

Notice of Determination

Form C

To:

Office of Planning and Research
For U.S. Mail: P.O. Box 3044 Sacramento, CA 95812-3044
Street Address: 1400 Tenth St. Sacramento, CA 95814

County Clerk
County of: multiple; see attached
Address:

From:

Public Agency: Yuba County Water Agency
Address: 1402 D Street Marysville, CA 95901
Contact: Curt Aikens, General Manager
Phone: 530-741-6278

Lead Agency (if different from above):
Address:
Contact:
Phone:

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

State Clearinghouse Number (if submitted to State Clearinghouse): 2006102026

Project Title: Proposed Extension Petition for the Interim Flow Requirements under State Water Resources Control Board Revised Water Right Decision 1644

Project Location (include county): See attached Mitigated Negative Declaration and project area map.

Project Description:

This is to advise that the Yuba County Water Agency has approved the above described project on November 14, 2006 and has made the following determinations regarding the above described project:

- 1. The project [] will [X] 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. [X] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X] were [] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [] was not adopted for this project.
4. A statement of Overriding Considerations [] was [X] was not adopted for this project.
5. Findings [X] 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, or the negative Declaration, is available to the General Public at: Yuba County Water Agency, 1402 D Street, Marysville, CA 95901

Signature (Public Agency) Curt Aikens Title General Manager

Date November, 2006 Date Received for filing at OPR

Authority cited: Sections 21083, Public Resources Code. Reference Section 21000-21174, Public Resources Code.

**Proposed Yuba Accord
IS/ND Distribution List**

<u>Lname</u>	<u>Fname</u>	<u>Company</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
Grubbs	Candace	County Clerk - Alameda County	1106 Madison Street	Oakland	CA	94607
		County Clerk - Butte County	25 County Center Drive	Oroville	CA	95965
		County Clerk - Butte County	25 County Center Drive	Oroville	CA	95965
		County Clerk - Colusa County	546 Jay Street	Colusa	CA	95932
		County Clerk - Contra Costa County	P. O. Box 350	Martinez	CA	94553
		County Clerk - Fresno County	2221 Kern Street	Fresno	CA	93721
		County Clerk - Glenn County	526 West Sycamore Street	Willows	CA	95988
		County Clerk - Imperial County	940 W Main Street, Rm 202	El Centro	CA	93343
		County Clerk - Kern County	1115 Truxtun Avenue, 5th Floor	Bakersfield	CA	93301
		County Clerk - Kings County	1400 West Lacey Blvd.	Hanford	CA	93230
		County Clerk - Los Angeles	P.O. Box 1024	Norwalk	CA	90651-1024
		County Clerk - Madera County	209 West Yosemite Avenue	Madera	CA	93637
		County Clerk - Marin County	3501 Civic Center Drive, Room #247	San Rafael	CA	94903
		County Clerk - Mariposa County	4982 10th Street	Mariposa	CA	95338
		County Clerk - Merced County	2222 M Street, Room 14	Merced	CA	95340
		County Clerk - Monterey County	P. O. Box 29	Salinas	CA	93902-0570
		County Clerk - Nevada County	950 Maidu Avenue	Nevada City	CA	95959
		County Clerk - Placer County	2954 Richardson Drive	Auburn	CA	95603
		County Clerk - Plumas County	520 Main Street, Room 102	Quincy	CA	95971
		County Clerk - Sacramento County	P.O. Box 839	Sacramento	CA	95812-0839
		County Clerk - San Benito County	440 5th Street, Room 206, County Courthouse	Hollister	CA	95023-3843
		County Clerk - San Bernardino County	222 West Hospitality Lane	San Bernardino	CA	92415-0022
		County Clerk - San Francisco County	City Hall, Room 168, 1 Dr. Carlton B. Goodlett Place	San Francisco	CA	94102-4678
		County Clerk - San Joaquin County	6 South El Dorado Street, Second Floor	Stockton	CA	95202
		County Clerk - San Luis Obispo County	1055 Monterey Street, Room D120	San Luis Obispo	CA	93408-3237
		County Clerk - San Mateo County	655 County Center, First Floor	Redwood City	CA	94063-1865
		County Clerk - Santa Barbara County	P. O. Box 159	Santa Barbara	CA	93102-0159
		County Clerk - Santa Barbara County	401 E. Cypress Street, Room 102	Lompoc	CA	93436
		County Clerk - Santa Clara County	70 West Hedding Street, East Wing, First Floor	San Jose	CA	95110
		County Clerk - Santa Cruz County	701 Ocean Street, Room 210	Santa Cruz	CA	95060
		County Clerk - Sierra County	P. O. Drawer D, 100 Courthouse Square, Ste. 11	Downieville	CA	95936
		County Clerk - Solano County	675 Texas Street, Suite 1900	Fairfield	CA	94533
County Clerk - Stanislaus County	1021 I Street, Suite 101	Modesto	CA	95354		
County Clerk - Sutter County	433 2nd Street	Yuba City	CA	95991		
County Clerk - Tehama County	P. O. Box 250	Red Bluff	CA	96080		
County Clerk - Tulare County	County Civic Center, 221 South Mooney Blvd.	Visalia	CA	93291		
County Clerk - Ventura County	Hall of Administration, Main Plaza, 800 S. Victoria Ave.	Ventura	CA	93009-1210		
County Clerk - Yuba County	915 8th Street, Suite 107	Marysville	CA	95901		

MITIGATED NEGATIVE DECLARATION

for the

YUBA COUNTY WATER AGENCY
PROPOSED EXTENSION PETITION FOR THE INTERIM INSTREAM
FLOW REQUIREMENTS UNDER
STATE WATER RESOURCES CONTROL BOARD
REVISED WATER RIGHT DECISION 1644

Prepared for

*Yuba County
Water Agency* 

Prepared by

HDR | **SWRI**
Surface Water Resources, Inc.

