



MEMORANDUM
PUBLIC WORKS AND FACILITIES
ENVIRONMENTAL ENGINEERING DIVISION
County of Placer

TO: Board of Supervisors

DATE: October 25, 2016

FROM: Ken Grehm, Director of Public Works and Facilities
By: Brett Storey, Principal Management Analyst

SUBJECT: Environmental Engineering / Water Right Application for the Centennial Reservoir Project

ACTION REQUESTED

Authorize staff to file a protest to delay the State Water Resources Control Board hearing on the Centennial Reservoir Water Rights Application.

BACKGROUND

The Nevada Irrigation District is proposing to construct the Centennial Reservoir (Project), a 110,000 acre-feet reservoir on the Bear River, near Colfax, between Placer and Nevada County. As part of the process, NID filed a water right application on August 13, 2014 (Application 5634X01) and an accompanying petition to the State Water Resources Control Board (SWRCB) to change the place of use and the purpose of use. Earlier this year, NID also issued a Notice of Preparation to begin California Environmental Quality Act (CEQA) analysis for the Project.

While the project is located near Colfax, the potential for impacts can be as far reaching as western Placer County due to potential affects to groundwater storage and agricultural water from the Camp Far West Reservoir. County staff has been working with NID staff to understand and work through potential issues for the past year and has had successful input into the design of the transportation system and other issues. On April 18, 2016, County staff submitted comments on the Notice of Preparation (NOP) to NID regarding potential impacts including, but not limited to, transportation, recreation, habitat conservation, and agricultural water supplies. These comments were intended to assist NID in developing the Environmental Impact Report (EIR).

Typically, an EIR would be completed before a State Water Rights hearing takes place to disclose to the public and government agencies the potential Project impacts and proposed mitigation measures. In that way those entities can determine what, if any, issues remain before proceeding with the Water Rights process and any potential protest of the water rights application. In this case, on August 26, 2016 the SWRCB issued their Notice to Proceed to begin the water rights process. Written protests must be received by the Division of Water Rights by 4:30 p.m., on October 25, 2016. Following the protest period the SWRCB will notify the public of a hearing date.

Following to the Water Board's August 25th Notice to Proceed, NID submitted a letter requesting that the SWRCB delay the Water Board process until the EIR process is complete. Placer County along with Placer County Water Agency (PCWA) sent a similar letter. The SWRCB to date has not acted to delay the process.

Generally, Placer County has been supportive of both water rights and new water capacity within our region, as maintained in your 2016 Board approved Legislative Platform proposal, *Regional Water Strategy*. The recent four year drought and predictions of climate change effects on our watersheds have emphasized that strategic planning with our regional partners and protection of our water supply must be a top priority. Staff has been working with NID (and others) in this capacity for some time.

Placer County is moving forward in the next several years with key land development projects such as Placer Ranch and the University Project, regional job growth centers such as the Sunset Area, new state regulations and plans for the Sustainable Groundwater Management Act (SGMA), and preservation of a reserve system comprised of agriculture, open space, wetland and species habitat

within the Placer County Conservation Plan (PCCP). Currently water flows down the Bear River during wet years and deposits within Camp Far West Reservoir, various creeks, and the North American groundwater Sub Basin. The West Placer land development and job growth projects, PCCP reserve lands, majority of Placer County's agricultural interests, and many individual landowners rely on this current flow of water, especially during dry years, as it replenishes the groundwater table during wet water years.

Placer County must consider the above interests relative to this NID Project. Staff has been discussing these concerns with PCWA and SSWD and has determined that, until more information and impacts are made known through the EIR process, the NID project appears to be in conflict with various regulations, programs, and land use plans. If the EIR analyses show that the timing and amount of water capture and other concerns do not significantly impact Placer County interests, then a protest may no longer be required. However, those analyses will not be available for some time and, unless the SWRCB agrees to delay the water right application process, the SWRCB will act on this Project on October 25, 2016.

