Print From

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: _____

Project Title: Garden Highway Mutual Water Company Winter Water Rights Application A031191

Lead Agency: State Water Resources Control Board

Contact Name: Phillip Zoucha

Email: phillip.zoucha@waterboards.ca.gov Phone Number: (916) 323-4641

Project Location: Nicolaus (*City*) Sutter (*County*)

Project Description (Proposed actions, location, and/or consequences).

On February 20, 2001, Garden Highway Mutual Water Company filed an application to appropriate water by permit (A031191) with the State Water Resources Control Board, Division of Water Rights. Application A031191 requests a permit for the direct diversion at a maximum direct diversion rate of 86.0 cfs not to exceed 4,320 acre-feet (af) per diversion season of water from Feather River in Sutter County. The point of diversion (POD) is an existing pump station located at the end of an approximately 850-foot pump intake channel connected to the Feather River. The pump station consists of three vertical turbine pumps installed on a piled support structure. The appropriated water will be used for flooding rice fields during the season of diversion for rice straw decomposition, incidental irrigation of food and cover crops. The proposed season of diversion is from October 1 of each year to March 31 of the succeeding year.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

Implementation of Application A031191 would allow for the diversion of water from the Feather River during the period of October 1 of each year to March 31 of the succeeding year. Although these additional diversions would occur during the late fall and winter months, when flows are typically highest, the diversions could result in a sufficient reduction of flows below the Feather River point of diversion that sensitive fish species could be adversely affected. Further, while the point of diversion is fitted with a fish screen, and a floating fish guidance structure was installed across the mouth of the pump intake channel to prevent fish being drawn into the channel, the structure has not yet been tested while diversions were occurring during the high flow season. Therefore, the effectiveness of the guidance structure is not yet known. Therefore, the proposed project could adversely affect sensitive fish species in the Feather River. This would be a potentially significant impact, and mitigation would be required. The permittee will be required to limit the rate of water diversion to 50 cfs during the months of January, February, and March during the first three years to provide an opportunity to test the fish guidance structure, and the permittee will be required to work with the California Department of Fish and Wildlife if necessary to evaluate the fish guidance structure. The permittee will also be required to limit the diversion of water to times when minimum flows in the Feather River exceed certain minimum flow requirements. Finally, the permittee may be required to change the location where Feather River flows are monitored if certain conditions are met.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

Two protests were filed against the application from the U.S. Bureau of Reclamation and the California Sportfishing Protection Alliance. The protests were filed because of concerns that the diversion of water could injure prior water right holders and fish in the Feather River. Both protests have been resolved. The project applicant also coordinated with the California Department of Fish and Wildlife to reduce the likelihood that the project would have an adverse effect on fish in the Feather River.

Provide a list of the responsible or trustee agencies for the project.

California Department of Fish and Wildlife, Region 2
Regional Water Quality Control Board, Region 5
California Department of Transportation, District 3
California Department of Food and Agriculture
Department of Water Resources
Sutter County Development Services Department