November 2006

(State Clearinghouse Number: 2006102026)

MITIGATED NEGATIVE DECLARATION

PROJECT TITLE: PROPOSED EXTENSION PETITION FOR THE INTERIM INSTREAM FLOW REQUIREMENTS UNDER STATE WATER RESOURCES CONTROL BOARD REVISED WATER RIGHT DECISION 1644

DATE: November 14, 2006

PROJECT APPLICANT: Yuba County Water Agency

LEAD AGENCY: Yuba County Water Agency

CONTACT PERSON: Curt Aikens, General Manager (530/741-6278)

PROJECT DESCRIPTION

Yuba County Water Agency (YCWA) is submitting a petition to modify the terms of YCWA's water right permits to change the effective date of RD-1644 long-term instream flow requirements from March 1, 2007 to April 1, 2008. Additionally, pursuant to Water Code §1725, YCWA and the California Department of Water Resources (DWR) propose to conduct a one-year water transfer for 2007 (March 2007 through December 2007). The proposed project would enable a one-year water transfer of up to 125,000 acre-feet of water from YCWA to DWR, which would provide YCWA a source of revenue and assist DWR in meeting a substantial portion of the Environmental Water Account Program asset acquisition goal for 2007. The proposed project involves YCWA transferring water from New Bullards Bar Reservoir using the Yuba River Development Project (Yuba Project) facilities to DWR via the lower Yuba River, lower Feather River, Sacramento River, and the Delta.

DECLARATION

Yuba County Water Agency has determined that, although the above project could have a significant impact on the environment, mitigation measures described in the Initial Study and Mitigation Monitoring and Reporting Program have been incorporated into the project that avoid the potential of significant impacts or mitigate the impacts to a point where clearly no significant impacts would occur. The determination is based on the attached Initial Study (SCH # 2006102026), the whole record before the Agency, and the following findings:

1. The project will not degrade environmental quality, substantially reduce habitat, cause a wildlife population to drop below self-sustaining levels, reduce the number or restrict the range of special-status species, or eliminate important examples of California history or prehistory.
2. The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
3. The project will not have impacts that are individually limited but cumulatively considerable.

4. The project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.
5. No substantial evidence exists that the project will have a negative or adverse effect on the environment.
6. The project incorporates all applicable mitigation measures or environmental commitments identified in the Initial Study (attached).
7. This Mitigated Negative Declaration reflects the independent judgment of the lead agency.

The following environmental commitments (mitigation measures) will be implemented by the agency as part of the proposed project. Implementation of these measures would reduce any potential impacts to a less-than-significant level.

- Air Quality - YCWA and Member Units No Net Increase Air Quality Mitigation Plan
- Fisheries Resources - River Management Team/YCWA coordination and consultation regarding 2007 Pilot Program Fisheries Agreement
- Terrestrial Resources- EWA EIS/EIR Mitigation Plan (SCH # 2001072046) for Reservoir Drawdown
- Cultural Resources- EWA EIS/EIR Mitigation Plan (SCH # 2001072046) for Reservoir Drawdown
- Groundwater Resources- YCWA Groundwater Monitoring and Reporting Plan

The mitigation measures are described in more detail in the Mitigation Monitoring and Reporting Program, which is adopted concurrently with this Mitigated Negative Declaration.

The public review period for the Draft Initial Study/Proposed Mitigated Negative Declaration expired on November 6, 2006.

The Initial Study, documents referenced in the Initial Study, Proposal to Adopt Mitigated Negative Declaration, comments on the Proposal, and other documents concerning the Project are on file and available for public review at the Yuba County Water Agency office, 1402 D Street Marysville, CA 95901, (530) 741-6278. Curt Aikens, Agency General Manager (same address and phone), is the custodian of the documents that constitute the record of proceedings upon which the decision in this matter is based.



Curt Aikens
General Manager
Yuba County Water Agency

November 14, 2006

Date

COPY

11/14/2006 11:07AM
Vitals Customer

TRANSACTION # 46485
DOCUMENT # 2006FG-00098

NOTES:

ENVIR ADMIN FEE: \$25.00
ENVIR FILING FEE: \$1250.00
TOTAL: \$1,275.00
CHECK: \$1275.00 025009

DEPUTY INITIALS: MJ

THANK YOU

TERRY A. HANSEN
COUNTY RECORDER
COUNTY OF YUBA
MARYSVILLE, CA 95901