



State Water Resources Control Board

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

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: Russ Living Trust Water Right Project

APPLICANT: Russ Living Trust
c/o Paula Russ
P.O. Box 62
San Gregorio, CA 94074

PROJECT LOCATION:

The 68-acre Russ Living Trust property is located approximately two miles east of the community of Aetna Springs and approximately 3.5 miles north of the community of Pope Valley in Napa County, California. The site is within Township 9N, Range 5W of the “Aetna Springs, California” U.S. Geological Survey (USGS) 7.5 minute topographic quadrangle.

PROJECT DESCRIPTION:

Application 30322 proposes the diversion and storage of 49 acre-feet per annum (afa) from an Unnamed Stream tributary to Pope Creek thence Lake Berryessa. The collection season would be from November 1 through April 30. An existing 7 acre-foot (af) capacity onstream reservoir would be enlarged to 49 af with the proposed project. Application 30323 proposes to directly divert 50 afa at the onstream reservoir from March 1 through May 31 for frost protection of the 50-acre proposed place of use. Water would be diverted at a maximum rate of 2.99 cubic feet per second (cfs).

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 State Water Resources Control Board, Division of Water Rights, Attn: Greg Brown, P.O. Box 2000, Sacramento, CA 95812-2000, by email at gbrown@waterboards.ca.gov or by phone at (916) 323-1847.

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 Greg Brown 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.

Sincerely,

ORIGINAL SIGNED BY: KDM for

Barbara Evoy, Deputy Director
Division of Water Rights

Dated: March 6, 2012