Staff is requesting that your Board authorize staff to file a protest (draft letter attached) to delay the hearing until the Project is fully defined, the timing and impact of water capture planned, and the EIR process has been concluded. Once the EIR process has been completed and issues have been resolved to your Board's satisfaction then staff could come back for further direction and the protest from Placer County, if filed, could be dropped or amended.

ENVIROMENTAL IMPACT

This action does not constitute a "Project" under CEQA pursuant to CEQA guidelines 15378(b)(5) because it is an administrative action that does not result in any direct or physical change in the environment.

FISCAL IMPACT

Budget for staff labor is included in the FY 2016-17 recommended budget.

ATTACHMENTS

Attachment A - State Water Board notice of water right application 5634X01 for NID

Attachment B - April 18, 2016 comment letter to NID on the NOP for the Centennial Reservoir Project

Attachment C - October 5, 2016 Placer County/PCWA request letter for postponement of the SWRCB water right application for NID

Attachment D - Draft Placer County letter of protest for the NID water rights for Centennial Reservoir Project

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

NOTICE OF WATER RIGHT APPLICATION 5634X01 AND PETITION FOR ASSIGNMENT OF STATE-FILED APPLICATION 5634 AND PETITION TO CHANGE STATE-FILED APPLICATION 5634 BY NEVADA IRRIGATION DISTRICT IN NEVADA AND PLACER COUNTIES

COUNTIES: Nevada and Placer

STREAM SYSTEM: Bear River

On August 13, 2014, Nevada Irrigation District (NID) filed a water right application (Application 5634X01) and accompanying petition seeking assignment of State-filed Application 5634 with the State Water Resources Control Board, Division of Water Rights to divert water from the Bear River in Nevada and Placer Counties. NID is petitioning for assignment of State-filed Application 5634 pursuant to California Water Code section 10504, et seq. NID also filed a petition to change the place of use and the purpose of use of State-filed Application 5634 to conform to their proposed project.

Any correspondence directed to the applicant should be mailed to: Remleh Scherzinger, General Manager, Nevada Irrigation District, 1036 W. Main Street, Grass Valley, CA 95945 or by email at 5634x01comment@nidwater.com.

Summary of Application 5634X01 (Petition for Partial Assignment of State-filed Application 5634)

Source	Bear River tributary to Feather River thence the Sacramento River
Point of Diversion ¹	51) <u>Centennial Reservoir Dam</u> on Bear River located within the SW¼ of NW¼ of Section 30, T14N, R9E, MDB&M 57) <u>Centennial Pump Station</u> on Bear River located within SE¼ of NE¼ of Section 32, T15N, R9E, MDB&M
Points of Rediversion ¹	32) <u>Combie Reservoir Dam</u> located within the SW¼ of NW¼ of Section 2, T13N, R8E, MDB&M 30) <u>Auburn Ravine I Canal</u> located within the NE¼ of NE¼ of Section 14, T12N, R7E, MDB&M 31) <u>Hemphill Canal</u> located within the NW¼ of NE¼ of Section 13, T12N, R6E, MDB&M 33) <u>Orr Creek Diversion Dam</u> located within the SE¼ of NE¼ of Section 18, T13N, R8E, MDB&M 34) <u>Camp Far West Canal</u> located within the SW¼ of SW¼ of Section 13, T13N, R7E, MDB&M 35) <u>Doty South Canal</u> located within the SW¼ of NE¼ of Section 36, T13N, R6E, MDB&M 24) <u>Wolf-Hannaman Diversion Dam</u> located within the NW¼ of NE¼ of Section 28, T14N, R7E, MDB&M 53) <u>Whiskey Diggins Canal</u> located within the SW¼ of NW¼ of Section 23, T13N, R7E, MDB&M 52) <u>Rock Creek Dam</u> located within the SE¼ of SW¼ Section 28, T13N, R8E, MDB&M

¹ The points of diversion and points of rediversion numbering is the same numbering system as identified on other NID water rights/change petitions.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov

