

Notice of Determination

Appendix D

To:

☒ Office of Planning and Research

U.S. Mail:

Street Address:

P.O. Box 3044

1400 Tenth St., Rm 113

Sacramento, CA 95812-3044 Sacramento, CA 95814

☐ County Clerk

County of: Fresno

Address: 2221 Kern Street

Fresno, CA 93721

☐ County Clerk

County of: Merced

Address: 2222 M Street, Room 14

Merced, CA 95340

☐ County Clerk

County of: Stanislaus

Address: 1021 I Street, Suite 101

Modesto, CA 95354-0847

From:

Public Agency: Panoche Drainage District

Address: 52027 W. Althea Avenue
Firebaugh, CA 93622

Contact: Ara Azhderian

Phone: 209-364-6136

Lead Agency (if different from above):

San Luis & Delta-Mendota Water Authority

Address: P. O. Box 2157, Los Banos, CA 93635

Contact: Joseph C. McGahan

Phone: 559 582-9237

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

State Clearinghouse Number (if submitted to State Clearinghouse): 2007121110

Project Title: Panoche Drainage District Funding, Construction, & Operation of SCADA System for Remote Tile Sump Operation

Project Applicant: Panoche Drainage District

Project Location (include county): The Project is located on the western side of San Joaquin Valley, in the Grassland Drainage Area, and the main Project features are located primarily in the counties of Merced and Fresno. However, Project compliance monitoring also occurs in Stanislaus County.

Project Description: The Project is to implement one feature as described in the Long-Term Storm Water Management Plan 2020-2045 that is the subject of the Lead Agency's Addendum to 2009 Final EIS/EIR for the Grassland Bypass Project ("2009 Final EIS/EIR), that is, funding, constructing and operating a Supervisory Control & Data Access ("SCADA") System to allow remote shut off of tile sumps throughout the Grassland Drainage Area in order to control tile sump discharges to assist in managing storm-related flows. The construction involves two radio control towers, one 80' in height and one 40' in height, with bases of approximately 8' X 10' at a depth of 4' at highly disturbed agricultural locations. The Project also involves entering into access agreements and Landowner authorization for the District to operate tile sumps. Construction includes two standard mitigation measures for each construction site, a cultural study and report, and a pre-construction survey. The District will implement these and any other applicable requirements of the Mitigation Monitoring & Reporting Program adopted for the Long-Term Storm Water Management Plan 2020-2045.

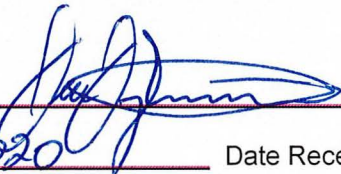
This is to advise that the Panoche Drainage District as a **Responsible Agency** has found the Addendum

to be adequate and in full compliance with CEQA for the purposes of the Project, has approved the Project on September 8, 2020, and has made the following additional determinations regarding the above described Project:

1. An Addendum to the 2009 Final EIS/EIR for the Grassland Bypass Project was prepared by the Lead Agency pursuant to the provisions of CEQA that analyzed the effects of this Project.
2. The Addendum concluded that none of the conditions described in CEQA Guidelines sections 15162 and 15163 or Public Resources Code section 21166 have occurred as a result of the modifications for the Long-Term Storm Water Management Plan.
3. A mitigation monitoring program, prepared pursuant to Public Resource Code §21081.6 and CEQA Guidelines §15096, was originally adopted for the Grassland Bypass Project. Mitigation measures re-adopted and refined as part of the modified Long-Term Storm Water Management Plan are set forth in the Mitigation Monitoring and Reporting Program adopted in connection with the Lead Agency's approval of the modified Project on October 10, 2019 and were adopted by this District as Responsible Agency on September 8, 2020.
4. The CEQA Findings and Statement of Overriding Considerations made in connection with certification of the 2009 Final EIS/EIR and the CEQA Findings adopted by the Lead Agency on October 10, 2019, in connection with adoption of the Addendum remain valid and appropriate for the Project.

This is to certify that the 2009 Final EIS/EIR and the Addendum to the Final 2009 EIS/EIR with comments and responses and record of approval of the Long-Term Storm Water Management Plan is available to the general public at: San Luis & Delta Mendota Water Authority, 842 Sixth Street, Los Banos, CA 93635; the Responsible Agency CEQA record and record of Project approval is available to the general public at: Panoche Drainage District, 52027 W. Althea Avenue, Firebaugh, CA 93622.

Signature (Public Agency):



Title: General Manager

Date:

Sep. 10, 2020

Date Received for filing at OPR: _____

Governor's Office of Planning & Research

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Sep 10 2020
Revised 2011

STATE CLEARINGHOUSE



State of California - Department of Fish and Wildlife

2020 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (REV. 06/01/20) Previously DFG 753.5a

Print

StartOver

Save

RECEIPT NUMBER:

59 — 9/10/20 —

STATE CLEARINGHOUSE NUMBER (If applicable)

2007121110

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

San Luis & Delta Mendota Water Authority

LEAD AGENCY EMAIL

jmcgahan@summerseng.com

DATE

9/10/20

COUNTY/STATE AGENCY OF FILING

OPR/SCH

DOCUMENT NUMBER

PROJECT TITLE

Grassland Bypass Project

PROJECT APPLICANT NAME

Panoche Drainage District

PROJECT APPLICANT EMAIL

aazhderian@panochewd.org

PHONE NUMBER

(209) 364-6136

PROJECT APPLICANT ADDRESS

52027 W Althea Ave

CITY

Firebaugh

STATE

CA

ZIP CODE

93622

PROJECT APPLICANT (Check appropriate box)☒ Local Public Agency☐ School District☐ Other Special District☐ State Agency☐ Private Entity**CHECK APPLICABLE FEES:**

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,343.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,406.75	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,136.50	\$	0.00

☐ Exempt from fee☐ Notice of Exemption (attach)☐ CDFW No Effect Determination (attach)☒ Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
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<input type="checkbox"/> County documentary handling fee		\$	
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<input type="checkbox"/> Other		\$	
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PAYMENT METHOD:☐ Cash ☐ Credit ☐ Check ☐ Other**TOTAL RECEIVED** \$ 0.00

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

Ara Azhderian, General Manager



2020 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (REV. 06/01/20) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- ☐ Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- ☐ Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- ☐ Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) *(Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))*

- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
Accounting Services Branch
P.O. Box 944209
Sacramento, California 94244-2090