

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2009-0024**

ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION,
MONITORING AND REPORTING PLAN FOR APPROVAL OF WATER RIGHT
APPLICATIONS 31076 AND 31077, PETITION TO CHANGE WATER RIGHT LICENSE 6564
(A017596) AND PETITIONS FOR CHANGE AND EXTENSIONS OF TIME FOR
PERMITS 20549 (A025209), 20550 (A025412), 20551 (A026507), AND 20812 (A030121)

WHEREAS:

1. The McEvoy Ranch is located in Marin County, approximately five miles southwest of the City of Petaluma. The project consists of water diversion and storage for irrigation of approximately 153 acres of existing and proposed olive orchard.
2. The State Water Resources Control Board (State Water Board) is the lead agency under the California Environmental Quality Act (CEQA) (Public Resources Code § 21000 et seq.) in connection with its water right proceeding to consider the following actions:
 - a) Issuance of permits for water right Applications 31076 and 31077;
 - b) Approval of petition for change in place of use, purpose of use and point of re-diversion for water right License 6564 (A017596); and,
 - c) Approval of petitions for change in place of use, purpose of use, points of diversion and re-diversion, and extensions of time for water right Permits 20549 (A025209), 20550 (A025412), 20551 (A026507), and 20812 (A030121).
3. On March 21, 2008, the Division circulated a notice of intent to adopt a Mitigated Negative Declaration, SCH No 2008032080, for the project. (Cal. Code Regs., tit. 14, § 15072.)
4. The public review period for the proposed Mitigated Negative Declaration closed on April 21, 2008.
5. Comments were received from the California Department of Water Resources and the County of Marin during the public review process of the proposed Mitigated Negative Declaration. The comments were advisory in nature and did not identify any new or unmitigated potentially significant environmental impacts.
6. The final Mitigated Negative Declaration has been completed in compliance with CEQA.
7. The Mitigated Negative Declaration reflects the State Water Board's independent judgment and analysis.
8. After considering the whole of the record--including the initial study, the proposed Mitigated Negative Declaration, and the comments received--the State Water Board hereby determines that there is no substantial evidence that the project, with mitigation measures, will have a significant effect on the environment.

9. The documents constituting the record for the Mitigated Negative Declaration are in the Division of Water Right files for Permits 20549 (A025209), 20550 (A025412), 20551 (A026507), and 20812 (A030121), available in the Division of Water Rights Records Unit, 1001 "I" Street, 2nd Floor, Sacramento, CA 95814.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board adopts the final [Mitigated Negative Declaration](#) and [Mitigation, Monitoring and Reporting Plan](#) for the proposed project.

CERTIFICATION

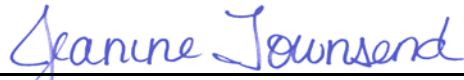
The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on March 17, 2009.

AYE: Chair Charles R. Hoppin
Vice Chair Frances Spivy-Weber
Arthur G. Baggett, Jr.
Tam M. Doduc

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board