	54) <u>Camp Far West Reservoir Dam</u> located within the NE¼ of SW¼ of Section 21, T14N, R6E, MDB&M
Season of Diversion	Direct Diversion: January 1 through December 31 Storage: January 1 through December 31
Amount	Direct Diversion: 400 cubic feet per second, with an annual total of 111,400 acre-feet Storage: 110,000 acre-feet annually Total Diversion of 221,400 acre-feet annually
Purposes of Use	Irrigation, Municipal, Industrial, Domestic, Stockwatering, Recreation, and Incidental Hydropower Generation
Place of Use	Irrigation, municipal, industrial, domestic, stockwatering, recreation within 198,205 total acres within the existing service area boundaries of NID as authorized under NID's existing water rights and under License 11118 (Application 14804) held by South Sutter Water District as shown on the map accompanying the application. Incidental hydropower generation at Centennial Powerhouse, Combie North Powerhouse, Combie South Powerhouse, Wise #1 Powerhouse, Wise #2 Powerhouse and Camp Far West Powerhouse.

Summary of State-Filed Application 5634

Source	Bear River tributary Feather River thence the Sacramento River
Point of Diversion	Located within the NW¼ of Section 30, T14N, R9E, MDB&M
Season of Diversion	Direct Diversion: January 1 through December 31 Storage: January 1 through December 31
Amount	Direct Diversion: 400 cubic feet per second Storage: 110,000 acre-feet annually
Reservoir Capacity	Parker Reservoir – 110,000 acre-feet
Purposes of Use	Domestic, Irrigation, Flood Control, Salinity Control and Navigation
Place of Use	2,500,000 acres on the floor of the Sacramento and San Joaquin Valleys

More information regarding this application and petition for assignment is available at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/appropriations/2016.shtml

Any interested person may file a written protest against the approval of the application and associated petition for assignment (Wat. Code, § 1330). Protest submittal information is available at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/docs/protest_submittalinfo.pdf

Protests must be received by the Division of Water Rights by 4:30 p.m. on October 25, 2016. A copy of the protest must also be sent to NID at the address shown above. Protests may be provided via email prior to the deadline; however a copy of the original signed protest must subsequently be filed with the Division.

For more information regarding this project, including procedures for filing protests, please contact Kate Gaffney at (916) 341-5360 or kathryn.gaffney@waterboards.ca.gov. Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Kate Gaffney, P.O. Box 2000, Sacramento, CA 95812-2000.

DATE OF NOTICE: August 26, 2016



COUNTY OF PLACER

BOARD MEMBERS

JACK DURAN District 1	JIM HOLMES District 3
ROBERT M. WEYGANDT District 2	KIRK UHLER District 4
JENNIFER MONTGOMERY District 5	

**OFFICE OF
COUNTY EXECUTIVE**
David Boesch, County Executive Officer

175 FULWEILER AVENUE / AUBURN, CALIFORNIA 95603
TELEPHONE: 530/889-4030
FAX: 530/889-4023
www.placer.ca.gov

April 18, 2016

Lisa Francis Tassone
NID Board Secretary
1036 W. Main Street
Grass Valley, CA 95945

Sent via email to:
Julia Spiess Lewis – Perry Communications Group
Julia@perrycom.com

Subject: Placer County Comments on the Notice of Preparation for the NID Centennial Reservoir Project

Dear Ms. Tassone:

Placer County appreciates the opportunity to review the Notice of Preparation (NOP) for the Centennial Reservoir project and to engage at this early stage in the process. Given the scale and location of the reservoir and its potential effect on lands in Placer County, the County encourages early and frequent coordination on the project. Placer County has received numerous comments from residents concerned about the project; and, therefore, would appreciate the opportunity to work together to address such concerns and to outreach to Placer County residents.

The County's Environmental Review Committee has reviewed the NOP and will continue to monitor the project and the preparation of the Environmental Impact Report (EIR). After reviewing the NOP, the County offers the following comments for your consideration regarding the proposed project:

TRANSPORTATION

It is the County's understanding that NID is continuing to explore three roadway alignments for replacement for the current Dog Bar Road crossing of the Bear River from Placer County to Nevada County roadways. The EIR/EIS should do a thorough analysis of all possible roadway alignments. If a preferred alignment is determined during preparation of the EIR/EIS, an Alternative in the EIR should identify one of the alignments not chosen for the project analysis.

