



ALPINE COUNTY

Planning Department

17300 State Route 89, Markleeville, CA 96120

Tel 530-694-1878 Fax 530-694-9599

NOTICE OF DETERMINATION

SUBJECT: Filing of Notice of Determination in compliance with Sections 21108 and 21152 of the Public Resources Code.

1. **APPLICANT:** Alpine County Board of Supervisors
2. **ADDRESS:** P.O. Box 158, Markleeville CA 96120
3. **PHONE NUMBER:** 530-694-2281
4. **LEAD AGENCY:** Alpine County, CA
5. **PROJECT TITLE:** Bear Creek Water Rights Application
6. **DESCRIPTION:** The Project consists of the following applications to obtain water rights for the existing water system for the Community of Bear Valley, Alpine County:

- (1) A petition for partial assignment of State-filed Application 5648 held by the State Water Resources Control Board (Application 5648X07); and
(2) a petition to change the place of use and purpose of use and add a point of diversion on State-filed Application 5648; and
(3) a companion Application 31523 to appropriate water by permit as a backup in the event the Petition for Partial Assignment of State-filed Application 5648X07 and petition for change of State-filed Application 5648 are not approved.

This Project implements a mitigation measure contained in the Bear Valley Master Plan Environmental Impact Report, certified by Alpine County on December 28, 1978. The Bear Valley Master Plan modified and expanded an existing master plan for residential, commercial, and recreational uses at Bear Valley on State Highway 4. A mitigation measure in the BVMPEIR required the County to develop a guaranteed water source to serve the Master Plan. Thus, the purpose of this Project is only to serve planned growth in the Master Plan, and not to facilitate additional growth beyond what was already approved in the Master Plan.

This is to advise that the Alpine County Board of Supervisors has approved the above described project on September 5, 2006, and has made the following determinations regarding the above described project:

1. The project will have a significant environmental effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A Statement of Overriding Considerations was adopted for the project.

This is to certify that the final EIR with comments and responses and record of project approval is available at the Alpine County Planning Department, 17300 Highway 89, Markleeville, California 96120. The Custodian of Records for these materials is Brian Peters, Planning Director.


Brian Peters, Planning Director

1-31-07
Date

EXHIBIT E



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Bear Creek Water Right Applications #5648X07 (Partial Assignment); #5648 (Change Petition); #31523

SCH Number: 2006012049

Type: NOD - Notice of Determination

Project Description

The Project consist of the following applications to obtain water rights for the existing water system for the Community of Bear Valley, Alpine County:
 1. A petition for partial assignment of State-filed Application 5648 held by the State Water Resources Control Board (Application 5648X07); and 2. A petition to change the place of use and purpose of use and add a point of diversion on State-filed Application 5648; and 3. A companion Application 31523 to appropriate water by permit as a backup in the event the Petition for Partial Assignment of State-filed Application 5648X07 and petition for change of State-filed Application 5648 are not approved.

Project Lead Agency

Alpine County

Contact Information

Primary Contact:

Brian Peters
 Alpine County Planning Department
 (530) 694-2281
 17300 State Highway 89
 Markleeville, CA 96120

Project Location

County: Alpine
 City:
 Region:
 Cross Streets: State Highway 4 and Bear Valley Road
 Parcel No: 005-470-046
 Township: 7N
 Range: 18E
 Section: 7
 Base: MDB&M
 Other Location Info: City/Nearest Community: Bear Valley

Determinations

This is to advise that the Lead Agency Responsible Agency Alpine County Board of Supervisors has approved the project described above on 9/5/2006 and has made the following determinations regarding the project described above.

1. The project will will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not made a condition of the approval of the project.
4. A Statement of Overriding Considerations was was not adopted for this project.
5. Findings were were not made pursuant to the provisions of CEQA.

Final EIR Available at: Alpine County Planning Department 17300 Highway 89, Markleeville, CA 96120

Date Received: 2/5/2007

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