

California Environmental Protection Agency

State Water Resources Control Board

DIVISION OF WATER RIGHTS

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

**ENVIRONMENTAL INFORMATION
FOR PETITIONS**

Petition for Change

Petition for Extension of Time

Before the State Water Resources Control Board (SWRCB) can approve a petition to change your water right permit or a petition for extension of time to complete use, the SWRCB must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition to change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

See Attachment No. 1

2. COUNTY PERMITS

a. Contact your county planning or public works department and provide the following information:

See Attachment No. 2

Person contacted: _____ Date of contact: _____

Department: _____ Telephone: _____

County Zoning Designation: _____

Are any county permits required for your project? YES NO

If YES, check appropriate box below:

Grading permit Use permit Watercourse Obstruction permit Change of zoning

General plan change Other (explain): _____

b. Have you obtained any of the required permits described above? YES NO N/A (no permits required)

If YES, provide a complete copy of each permit obtained.

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See Attachment No. _____

3. STATE/FEDERAL PERMITS AND REQUIREMENTS

- a. Check any additional state or federal permits required for your project:
 Federal Energy Regulatory Commission U.S. Forest Service Bureau of Land Management
 Soil Conservation Service Dept of Water Resources (Div. of Safety of Dams) Reclamation Board
 Coastal Commission State Lands Commission Other (specify) (see chart below)
- b. For each agency from which a permit is required, provide the following information:

AGENCY	PERMIT TYPE	PERSON(S) CONTACTED	CONTACT DATE	TELEPHONE NO.

See Attachment No. 3

- c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed or bank of any stream or lake? YES NO
 If YES, explain:

See Attachment No. 4

- d. Have you contacted the California Department of Fish and Game concerning your project? YES NO
 If YES, name and telephone number of contact: Gary Hobgood (916) 983-6920

4. ENVIRONMENTAL DOCUMENTS

- a. Has any California public agency prepared an environmental document for your project? YES NO
 If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: Reclamation District No. 108
- b. If NO, check the appropriate box and explain below, if necessary:
- The petitioner is a California public agency and will be preparing the environmental document.*
 - I expect that the SWRCB will be preparing the environmental document.**
 - I expect that a California public agency other than the State Water Resources Control Board will be preparing the environmental document.* Public agency: _____

See Attachment No. 5 (Mitigated Negative Declaration and Notice of Determination)_____

* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

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** Note: CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the SWRCB, Division of Water Rights.

5. **WASTE/WASTEWATER**

- a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?
 YES NO

If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

See Attachment No. 6

- b. Will a waste discharge permit be required for your project? YES NO

Person contacted: Jackie Kelly Date of contact: April 9, 2007

This project required coverage under the General Permit for Storm Water Discharges Associated with Construction Activity (5SC57C344663). The State Water Resources Control Board, Division of Water Quality, approved such coverage on November 29, 2006.

- c. What method of treatment and disposal will be used? _____

See Attachment No. 7

6. **ARCHAEOLOGY**

- a. Have any archaeological reports been prepared on this project? YES NO

See Attachment No. 8

- b. Will you be preparing an archaeological report to satisfy another public agency? YES NO
(already complete)
- c. Do you know of any archaeological or historic sites located within the general project area? YES NO

If YES, explain: _____

See Attachment No. 9

ENVIRONMENTAL INFORMATION FOR PETITIONS

7. **ENVIRONMENTAL SETTING** (Attachment 10)

Attach **three complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.

- Along the stream channel immediately downstream from the proposed point(s) of diversion.
- Along the stream channel immediately upstream from the proposed point(s) of diversion.
- At the place(s) where the water is to be used.

