

NOTICE OF EXEMPTION

To:
Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From:
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

Project Title: Proposed Removal of Arroyo Toad and Sensitive Species Monitoring and Reporting Requirement in Piru Creek Below Pyramid Dam

Project Location: The arroyo toad and sensitive species monitoring occurs between Ruby Canyon and Blue Point Campground just above the inlet to Lake Piru. The Article 52 releases under the existing Federal Energy Regulatory Commission (FERC) license for South SWP Hydropower begins at Pyramid Lake and Pyramid Dam, which are located along the West Branch of the State Water Project (SWP), and extends for approximately 18.1 miles south through Piru Creek to the inlet of Lake Piru in Ventura County. Pyramid Lake is a reservoir formed by Pyramid Dam that is located approximately 13 miles northwest of Castaic, in Los Angeles County, California. Specifically, Pyramid Lake and Dam are located in Section 2, Township 6 North, Range 18 West; Section 3, Township 6 North, Range 18 West of the San Bernardino Base Meridian.

Lead Agency: California Department of Water Resources

Project Applicant: California Department of Water Resources, and Los Angeles Department of Water and Power

Description of Activity:

The California Department of Water Resources (DWR) and the Los Angeles Department of Water and Power (LADWP) are seeking a non-capacity license amendment to their FERC license for the South SWP Hydropower, FERC Project No. 2426, and an amendment to a previously issued Clean Water Act Section 401 Water Quality Certification (WQC) related to the removal of the monitoring and reporting requirement on the collection of certain data for the federal Endangered Species Act listed arroyo toad (*Anaxyrus californicus*) and California red-legged frog (*Rana draytonii*), and other sensitive species in Piru Creek below Pyramid Dam. This requirement was made a condition in the State Water Resources Control Board's (SWRCB) WQC and included in FERC's approval of the natural flow regime that is contained in the operating guidelines of Article 52 in the existing FERC license and the WQC.

This monitoring and reporting requirement is a water quality monitoring requirement adopted under the Porter Cologne Water Quality Control Act, and is not a mitigation monitoring requirement under the California Environmental Quality Act (CEQA) or other condition adopted to meet the requirements of CEQA. This requirement was included in the WQC and FERC license to allow for the collection of information about the status of specific sensitive species in middle Piru Creek and to better understand how implementation of the Article 52 releases could affect these species. DWR has conducted annual monitoring surveys since 2010, and this monitoring has shown that the Article 52 releases, which are released to simulate the natural hydrograph of Piru Creek, are not having an adverse effect to arroyo toad or other sensitive species and that the flow releases, particularly in wet

years, are enhancing aquatic habitat that benefits breeding arroyo toads and other aquatic species. The original intent of this monitoring and reporting required under the existing FERC license and WQC has been met, and continuing this monitoring is no longer warranted as confirmed through consultation with the SWRCB, the United States Department of the Interior Fish and Wildlife Service, and the United States Department of Agriculture, Forest Service. Removal of the monitoring and reporting requirement from the FERC license and the WQC will not lead to an expansion or any other changes to the existing use of the South SWP Hydropower facilities and will not result in any physical changes in the environment.

Exempt Status:

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: § 15301
- Statutory Exemptions. State code number: _____

Name of Public Agency Approving Project: California Department of Water Resources

Name of Person or Agency Carrying Out Project: California Department of Water Resources and Los Angeles Department of Water and power

Reasons Why Project is Exempt: Based on an examination of the proposed project, this project qualifies for a Class 1 Categorical Exemption § 15301 – Existing Facilities under the California Environmental Quality Act for the following reasons:

- a. The project is a water management operation using only existing facilities.
- b. The project will not support new development or a change in land use.
- c. The project does not establish a new permanent source of water supply.
- d. The project is not expected to have any effects on the environment.
- e. There will be no expansion of existing use of any facility.
- f. None of the exceptions in § 15300.2 apply (e.g., no cumulative impact, no significant effect or impact to areas of critical concern). In addition, there is no significant impact to any state- or federally-listed species or cultural resources.

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Hydropower License Planning and Compliance Office

9/14/2020

Date