



**Linda S. Adams**  
Secretary for  
Environmental Protection

# State Water Resources Control Board

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## Division of Water Rights

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**Arnold Schwarzenegger**  
Governor

### NOTICE OF PROPOSED MITIGATED NEGATIVE DECLARATION Pursuant to Section 21092– Public Resources Code

The staff of the State Water Resources Control Board has prepared a Mitigated Negative Declaration setting forth the findings that the following proposed action will have a less than significant effect on the environment.

**PROJECT TITLE:** Smith Family Trust  
Petitions to Change Water Right License 2805

**APPLICANT:** Smith Family Trust  
c/o Patricia B. Smith, Trustee  
1703 Countryside Drive  
Vista, CA 92081

#### **PROJECT LOCATION:**

The proposed project site is located approximately ten miles southwest of the City of Sacramento, less than a quarter of a mile from the intersection of Twin Cities Road and Interstate 5, in Sacramento County, California. The project site is within Township 5N, Range 5E, Sections 16 and 17, on the “Bruceville, CA” 7.5-minute U.S. Geological Service quadrangle. The project site includes portions of 11 parcels, including the approximately 58.1-acre Smith Family Trust property and the Department of Water Resources (DWR) property.

#### **PROJECT DESCRIPTION:**

There are a number of actions pending on License 2805 (Application 10068). The State Water Resources Control Board (State Water Board), Division of Water Rights (Division) is processing requests to split the water right, based on land ownership. Some properties that were in the original place of use, but are no longer served under the license will be removed from the licensed place of use, and the water right quantity will be adjusted accordingly. In addition, the original point of diversion was taken out of service when Interstate 5 was constructed. To remedy the fact that alternate points of diversion are now in use, the following actions have occurred: (1) on April 19, 2002, the Department of Water Resources (DWR) filed a change petition to add existing pump locations and an Unnamed Stream (aka Reclamation District 1002 Drainage Canal) to the license, (2) on December 19, 2005, Tom Stokes filed a petition to change to add his existing pump location to the license, (3) on February 2, 2007, the Smith Family Trust filed a change petition to add a proposed new pump location and source (the same drainage canal requested in the DWR petition) to the license. DWR and Tom Stokes moved their pumps prior to 1980; these changes are part of the baseline for the California Environmental Quality Act evaluation of the Smith Family Trust petition.

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*California Environmental Protection Agency*

The project proposes to relocate an existing point of diversion (POD) approximately 600 feet eastward from DWR-owned land to land owned by Smith Family Trust. The POD is located in the northwestern corner of the project site on the drainage canal, which is tributary to Dredger Cut, also referred to as Lost Slough, which is a tributary to Snodgrass Slough. Relocation of the POD would involve removal of an existing pump and placement of the same or similar type of new pump. The new pump would be located on the southern side of the drainage canal, similar to the existing pump. A power line with a transformer exists at the existing pump location. Sacramento Municipal Utility District (SMUD) intends to extend power from existing power lines by adding three poles along the northern bank of the drainage canal and extending aerial lines over the ditch channel to transfer power to the new pump. A new pipeline would be extended from the proposed pump approximately 500 feet southeast across an existing agricultural field and connected to an existing pipeline. The relocation of the POD would not change the other PODs identified in the license and the DWR and Stokes petitions, the authorized place of use, and the amount of water diverted under the license.

**DETERMINATION:**

The State Water Resources Control Board has determined that the above-described project will have a less than significant effect on the environment for the reasons specified in the Initial Study prepared for this project.

The Proposed Mitigated Negative Declaration and the Initial Study in support of the proposed Mitigated Negative Declaration are available on the Division of Water Rights website at [www.waterboards.ca.gov/waterrights/water\\_issues/programs/ceqa/index.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/ceqa/index.shtml). A hard copy of these documents or additional information concerning the proposed action may be obtained by writing to Mr. Norm Ponferrada, Division of Water Rights, P.O. Box 2000, Sacramento, CA 95812-2000, by email at [nponferrada@waterboards.ca.gov](mailto:nponferrada@waterboards.ca.gov) or by phone at (916) 541-5362.

Persons who disagree with the conclusions set forth in the Mitigated Negative Declaration or who disagree with the information contained therein are invited to furnish written comments to Mr. Ponferrada at the above address. The comments should summarize the specific substantive and factual basis for disagreement. The final date for submitting comments is 30 days from the date of this notice.

STATE WATER RESOURCES CONTROL BOARD

*Victoria A. Whitney*  
*Deputy Director for Water Rights*

Dated:

NFP: DCC: 09/23/09

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