8. **CERTIFICATION**

I hereby certify that the statements I have furnished above and in the attachments are complete to the best of my ability and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date: 5/11/07

Signature: Kenn O'Boi

ENVIRONMENTAL INFORMATION FOR PETITIONS

Attachment No. 1

The proposed project will include construction/decommissioning activities within an approximately six-mile long area west of the Sacramento River. The proposed project will involve:

- Construction of a new Pumping Plant/Fish Screen facility on the west side of the Sacramento River, at a site about 1 mile south of the existing Boyers Bend Pumping Plant;
- Construction of a concrete-lined afterbay on the west side of the Sacramento River Levee, 270 feet long, 96 feet wide, and 14 feet deep (82 x 29 x 4 meters, respectively);
- Construction of a new canal system, including 21,250 linear feet (6,500 meters) of new concrete-lined canal to connect the existing irrigation system to the new Combined Pumping Plant/Fish Screen;
- Replacement of 4,210 linear feet (1,280 meters) of existing canal to raise concrete linings, construction of two low-head lift stations, and construction of canal hydraulic control structures;
- Excavation of borrow materials at two sites;
- Hauling of construction materials to the site;
- New power connections for the Pumping Plant/Fish Screen and two new lift stations;
- On-going operation and removal of the Boyers Bend, Howells Landing, and Tyndall Mound pumping plants when other facilities have been constructed and are in operation.

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Attachment No. 2

Person contacted: Mike Azevedo Date of contact: March 20, 2007

Department: Colusa County Public Works Department Telephone: (530) 458-0466

County Zoning Designation: "Exclusive Agriculture"

Person contacted: Tana Louden Date of contact: March 20, 2007

Department: Colusa County Planning Department Telephone: (530) 458-0480

County Zoning Designation: "Exclusive Agriculture"

Person contacted: Jim Campbell Date of contact: March 21, 2007

Department: Yolo County Public Works Department Telephone: (530) 666-8847

County Zoning Designation: Agricultural

ENVIRONMENTAL INFORMATION FOR PETITIONS

Attachment No. 3

AGENCY	PERMIT TYPE	PERSON(S) CONTACTED	CONTACT DATE	TELEPHONE NO.
United States Army Corps of Engineers	Section 404/Section 10 Permit	Cori Nagasawa	Permit No. 200500764, signed and dated April 26, 2006	(916) 557-6605
Central Valley Regional Water Quality Control Board	Section 401 Water Quality Certification	Partrick G. Gillum, Environmental Scientist	Order for Technically-Conditioned Certification, dated August 19, 2005	(916) 464-4709
California Department of Fish & Game	Section 1601 Streambed Alteration Agreement	Kerry Wicker; Gary Hobgood	Agreement Regarding Proposed Stream Alternation, Notification No. 1600-2005-0237-R2, signed and dated April 4, 2006	Wicker: (916) 358-2912 Hobgood: (916) 983-6920
California State Lands Commission	Statement that Application to SLC Not Required	Diane Jones, Public Land Manager	Letter stating that RD 108 need not obtain a SLC lease, signed and dated June 5, 2006	(916) 574-1843
California Department of Fish and Game	Fish and Game Code 2081 Consistency Determination that NOAA Fisheries' Biological Opinions are Consistent with the California Endangered Species Act	Sandra Morey, Regional Manager; John Nelson, Senior Environmental Specialist	Consistency Determination, signed and dated April 24, 2006	Morey: (916) 358-2915 Nelson: (916) 358-2944
National Oceanic and Atmospheric Administration Fisheries	Biological Opinion with respect to winter-run and spring-run Chinook salmon and Central Valley steelhead incidental take, critical habitat, and endangered fish habitat	Howard Brown	Biological Opinion dated January 6, 2006	(916) 930-3608
United States Fish and Wildlife Service	Informal Consultation pursuant to Section 7(a) of the Endangered Species Act (1-1-05-I-0404)	Jill Wright or Kelly Fitzgerald	Memorandum stating that no further action pursuant to the Endangered Species Act is necessary, dated November 7, 2005	(916) 414-6600

ENVIRONMENTAL INFORMATION FOR PETITIONS

State Reclamation Board	Encroachment Permit (Permit No. 18026-Rev. GM)	Jay S. Punia, General Manager	Permit No. 18026-Rev. GM, dated September 8, 2006	(916) 574-2611
California Department of Parks and Recreation	Determinations pursuant to Section 106 of the National Historic Preservation Act (BUR050505A)	William Soule	Letter confirming determinations under the National Historic Preservation Act, dated January 31, 2006	(916) 654-4614
CalTrans	Highway 45 Encroachment Permit	Joe Koski	Permit signed and dated July 19, 2006	(530) 755-7401
State Water Resources Control Board	General Permit for Storm Water Discharges Associated with Construction Activity (5S57C344663)	Jackie Kelly	Permit approval dated November 29, 2006	(916) 464-3291