Based on recent discussions between NID, Placer County and Nevada County staff, Combie Road is not anticipated to be connected to a future river/reservoir crossing between the two County roadway networks. However, Combie Road is anticipated to be utilized during the dam and reservoir construction. Therefore, below are a list of construction related impacts that Placer County believes should be analyzed in the EIR/EIS:

- a. Staging areas
- b. Hours of haul operations
- c. Identify off-haul material as well as material supply on-haul routes. If new haul access roads will be constructed, impacts of the roadway construction also needs to be analyzed.

- d. School Zone impacts
- e. Intersections to be analyzed for construction impacts:
 - i. Placer Hills Road at I-80 ramps, Lake Arthur Road, Bancroft Road, Sugar Pine Road, Cole Road, Meadow Vista Road, Meadow Gate Road, Combie Road, Crother Road, West Weimar Cross Road, Peaceful Valley Road (if used for haul route) and Dog Bar Road (if used for haul route)
 - ii. West Weimar/Cross Roads at I-80 ramps
 - iii. Increase in VMT associated with construction on road segments:
 - 1. Combie Road - end to Placer Hills Road
 - 2. Placer Hills Road – I-80 to Combie Road
 - 3. Placer Hills Road – Combie Road to Crother Road
 - 4. Placer Hills Road – Crother Road to West Weimar Cross Road
 - 5. Placer Hills Road – West Weimar Cross Road to Dog Bar Road
 - 6. Crother Road – Placer Hills Road to I-80

The EIR/EIS should analyze consistency of the project with Placer County General Plan and Meadow Vista Community Plan Transportation and Circulation goals and policies.

In addition to construction impacts, the EIR/EIS should include an analysis of transportation and circulation impacts associated with existing plus project (project completion) and cumulative plus project(2025) impacts of the project on the following intersections and roadway segments:

- a. Placer Hills Road at I-80 ramps, Lake Arthur Road, Bancroft Road, Sugar Pine Road, Meadow Vista Road, Meadow Gate Road, Combie Road, Crother Road, West Weimar Cross Road, Dog Bar Road (or new access intersection), Plumtree Road, Tokayana Way, and I-80 ramps (Colfax)
- b. Tokayana Way at Milk Ranch Road and Ben Taylor Road
- c. West Weimar Cross Road at I-80 ramps
- d. LOS and VMT impacts on roadway segments:
 - iv. Combie Road - end to Placer Hills Road
 - v. Placer Hills Road – I-80 to Combie Road
 - vi. Placer Hills Road – Combie Rd to Crother Road
 - vii. Placer Hills Road – Crother Road to West Weimar Cross Road
 - viii. Placer Hills Road – West Weimar Cross Road to Dog Bar Road
 - ix. Placer Hills Road – Dog Bar Road to Plumtree Road
 - x. Placer Hills Road – Plumtree Road to Tokayana Way
 - xi. Placer Hills Rd – Tokayana Way to I-80 ramps
 - xii. Tokayana Way – Canyon Way to Milk Ranch Road
 - xiii. Tokayana Way – Milk Ranch Road to Ben Taylor Road
 - xiv. Crother Road – Placer Hills Road to I-80

The EIR/EIS should include an analysis of impacts to existing infrastructure from construction operation - maintenance impacts; impacts to traffic safety – specifically school zone, pedestrian (in downtown Meadow Vista) and bicycle (identified Class II lanes as well as highly traveled Class III routes such as Placer Hills Road), and parking demand at the road/travel interfaces and other recreational uses.

GRADING/DRAINAGE

Table 1 should be revisited as additional Local Agency permits appear to be needed other than the one permit currently stated (e.g., Encroachment Permits, possible Grading Plan approvals, possible Improvement Plans for road retrofits, bridges).

