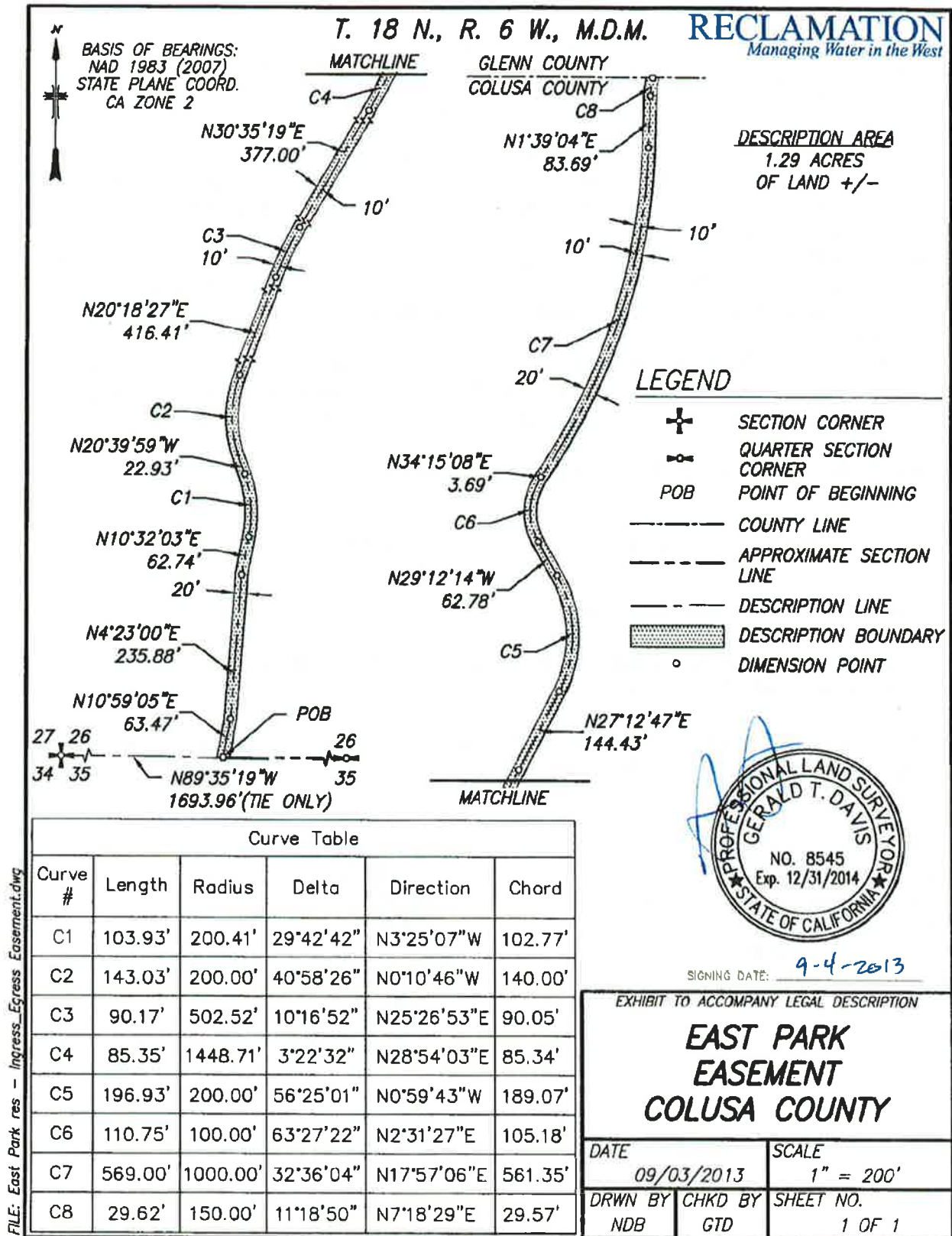
The sidelines of the described 20 foot wide strip of land shall be lengthened or shortened, as necessary, to terminate at the end lines.

The bearings shown herein are based upon the California State Plane Coordinate System of 1983 (based upon NAD 83, epoch 2007.00), Zone 2. All distances shown are in U.S. Survey Feet.

Written by:
Gerald Davis, PLS 8545
Project Land Surveyor
Bureau of Reclamation, Mid-Pacific Region
2800 Cottage Way (MP220)
Sacramento, CA 95825
Tel (916) 978-5300



Attachment 2. Colusa County Easement Figures and Descriptions (3 pages total)



LAND DESCRIPTION

A portion of the Southwest Quarter of Section 26, Township 18 North, Range 6 West, Mount Diablo Meridian, County of Colusa, State of California, being a 20 foot wide strip of land, the centerline of which is more particularly described as follows:

Beginning at a Point on the southerly line of said Southwest Quarter of Section 26, from which the Southwest Corner of Section 26, being marked by a one and one-quarter inch iron pipe with brass tag stamped "RE 474", bears North $89^{\circ}35'19''$ West 1693.96'. Thence from the Point of Beginning, the following eighteen courses:

- 1) North $10^{\circ}59'05''$ East 63.47';
- 2) North $4^{\circ}23'00''$ East 235.88';
- 3) North $10^{\circ}32'03''$ East 62.74' to the beginning of a curve to the left;
- 4) Along said curve to the left a distance of 103.93', having a radius of 200.41', a central angle of $29^{\circ}42'42''$, and being subtended by a chord bearing North $3^{\circ}25'07''$ West a distance of 102.77';
- 5) North $20^{\circ}39'59''$ West 22.93' to the beginning of a curve to the right;
- 6) Along said curve to the right a distance of 143.03', having a radius of 200.00', a central angle of $40^{\circ}58'26''$, and being subtended by a chord bearing North $0^{\circ}10'46''$ West a distance of 140.00';
- 7) North $20^{\circ}18'27''$ East 416.41' to the beginning of a curve to the right;
- 8) Along said curve to the right a distance of 90.17', having a radius of 502.52', a central angle of $10^{\circ}16'52''$, and being subtended by a chord bearing North $25^{\circ}26'53''$ East a distance of 90.05';
- 9) North $30^{\circ}35'19''$ East 377.00' to the beginning of a curve to the left;
- 10) Along said curve to the left a distance of 85.35', having a radius of 1448.71', a central angle of $3^{\circ}22'32''$, and being subtended by a chord bearing North $28^{\circ}54'03''$ East a distance of 85.34';
- 11) North $27^{\circ}12'47''$ East 144.43' to the beginning of a curve to the left;
- 12) Along said curve to the left a distance of 196.93', having a radius of 200.00', a central angle of $56^{\circ}25'01''$, and being subtended by a chord bearing North $0^{\circ}59'43''$ West a distance of 189.07';
- 13) North $29^{\circ}12'14''$ West 62.78' to the beginning of a curve to the right;
- 14) Along said curve to the right a distance of 110.75', having a radius of 100.00', a central angle of $63^{\circ}27'22''$, and being subtended by a chord bearing North $2^{\circ}31'27''$ East a distance of 105.18';
- 15) North $34^{\circ}15'08''$ East 3.69' to the beginning of a curve to the left;

- 16) Along said curve to the left a distance of 569.00', having a radius of 1000.00', a central angle of $32^{\circ}36'04''$, and being subtended by a chord bearing North $17^{\circ}57'06''$ East a distance of 561.35';
- 17) North $1^{\circ}39'04''$ East 83.69' to the beginning of a curve to the right;
- 18) Along said curve to the right a distance of 29.62', having a radius of 150.00', a central angle of $11^{\circ}18'50''$, and being subtended by a chord bearing North $7^{\circ}18'29''$ East a distance of 29.57' to the northerly line of said Southwest Quarter of Section 26 and the point of termination.

Containing 1.29 acres of land, more or less.

The sidelines of the described 20 foot wide strip of land shall be lengthened or shortened, as necessary, to terminate at the end lines.

The bearings shown herein are based upon the California State Plane Coordinate System of 1983 (based upon NAD 83, epoch 2007.00), Zone 2. All distances shown are in U.S. Survey Feet.

Written by:
Gerald Davis, PLS 8545
Project Land Surveyor
Bureau of Reclamation, Mid-Pacific Region
2800 Cottage Way (MP220)
Sacramento, CA 95825
Tel (916) 978-5300



Attachment 3. ITA Concurrence



CR & ITA Review: NCAO CEC Ingress/Egress Easement - East Park Reservoir – Orland Project 10/25/13

RIVERA, PATRICIA <privera@usbr.gov>
To: "Zedonis, Paul" <pzedonis@usbr.gov>

Fri, Oct 25, 2013 at 6:46 PM

Paul,

I reviewed the proposed action wherein the Northern California Area Office (NCAO) has identified a need to obtain legal access for ingress/egress to the north side of East Park Reservoir (Reservoir) over property owned by Swift Rascal Bravo, LLC (Bravo).

The proposed action does not have a potential to impact Indian Trust Assets.

Patricia Rivera
Native American Affairs Program Manager
US Bureau of Reclamation
Mid-Pacific Region
2800 Sacramento, California 95825
(916) 978-5194

Attachment 4. Cultural Resources Review



IN REPLY
REFER TO:

United States Department of the Interior

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

MP-153
ENV-3.00

VIA ELECTRONIC MAIL ONLY

October 29, 2013
MEMORANDUM

To: Paul Zedonis
Natural Resource Specialist, Central California Area Office

From: William E. Soutle
Archaeologist, Division of Environmental Affairs

Subject: Section 106 Compliance for: 14-NCAO-017: Ingress/Egress Easement to East Park Reservoir, Orland Project.

This proposed undertaking by Reclamation is the acquisition of an Ingress/Egress easement to the north side of East Park Reservoir over property owned by Bravo Swift Rascal LLC. This is the type of undertaking that does not have the potential to cause effects to historic properties, should such historic properties be present, pursuant to the National Historic Preservation Act (NHPA) Section 106 regulations codified at 36 CFR Part 800.3(a)(1).

The ingress/egress route extends from County Road 401 along an unimproved road located in Sections 23 and 26, Township 18 North, Range 6 West, in Glenn County and Section 26, Township 18 North, Range 6 West, Colusa County. The access road easement is needed by Reclamation for routine operation, maintenance and inspection of the Reservoir and Bruggman Dike.

After reviewing the submitted materials, I concur with Item 8 in NCAO-CEC-13-29 which states that this proposed action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by Reclamation. With this determination, Reclamation has no further NHPA Section 106 obligations. This memorandum is intended to convey the completion of the NHPA Section 106 process for this undertaking. Please retain a copy in the administrative record for this action. Should changes be made to this project, additional NHPA Section 106 review, possibly including consultation with the State Historic Preservation Officer, may be necessary. Thank you for providing the opportunity to comment.

CC: Cultural Resources Branch (MP-153), Anastasia Leigh – Regional Environmental Officer (MP-150)