

Notice of Exemption

Form D

To: Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) Department of Water Resources
1416 Ninth Street
Sacramento CA 94236-0001

(Address)

County Clerk
County of

Project Title: Temporary Urgency Change Petition

Project Location - Specific:

Sacramento-San Joaquin Delta

Project Location - City: Sacramento

Project Location - County: Sacramento

Description of Nature, Purpose and Beneficiaries of Project:

Through the Temporary Urgency Change Petition, the Department of Water Resources (DWR) is seeking relaxation of X2 requirements as described in D-1641. Specifically, DWR requests that maintaining X2 at Collinsville, as opposed to Chipps Island, will be deemed sufficient compliance of the X2 requirement for February 2009. DWR also seeks a waiver of the "starting gate" provision as described in Footnote 10 of Table 3 and a waiver of the higher flow objective for the San Joaquin River at Vernalis.

The requested changes will allow DWR to maintain cold-water reserves for salmonids and minimize impacts to DWR's ability to deliver critical water supplies. Thus, the beneficiaries of the projects are both fish and State Water Project Contractors.

Name of Public Agency Approving Project: State Water Resources Control Board

Name of Person or Agency Carrying Out Project: Department of Water Resources

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Existing Facilities, Class 1 -- Sec. 15301
Statutory Exemptions. State code number:

Reasons why project is exempt:

Relaxing the X2 requirements for the month of February will result in no expansion of the State Water Project's existing use. Instead, it will allow DWR to keep water in storage and use it at a later time when it will be more critically needed and will be more beneficial.

Lead Agency
Contact Person: Nancy Quan Area Code/Telephone/Extension: (916) 653-0190

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [] Yes [X] No

Signature: [Signature] Date: 02/10/2009 Title: Branch Chief, Program Development and Transfers

- [X] Signed by Lead Agency Date received for filing at OPR:
[] Signed by Applicant

Revised 2005