Part of this project is located within the permit area covered by Placer County's Small Municipal Separate Storm Sewer System (MS4) Permit (National Pollutant Discharge Elimination System (NPDES) General Permit). Project-related stormwater discharges are subject to all applicable requirements of said permit. The EIR should discuss the applicability of the project to the NPDES Permit. The EIR should discuss the impacts and proposed mitigations for the potential erosion and water quality impacts both during and after construction of the project. Source control should be addressed to minimize impacts to water quality at the source.

PUBLIC SERVICE / UTILITIES & SERVICE SYSTEMS

Please provide information regarding proposed recreational amenities such as trails, lake access and parking, and launch facilities. If such amenities are proposed, the amenities should be included in the project description and the impacts of these improvements should be analyzed in the environmental document.

The EIR should include analysis of displaced/relocated access roads and utilities, both public and private, including any changes to emergency access/egress and/or response times, and needed road retrofit measures, such as turnarounds and cul-de-sacs.

MINERAL RESOURCES

Will the project have any impacts on mineral resources in and around the Bear River, such as the Teichert/Cheavreaux Meadow Vista Quarry? If so, the EIR should address the impacts of the loss of mineral resources.

MANDATORY FINDINGS OF SIGNIFICANCE

The EIR should address cumulative impacts related to grading, drainage, water quality, and traffic for this project proposal and appropriate mitigations should be included. Significant and unavoidable impacts should be identified as well.

BIOLOGICAL RESOURCES/HABITAT CONSERVATION PLAN

Placer County, the City of Lincoln and the Placer County Water Agency are moving forward with the Placer County Habitat Conservation Plan to provide viable special status species habitat protected under the Federal and State Endangered Species Acts, connected open-space preserve systems, as well as directing growth and development in Placer County into appropriate areas.

The Draft EIR must describe the cumulative and large-scale impacts on the habitat corridor along the Bear River and impacts on special status species and their habitats. The Draft EIR should address habitat fragmentation and viability from the various project alternatives, including impacts to Placer County.

SEPTIC/WELLS/HAZARDOUS MATERIALS

The project applicant should identify all the existing septic systems within the Project Study Area. The Environmental Impact Report (EIR) should address the proper abandonment of all septic systems within the Project Study Area.

The project applicant should identify all septic systems within 2,500 feet of the intake point of the reservoir. Septic system leachfields that are within 1200 feet of the intake point should maintain a minimum 400 foot setback from the high water mark of the reservoir. Septic system leach fields that are greater than 1,200 feet but less than 2,500 feet of the intake point should maintain a minimum 200 feet from the high water mark of the reservoir.

The project applicant should identify all water wells within the Project Study Area. The EIR should address the proper abandonment of all wells within the Project Study Area.

The project applicant should identify all above-ground storage tanks (ASTs) and underground storage tanks (USTs) within the Project Study Area. The EIR should address the proper abandonment and removal of all ASTs and USTs within the Project Study Area. The EIR should also address the setbacks of the existing ASTs and USTs that are outside the Project Study Area to ensure they meet the setbacks to the high water mark of the reservoir.

Any hazardous materials collected during the abandonment process of the "built structures" within the Project Study Area should be disposed of in accordance with all applicable hazardous materials laws and regulations. The EIR should address this issue.

BEAR RIVER CAMPGROUND AND DAY USE AREA

The Bear River Campground and Day Use Area (BRCDUA) is located at the intersection of Plumtree Road and Milk Ranch Road in Colfax. The 207-acre BRCDUA includes approximately 2.5 miles of the Bear River within Placer County. The BRCDUA provides 23 family camp sites, two group camp sites accommodating up to 50 campers each, riverfront day use area, and a five-mile trail system. Public recreational activities at BRCDUA include fishing, rafting, gold panning, hiking, horseback riding, bicycling, photography, painting, site-seeing, camping, and passive recreational activities. As the proposed project would inundate all or part of the BRCDUA, Placer County requests the impacts to public recreation be fully studied and mitigated through the environmental review process.

