



State Water Resources Control Board



Linda S. Adams
Acting Secretary for
Environmental Protection

Division of Water Rights
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Edmund G. Brown Jr.
Governor

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

The staff of the State Water Resources Control Board (State Water 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: INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR WATER RIGHT APPLICATION 31491 OF G. SCOTT FAHEY

APPLICANT: G. Scott Fahey
c/o Diane Kindermann
Abbott & Kindermann, LLP
2100 21st Street
Sacramento, CA 95818

PROJECT LOCATION: The project is proposed for an approximately 5.5 mile linear route beginning four and one-half air miles southeast of Long Barn (Highway 108, Tuolumne County) in the Stanislaus National Forest. The project is located in portions of Sections 14, 15, 22, 23, 26 and 27, T2N, R17E MDB&M of the Hull Creek and Duckwall Mountain U.S. Geological Survey 7.5 minute topographic quadrangles.

PROJECT DESCRIPTION:

Application 31491 proposes a 20 gallons per minute (gpm) water rights diversion from two springs, totaling 40 gpm. The project proposes to divert water from two unnamed springs, aka Marco and Polo Springs, using a four inch (4") diameter pipeline to convey water to an existing pipeline system, thence to an existing point of use where water is placed in water tanker trucks. The existing facility (pipeline system from Sugar Pine Spring and Deadwood Spring) diverts water pursuant to water right Permit 20784, which authorizes diversion of 14 gpm.

DETERMINATION:

The State Water 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 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 Katherine Mrowka, Division of Water Rights, P.O. Box 2000,

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Sacramento, CA 95812-2000, by email at kmrowka@waterboards.ca.gov or by phone at (916) 341-5363. In the alternative, persons may contact Greg Brown at (916) 323-1847, or by email at gbrown@waterboards.ca.gov.

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 Katherine Mrowka 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.


Barbara Evoy, Deputy Director
Division of Water Rights

Dated: FEB 22 2011