

Notice of Determination

Appendix D

To: [X] Office of Planning and Research
For U. S. Mail: P.O. Box 3044 Sacramento, CA 95812-3044
Street Address: 1400 Tenth Street Sacramento, CA 95814

From: State Water Resources Control Board
Division of Water Rights
1001 I Street, 14th Floor
Sacramento, CA 95814
Oscar Biondi
(916) 323-9397

Lead Agency (if different than above):
Sacramento Municipal Utility District
Address: P.O. Box 15830 Sacramento, CA 95852-0830
Contact: Darold Perry
Phone: 530-647-5010

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): 2008052009
Project Title: Upper American River Hydroelectric Project, Federal Energy Regulatory Commission (FERC)
Project No. 2101

Project Title: Temporary amendment of water quality certification for the Upper American River Hydroelectric Project (UARP)

Project Location (include county): The UARP is located in El Dorado and Sacramento Counties in the South Fork of the American River, Silver Creek and Rubicon River watersheds.

Project Description: Two of the UARP reservoirs, Loon Lake and Ice House reservoirs, are in need of maintenance that requires the reservoirs be drained to below the minimum end-of-month reservoir levels allowed by the FERC license and water quality certification. The proposed reservoir level variances are limited to July, August, and September 2017.

SMUD, as lead agency, prepared a Final California Environmental Quality Act (CEQA) Supplemental Analysis to the FERC/United States Forest Service Final Environmental Impact Statement (Final CEQA Supplement) for the UARP and filed a Notice of Determination on July 24, 2012. The State Water Resources Control Board (State Water Board) considered the Final CEQA Supplement during the development of its water quality certification for the UARP.

This is to advise that the State Water Resources Control Board has approved the above-described project on [Date]
[ ] Lead Agency [X] Responsible Agency

and has made the following determinations regarding the above-described project:

- 1. The Lead Agency for the UARP has found that the project [X] will [ ] will not] have a significant effect on the environment.
2. [X] 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 [X] were [ ] were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [ ] was not] adopted for this project.
5. The Lead Agency for the UARP adopted a Statement of Overriding Considerations; because no unmitigated significant impacts were identified that fall within the State Water Board's approval authority, the State Water Board [ ] has [X] has not] adopted a Statement of Overriding Considerations for this project.
6. Findings [X] were [ ] were not] made by the Lead Agency pursuant to the provisions of CEQA.

This is to certify that the [X] Final CEQA Supplement with comments and responses [ ] Initial Study/Negative Declaration and record of project approval is available to the General Public at: State Water Board, Division of Water Rights, 1001 I Street, 14th Floor, Sacramento, CA 95814

Signature (Public Agency) [Signature] Title Acting Executive Director
Date JUL 19 2017 Date received for filing at OPR

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

Revised 2005

Governor's Office of Planning & Research
JUL 19 2017
STATE CLEARINGHOUSE