Flood Control and Water Conservation

The project will alter the 100-year floodplain boundaries, which will require coordination and approval from FEMA through the Conditional Letter of Map Revision/Letter of Map Revision process. A minimum six-month timeframe should be planned on to receive formal approval from FEMA via a concurrence letter following the initial submittal of project information. FEMA should be added to the list of Federal Agencies for this anticipated approval in Table 1 of Attachment 1.

Based on the Placer County Flood Control and Water Conservation District's experience with the design and construction of water storage facilities in Placer County, the proposed project will require approval and inspection by the California Division of Safety of Dams (DSOD). The DSOD should be added to the list of State Agencies for this anticipated approval in Table 1 of Attachment 1.

The applicant is referred to the District's 1990 Stormwater Management Manual for applicable water storage facility standards, a copy of which is available for download off the County

Lastly, the Placer County Agricultural Commission is concerned that the South Sutter Water District continue to have an adequate water supply and that the project benefit agricultural water supplies in general.

Again, Placer County appreciates the opportunity to comment on the NID Centennial Reservoir Project and will continue to provide constructive input and feedback throughout the environmental review process. The County welcomes close coordination to ensure that Placer County residents are well informed about the project as it progresses, and to help address issues as they arise.

Lisa Francis Tassone
NID Board Secretary
Re: Placer County Comments on the Notice of Preparation for the NID Centennial Reservoir Project
April 18, 2016
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Should you have any questions, please contact Crystal Jacobsen, Environmental Coordinator, at cjacobse@placer.ca.gov or 530-745-3085.

Sincerely,

COUNTY OF PLACER



David Boesch
Placer County Executive Officer

cc: Remleh Scherzinger, General Manager, Nevada Irrigation District
Placer County Board of Supervisors
Michael J. Johnson, Community Development Resource Agency Director, Placer County
Ken Grehm, Department of Public Works and Facilities Director, Placer County
Gerald O. Carden, County Counsel, Placer County
Nancy Weber, Division 1 and 2016 Board President, NID
Nick Wilcox, Division V and 2016 Board vice President, NID
John H. Drew, Division II, NID
Scott Miller, MD, Division III, NID
William Morebeck, Division IV, NID



October 5, 2016

Sent via e-mail: kathryn.gaffney@waterboards.ca.gov

State Water Resources Control Board
 Division of Water Rights
 Ms. Kate Gaffney
 P.O. Box 2000
 Sacramento, CA 95812-2000

SUBJECT: Notice of Water Right Application 5634x01, Petition for Assignment of State- Filed Application 5634 and Petition to Change State-Filed Application 5634 by Nevada Irrigation District in Nevada and Placer Counties

Dear Ms. Gaffney:

Placer County Water Agency (PCWA or Agency) is a public entity formed by a special Act of the state Legislature in 1957 to own and operate public water systems and advocate for water resources in Placer County, California. The Agency has a strong interest in maintaining and enhancing water supply reliability throughout Placer County, including shared groundwater and surface water resources. Placer County (County) is a public entity formed in 1851, which represents residents in matters related to land use, security, health, agriculture and water resources. PCWA and the County have a shared interest in sustainable water and land use planning, and projects and programs that further these goals.

The Agency and the County have an interest in Nevada Irrigation District's (NID) Application 5634x01, which seeks assignment of state-filed application 5634. Western Placer county agriculture as well as a number of homes and businesses are served by a diverse mix of water supplies, including surface water from the Bear and Yuba rivers and groundwater produced from a basin that is sustainably managed by a group of stakeholder entities. New surface storage resources are an important response to a changing California climate, and the Agency and County continue to strongly support water resource development as an adaptation strategy to climate change. Integrating new surface storage such as NID's proposed Centennial Dam into western Placer County's water resource portfolio will require a careful and thoughtful analysis to fully understand and maximize the benefits of the proposed project.

