



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

# State Water Resources Control Board

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## Division of Water Rights

1001 I Street, 14<sup>th</sup> Floor ♦ Sacramento, California 95814 ♦ 916.341.5300  
P.O. Box 2000 ♦ Sacramento, California 95812-2000  
Fax: 916.341.5400 ♦ [www.waterrights.ca.gov](http://www.waterrights.ca.gov)



**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 (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:** McEvoy Ranch Applications to Appropriate Water (A031076 and A031077); Petition for Change of License 6564 (Application 17596); and Petitions for Extension of Time and Petitions for Change of Permits 20549, 20550, 20551, and 20812 (Applications 25209, 25412, 26507, and 30121 respectively)

**APPLICANT/PETITIONER:** McEvoy Land, LLC  
c/o Barry Epstein  
Fitzgerald, Abbott & Beardsley LLP  
PO Box 12867  
Oakland, CA 94604-2867

#### **PROJECT LOCATION:**

The project is situated on the McEvoy Ranch, which is in Marin County approximately five miles southwest of the City of Petaluma. The site is located within Sections 30 and 31 of Township 4N, Range 7W, MDB&M

#### **PROJECT DESCRIPTION:**

The project includes approval of two water right Applications, five Petitions for Change of existing permitted and licensed water rights, and four Petitions for Extension of time for the McEvoy Ranch. The project consists of water diversion and storage for irrigation of approximately 179 acres of existing and proposed olive orchard. Water will be diverted from an Unnamed Stream tributary to San Antonio Creek, thence the Petaluma River. Other existing and proposed water uses include fire protection, stockwatering, and recreation. The project includes expansion of existing water storage reservoirs, establishing new olive orchards (i.e., expansion of the place of use), and allowance of additional time to put water to beneficial use under existing water right permits. Additional details describing the project are included in the Initial Study prepared for this project.

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*California Environmental Protection Agency*

**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 <http://www.waterrights.ca.gov/ceqadocs.html>. A hard copy of these documents or additional information concerning the proposed action may be obtained by writing to Eric Oppenheimer, Division of Water Rights, P.O. Box 2000, Sacramento, CA 95812-2000, by email at [EOppenheimer@waterboards.ca.gov](mailto:EOppenheimer@waterboards.ca.gov) or by telephoning Mr. Oppenheimer at (916) 341-5384.

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. Oppenheimer 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.

Victoria A. Whitney, Chief  
Division of Water Rights

Dated: March 21, 2008