ENVIRONMENTAL INFORMATION FOR PETITIONS

Attachment No. 4

The project plans include constructing a fish screen and pumping plant, which will include five pumps and five 48-inch diameter discharge pipes, installing an electrical control building, constructing a 6-inch aggregate based, 24-foot wide access road supported by metal sheet piles, placing riprap within the channel on the west bank of the Sacramento River, and excavating material and constructing an approximately 3-mile-long, 12-foot-wide concrete lined canal within 10-feet landward of the landside levee toe. The project also includes raising approximately 4,210 linear feet of existing canals.

All grading activity will be contained within a sheet pile cofferdam and sheet pile walls that will extend from the cofferdam into the levee.

ENVIRONMENTAL INFORMATION FOR PETITIONS

Attachment No. 5

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FILED
YOLO COUNTY CLERK/RECORDER

JAN 18 2006

Form C

Notice of Determination

FREDDIE WINSLEY, CLERK
BY *[Signature]*
DEPUTY

To: Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) Reclamation District 108
975 Wilson Bend Road (P O Box 50)
Grimes, CA 95950-0050

County Clerk
County of Colusa & Yolo
546 Jay Street, Colusa, CA 95932
625 Court St, Woodland, CA 95695

(Address)

Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

RD 108 Combined Pumping Plant and Fish Screen Project (Poundstone Project)

Project Title

2005122012

Lewis Bair

(530) 437-2221

State Clearinghouse Number
(If submitted to Clearinghouse)

Lead Agency
Contact Person

Area Code/Telephone/Extension

Colusa and Yolo Counties, SR 45 and Ceres Avenue/Road 6

Project Location (include county)

Project Description:

RD 108 proposes to further reduce potential for its operations to affect aquatic species by replacing three additional unscreened pumping plants (at Boyers Bend, Howells Landing, and Tyndall Mound) with a new screened pumping plant located about 4,000 feet south of Boyers Landing. The new facility would screen approximately 75% of RD 108's remaining unscreened diversion capacity.

This is to advise that the Reclamation District No. 108 has approved the above described project on

January 11, 2006

Lead Agency Responsible Agency

and has made the following determinations regarding the above described project:

(Date)

1. The project will will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not made a condition of the approval of the project.
4. A statement of Overriding Considerations was was not adopted for this project.
5. Findings were were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:
Reclamation No. 108, 975 Wilson Bend Road, Grimes, CA 95950-0050

[Signature]
Signature (Public Agency)

January 11, 2006

Date

General Manager

Title

Date received for filing at OPR:

January 2006

JAN 18 2006
FEB 18 2006
POSTED

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Cathy Busch

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FINAL

MITIGATED NEGATIVE DECLARATION
FOR THE PROPOSEDRECLAMATION DISTRICT NO. 108
COMBINED PUMPING PLANT AND POSITIVE BARRIER FISH SCREEN
POUNDSTONE PROJECTReclamation District No. 108
975 Wilson Bend Road
Grimes, CA 95950

Juvenile winter-run Chinook salmon, spring-run Chinook salmon, other salmon races, steelhead, green sturgeon, and a variety of other resident and migratory fish species are adversely impacted by entrainment at the unscreened Boyer's Bend, Howells Landing, and Tyndall Mound Pumping Plants. The RD 108 unscreened diversions are located on the Sacramento River in an area designated as critical habitat for winter-run and spring-run Chinook salmon, Central Valley steelhead, and essential fish habitat (EFH) for Pacific salmon. RD 108 proposes to construct and operate a combined pumping plant and positive barrier fish screen to eliminate entrainment mortality on juvenile and adult fish inhabiting the Sacramento River. The Boyer's Bend, Howells Landing, and Tyndall Mound diversions would be decommissioned and removed from the river. The combined pumping plant and fish screen, in combination with additional canal distribution facilities, would be operated to provide water supplies for agricultural irrigation and rice straw decomposition. The proposed project will require approvals and partial funding from Reclamation District 108 for construction and operation of the fish screen and therefore, Reclamation District 108 is serving as the state lead agency for compliance with CEQA.

