

Post Courthouse
POSTED 1/31/2022 - 3/21/2022

Mariposa County Resource Conservation District NOTICE OF EXEMPTION

TO: Office of Planning and Research
Conservation District
P.O. Box 3044, Room 12
Sacramento, CA 95812-3044

FROM: Mariposa County Resource
PO Box 2403
Mariposa, CA, 95338

FILED

TO: County Clerk, County of Mariposa
P.O. Box 247
Mariposa, CA 95338

JAN 31 2022

KEITH M. WILLIAMS
MARIPOSA COUNTY CLERK

Karen M. Herman
KAREN M. HERMAN

Project Title: Whispering Oaks Reservoir Sediment Removal

Project Location – County/Specific: The project is located three miles north of Catheys Valley in Mariposa County, California at Bear Creek Lake, aka Whispering Oaks Reservoir (Nat. ID: CA01346). Center coordinates of site: Lat.: 37.472677° Long.: -120.110948° Universal Transverse Mercator: 10.

Description of Nature, Purpose and Beneficiaries of Project: This project is for maintenance removal of sediment from Whispering Oaks Reservoir for the purposes of preserving capacity, ensuring it can function in its intended purpose of flood control and recreation, protecting the reservoir and its structures, and restoring recreational and aesthetic opportunities.

Two areas totaling 0.8 acres have been identified for sediment removal: the Inlet Area, approximately 0.5 acres in size; and the West Bank area, approximately 0.3 acres in size. The volume of sediment to be removed by scoop is estimated at 25,000 cubic yards. The lake would be slowly drained during the seasonal low to expose project areas. The lake bed would be allowed to dry. At the edge of the lake, the hauling route would utilize existing gravel roads to haul away the sediment (spoils). The spoils would be hauled to the front yard of one of the landowners (5512 Bear Creek Drive, Catheys Valley) and spread out to raise the level of yard by a few feet.

Approximately 25,000 cubic yards of sediment will be removed. The eastern shoreline, the dam, and lacustrine region near the dam are excluded from the project area.

Both the public who use the lake recreationally and the county benefit from the project. The project will restore the water storage capacity of the reservoir and reduce flood risk, restore scenic views, and recreational opportunities. Periodic sediment removal is a critical component of dam and reservoir maintenance.

Name of Public Agency Approving Project: Mariposa County Resource Conservation District

Name of Person (Applicant) or Agency Carrying Out Project: Whispering Oaks Homeowners Association

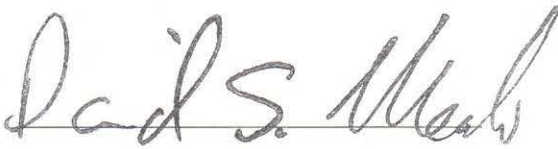
Exempt Status:

- Declared Emergency (PRC §21080(b)(3); §15269(a) CEQA Guidelines):
- Emergency Project (PRC §21080(b)(4); §15269(b)(c) CEQA Guidelines):
- Categorical Exemption (Type and Section No.): Existing Facilities, §15301(h) CEQA Guidelines
- Statutory Exemption (State Code No.):

Reason Why Project Is Exempt:

Project falls under section §15301(h) for Existing Facilities; maintenance of water supply reservoirs. The reservoir has existed since 1968 and requires periodic removal of sediment to maintain both appearance and storage volume capacity. Sediment buildup has altered the current landscape from the historical norm and reduced reservoir volume below design capacity. Removal of sediment will restore the reservoir supply volume and restore landscape to historical norms.

Lead Agency Contact Person: Melinda Barrett
Phone Number: 559-580-0944



Signature

01.31.22

President

Date

MCRCD Board

Title

Signed by Lead Agency

Signed by Applicant

Date Received for filing at OPR: _____



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

Print **StartOver** **Save**

RECEIPT NUMBER:
 01 — 01/31/2022 — 005
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

| | | |
|---|---|--------------------|
| LEAD AGENCY Mariposa County Resource Conservation District | LEAD AGENCY EMAIL barrett.melinda1@gmail.com | DATE 01/31/2022 |
| COUNTY/STATE AGENCY OF FILING Select County/State Agency | | DOCUMENT NUMBER |

PROJECT TITLE

Whispering Oaks Reservoir Sediment Removal

| | | |
|--|---|--------------------------------|
| PROJECT APPLICANT NAME Mariposa County Resource Conservation District | PROJECT APPLICANT EMAIL barrett.melinda1@gmail.com | PHONE NUMBER (559) 580-0944 |
| PROJECT APPLICANT ADDRESS PO Box 2403 | CITY Mariposa | STATE CA |
| | | ZIP CODE 95338 |

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 | \$ _____ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,548.00 | \$ _____ | 0.00 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,203.25 | \$ _____ | 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 |
| <input checked="" type="checkbox"/> County documentary handling fee | | \$ _____ | 50.00 |
| <input type="checkbox"/> Other | | \$ _____ | |

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other
 TOTAL RECEIVED \$ _____ 50.00

| | |
|--|---|
| SIGNATURE X Karen M. Herman <small>Digitally signed by Karen M. Herman Date: 2022.01.31 09:59:32 -08'00'</small> | AGENCY OF FILING PRINTED NAME AND TITLE Karen M. Herman, Deputy County Clerk, County of Mariposa |
|--|---|



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 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