

# Notice of Exemption

# Appendix E

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
1400 Tenth Street  
Sacramento, CA 95812-3044

**From (Public Agency):**  
State Water Resources Control Board  
Division of Water Rights  
Attention: James Noss  
P.O. Box 2000  
Sacramento, CA 95812

**Project Title:** Lower Feeley Dam Crest Restoration Project (Project)

**Project Applicant:** Pacific Gas and Electric Company (PG&E)

**Project Location – Specific:** The Project is located on Fall Creek, a tributary to the Bear River, approximately 6 miles southeast of Nevada City in Nevada County.

**Project Location – Nearest City:** Graniteville

**Project Location – County:** Nevada

**Description of Nature, Purpose, and Beneficiaries of Project:** PG&E is proposing to restore the Lower Feeley Dam crest to its original design elevation. PG&E owns and operates Lower Feeley Dam and Reservoir as part of the Upper Drum-Spaulding Hydroelectric Project, Federal Regulatory Commission Project No. 2310. The Project involves: 1) restoring the dam crest to its original elevation of 6,936.0 ft; 2) armoring the upstream slope of the dam by adding rock slope protection; 3) constructing a concrete channel underneath the low-level outlet operator and air vent.

**Name of Public Agency Approving Project:** State Water Resources Control Board

**Name of Person or Agency Carrying Out Project:** PG&E

**Exempt Status: (check one):**

- 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: Class 1, Existing Facilities, section 15301; Class 2, Replacement or Reconstruction, section 15302; and Class 4, Minor Alterations to Land, section 15304.
- Statutory Exemptions. State code number: \_\_\_\_\_

**Reasons why project is exempt:** The Project proposes to restore the Lower Feeley Dam to its original crest height. The Project also includes armoring the upstream toe and adding a concrete channel below the low-level outlet and air vent. The State Water Board determined that the Project is categorically exempt from CEQA under Class 1, Existing Facilities (Cal. Code Regs, tit. 14, § 15301), Class 2, Replacement or Reconstruction (Cal. Code Regs, tit. 14, § 15302), and Class 4, Minor Alterations to Land (Cal. Code Regs, tit. 14, § 15304).

**Lead Agency: State Water Resources Control Board**

**Contact Person:** James Noss

**Area Code/Telephone/Extension:** (916) 327-3117

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature: Rajad Mustafa Title: Acting Environmental Program Manager I Date: 5/6/2024

Signed by Lead Agency

Signed by Applicant