The proposed fish screen will meet design criteria established by the California Department of Fish and Game (CDFG) and National Marine Fisheries Service (NMFS). The design of the proposed fish screen has been developed in consultation with representatives of the Anadromous Fish Screen Program (AFSP), including CDFG, NMFS, U.S. Bureau of Reclamation (USBR), California Department of Water Resources (DWR), Natural Resources and Conservation Service (USDA-NRCS), and U. S. Fish and Wildlife Service (USFWS). Engineering designs for the proposed combined pumping plant and the AFSP participants have reviewed fish screen. Installation of the fish screen will not increase water diversions from the Sacramento River.

The Finding: Although the proposed combined pumping plant, fish screen, and distribution canal project may have the potential to cause minor construction-related localized short-term impacts on soil, vegetation, wildlife, water quality, and aquatic resources, the measures to avoid significant impacts that will be incorporated into the

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project will lessen such impacts to less-than-significant levels (see Environmental Assessment/Initial Study).

Basis for the Finding: Based on the Environmental Assessment/Initial Study it was determined that there would not be significant adverse environmental effects resulting from construction or long-term operations and maintenance of the proposed combined pumping plant and fish screen. The project is expected to achieve a net environmental benefit by reducing mortality resulting from entrainment losses for winter-run Chinook salmon, spring-run Chinook salmon, other salmon races, steelhead, green sturgeon, and other resident and migratory fish species. The long-term environmental benefit resulting from reduced entrainment mortality of fish inhabiting the Sacramento River will mitigate and compensate for short-term impacts to aquatic resources resulting from construction activity.

Therefore, Reclamation District No. 108 finds that implementing the proposed project will have no significant environmental impact. This Mitigated Negative Declaration is filed pursuant to the California Environmental Quality Act guidelines.

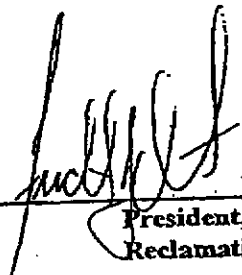
Determination: On the basis of this initial evaluation:

I find that the proposed project *could not* have a significant effect on the environment and a **NEGATIVE DECLARATION** will be prepared. _____

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the *mitigation* measures described in the Environmental Assessment/Initial Study have been added to the project. Therefore, a **MITIGATED NEGATIVE DECLARATION** will be prepared. X

I find the proposed project *may* have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. _____

1-11-06
Date



President, Board of Trustees
Reclamation District No. 108

Attachment No. 6

Increased turbidity and sedimentation is expected to occur only on a temporary basis, during construction. Construction activity, including site preparation, dredging, and installation/removal of the cofferdam would result in temporary and very small localized increases in turbidity and suspended sediments within the Sacramento River downstream of the project. Construction of the screen within the cofferdam would reduce and avoid turbidity and suspended sediment within the river. Installation of the cofferdam is anticipated to require up to 60 days. The increase in turbidity is expected to be minimal and short-term.

Attachment No. 7

RD 108 will prepare an Erosion Control Plan that includes Best Management Practices, including, but not limited to, the following:

- Use of sedimentation basins/straw bales;
- Covering of graded areas with protective materials;
- Incorporating retaining walls into the project design;
- Minimizing surface disturbance of soil and vegetation;
- Placing stockpiled soil where it will not be subject to accelerated erosion;
- Revegetating and placing erosion controls, when a graded area has attained a finished grade;
- Implementing Best Management Practices.

Prior to the initiation of construction, RD 108 shall verify that construction documents contain Erosion Control Plan Measures and Best Management Practices. During construction, RD 108 shall perform periodic inspections.

ENVIRONMENTAL INFORMATION FOR PETITIONS

Attachment No. 8

William Self & Associates prepared two confidential archaeological reports for this project: (1) a Cultural Resources Management Plan, dated September 2005; and (2) a Monitoring Report, dated December 2006.

ENVIRONMENTAL INFORMATION FOR PETITIONS

Attachment No. 10

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PET-ENV (10-04)