
State Water Resources Control Board

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: Application 31279 Joseph Emil Usibelli Trust to Appropriate Water by Permit

APPLICANT: Joseph Emil Usibelli Trust
c/o Nicholas Bonsignore, P.E.
Wagner & Bonsignore
2151 River Plaza Dr. Ste 100
Sacramento, CA 95833-4311

PROJECT LOCATION:

The proposed project area is situated in the Napa River watershed approximately three miles southeast of the town of St. Helena in Napa County, California. The site is within Sections 3 and 4 of Township 7 North, Range 5 West of the “Rutherford, California” 7.5-minute U.S. Geological Survey topographic quadrangle.

PROJECT DESCRIPTION:

Water Right Application 31279 proposes the diversion to offstream storage of 35 acre-feet per annum of water from November 1 through May 14. Water would be diverted from an existing Point of Diversion located on Conn Creek tributary to the Napa River thence the San Pablo Bay, to existing offstream Reservoir 1. The existing diversion facility includes an intake screen in Conn Creek where water travels via a gravity pipe to an existing offset sump. Water is then pumped 1,200 feet through an existing 8-inch PVC pipe to the offstream reservoir. The maximum rate of diversion to storage would be 2.9 cubic feet per second (cfs).

Reservoir 1 has a capacity of approximately ten to 15 acre-feet. In order to accommodate storage, Reservoir 1 would be enlarged by up to 25 acre-feet to store 35 acre-feet of water through balanced cut-and-fill earthwork. Approximately 1.5 acres of vineyard would be removed to accommodate the footprint of the enlarged reservoir. The proposed project would also require the clearing of vegetation on the hillside along the southwesterly side of the existing reservoir. The proposed place of use is fully developed in 75 acres of vineyard. Water appropriated under Application 31279 would be used for irrigation and frost protection of the existing vineyard, as well as for incidental recreation.

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: Sam Boland, P.O. Box 2000, Sacramento, CA 95812-2000, by email at sboland@waterboards.ca.gov or by phone at (916) 322-9633.

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 Sam Boland 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.

Original Signed By AMontgomery

Amanda Montgomery, Senior
Napa River Watershed Unit
Division of Water Rights

Dated: FEB 26 2013