

# 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: Yuba  
 Address: 915 8th Street  
Marysville, Ca 95901

**From:**

Public Agency: Browns Valley Irrigation District  
 Address: PO Box 6  
Browns Valley, Ca 95918

Contact: \_\_\_\_\_  
 Phone: 530-743-5703

**ENDORSED FILED**

Lead Agency (if different from above): \_\_\_\_\_

**JAN 14 2022**

Address: \_\_\_\_\_

**TERRY A. HANSEN, Clerk**  
**BY BRIDGETTE EVANS**  
 Deputy Clerk

Contact: \_\_\_\_\_  
 Phone: \_\_\_\_\_

**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): 2021120002

Project Title: Sicard Flat Pipeline Upgrade Project

Project Applicant: Browns Valley Irrigation District

Project Location (include county): Browns Valley Irrigation District, Yuba County

**Project Description:**

The District is proposing to convert 9.3 miles of open conveyance ditch, which is comprised of many failing and porous sections, to 9.6 miles of high-density polyethylene pipeline. Replacing the leaky Sicard Flat Ditch with a closed pipeline system will conserve approximately 2,880 acre-feet of irrigation water each year, equivalent to six percent of the usable storage capacity of Collins Lake, the reservoir from which BVID draws the supply for this system. These water savings are significant for the Browns Valley Irrigation District ("BVID") because its water supplies are susceptible to drought due to the relatively small size of the reservoir and the fact that it is entirely dependent on rainfall. The Project will also enable BVID to avoid a major risk associated with the current ditch alignment. The Sicard Flat Ditch passes through a very narrow, unreinforced tunnel that is extremely susceptible to collapse. A collapse of this tunnel would be catastrophic, cutting off service to over 100 customers and potentially requiring millions of dollars and many years to repair. The Project proposes to abandon the tunnel with a new alignment that will eliminate this risk altogether. The Project will therefore improve water system efficiency and water supply reliability for BVID and its customers, and will enable the District to avoid the risks and costs associated with a potential collapse of the Sicard Tunnel. The Project's duration is estimated to be three to five years. +

This is to advise that the Browns Valley Irrigation District has approved the above  
 Lead Agency or  Responsible Agency)

described project on January 13, 2022 and has made the following determinations regarding the above  
 (date)  
 described project.

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 mitigation reporting or monitoring plan [ was  was not] adopted for this project.
5. A statement of Overriding Considerations [ was  was not] adopted for this project.
6. Findings [ were  were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Browns Valley Irrigation District 9370 Browns Valley School Road, Browns Valley, Ca 95918

Signature (Public Agency) [Signature] (Browns Valley Irrigation District) Title: General Manager

Date: 1/13/2022 Date Received for filing at OPR: \_\_\_\_\_

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

Revised 2011

*2022 FG-00003*



State of California - Department of Fish and Wildlife  
**2022 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

RECEIPT NUMBER:  
 58 - 01142022 - 3  
 STATE CLEARINGHOUSE NUMBER (if applicable)  
 2021120002

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY BROWNS VALLEY IRRIGATION DISTRICT	LEAD AGENCY EMAIL	DATE 01/14/2022
COUNTY/STATE AGENCY OF FILING YUBA	DOCUMENT NUMBER 2022FG-00003	

PROJECT TITLE  
 SICARD FLAT PIPELINE UPGRADE PROJECT

PROJECT APPLICANT NAME BROWNS VALLEY IRRIGATION DISTRICT	PROJECT APPLICANT EMAIL	PHONE NUMBER (530) 743-5703
PROJECT APPLICANT ADDRESS PO BOX 6	CITY BROWNS VALLEY	STATE CA
		ZIP CODE 95918

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)  | \$3,539.25 | \$ _____           |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)   | \$2,548.00 | \$ <u>2,548.00</u> |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW         | \$1,203.25 | \$ _____           |
| <br>  |            |                    |
| <input type="checkbox"/> Exempt from fee  |            |                    |
| <input type="checkbox"/> Notice of Exemption (attach)   |            |                    |
| <input type="checkbox"/> CDFW No Effect Determination (attach)  |            |                    |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)                   |            |                    |
| <hr/>   |            |                    |
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00   | \$ _____           |
| <input checked="" type="checkbox"/> County documentary handling fee   |            | \$ <u>50.00</u>    |
| <input type="checkbox"/> Other      0.00  |            | \$ _____           |

PAYMENT METHOD:

- Cash   
  Credit   
  Check   
  Other

TOTAL RECEIVED \$ 2,598.00

SIGNATURE <i>X Bridgette Evans</i>	AGENCY OF FILING PRINTED NAME AND TITLE <i>Bridgette Evans</i> Deputy
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State of California - Department of Fish and Wildlife  
**2022 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/22) 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 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

**BROWNS VALLEY IRRIGATION DISTRICT**

5202

Yuba County Clerk  
8193 Sicard P/L Survey & Easements Sicard Flat CEQA Filing

1/7/2022

2,598.00

TriCounties Checking CEQA Filing Fee

2,598.00

Yuba County  
Terry A. Hansen, County Clerk  
and Recorder  
915 8th Street, Suite 107  
Marysville, CA 95901  
(530) 749-7850

Receipt: 22-748

Product Name	Extended
FG CLERK FISH AND GAME FILINGS	\$2,598.00
Document # 2022FG-00003	
Filing # NEGATIVE DECLARATION (STATE)	
Type	

**Total** \$2,598.00

Tender (Check) \$2,598.00

Check# 5202  
Paid BROWNS VALLEY IRRIGATION DISTRICT  
BY

Thank You for Your Business

1/14/22 11:56 AM counterclerk1  
Workstation: REC123