PCWA and Placer County are concerned that the Division of Water Rights (Division) issued a public notice for NID's application and petition, which triggers a short timeframe to protest the application and petition and is without the benefit of any CEQA document to inform interested stakeholders of the potential benefits and impacts of the project. Noticing NID's application and petition in the absence of a CEQA document is inconsistent with established Division policy of publicly noticing applications and

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 Division of Water Rights
 Ms. Kate Gaffney
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petitions only after draft CEQA documentation is available, and will also likely result in more protests by interested parties that have not had time to fully understand the impacts and benefits of proposed projects. Indeed, without at least draft CEQA documentation to inform their decision-making, stakeholders find themselves in the difficult position of expending resources to protest a petition which they know little about.

PCWA and Placer County encourages the Division to re-evaluate its decision to notice Application A005634x01. We believe the Division should rescind its previously issued public notice and re-notice the application and petition once a draft CEQA document is ready for circulation. Alternately, the Division could modify the protest period identified in its August 26, 2016, notice to extend the open protest period until after a draft CEQA document has been circulated. Either course of action will allow stakeholders to be better informed about the Centennial Dam project and its potential benefits and impacts.

Sincerely,

Placer County Water Agency

County of Placer County



Einar L. Maisch, General Manager



David Boesch, County Executive Officer

c: Placer County Board of Supervisors
 PCWA Board of Directors
 Brad Arnold, General Manager, South Sutter Water District
 Rem Scherzinger, General Manager, NID

State of California
 State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
 Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

PROTEST – APPLICATION

Based on Environmental Considerations, Public Interest, Public Trust, and Other Issues.
 (Protests based on INJURY TO PRIOR RIGHTS should be completed on other side of form)

APPLICATION 5634X01, and 5634

1. I, (We) County of Placer
 of 175 Fulweiler Avenue, Auburn, CA, 95603 Name of Protestant(s) _____, (530) 889-4030 have read carefully a copy
Mailing address and zip code of protestant(S) Telephone Number
 of, or a notice relative to, Application 5634X01, and 5634 of Nevada Irrigation District
Name of applicant
 _____ to appropriate from the Bear River
Name of source
 at a point on Bear River located within the SW1/4 of NW 1/4 of Section 30, T14N, R9E, MDB&M, and
 on Bear River located within the SE1/4 of NE 1/4 of Section 32, T15N, R9E, MDB&M

2. I, (We) protest the above application on:
 ENVIRONMENTAL ISSUES, ETC.:
 The appropriation will not best conserve the public interest, will have an adverse environmental impact and/or will adversely affect a public trust use of a navigable waterway. *
 a. Public interest protests should clearly indicate how the appropriation will affect the public.
 b. Environmental protest should identify specific impacts and provide supporting recitals on issues such as: plants, animals or fish affected, erosion, pollution, aesthetics, etc.
 c. Public trust protests must identify the navigable waters to be affected and how the project will impact public trust values.
 Protests of a general nature (not project specific) or opposed to constitutional or legislated state policy will not be accepted. A request for information or for studies to be conducted is not a protest.

OTHER ISSUES, ETC.:
 The appropriation will be contrary to law, will require access rights, will not be in the State Water Resources Control Board's jurisdiction, or concerns other issues.

Facts and, if applicable, points of law which support the foregoing allegations are as follows: See attached supplement

3. Under what conditions may this protest be disregarded and dismissed? See attached supplement
 (Conditions should be a nature that the applicant can address and either accept or submit mitigating measures.)

4. A true copy of this protest has been served upon the applicant e-mail/mail _____
Personally or by mail

* For the purpose of filing a protest, navigable waters include streams and lakes that may be seasonally navigable in small recreational watercraft.

Date: _____

Notes: Attach supplemental sheets as necessary. Protests must be filed within the time specified in the notice of application

Protestant(s) or authorized representative sign here
Placer County: David Boesch, County Executive Officer
 Type or print name and title of representative, if applicable
175 Fulweiler Avenue
Street address
Auburn, CA, 95603
City and State
(530) 889-4031
Telephone number



Supplement to Protest of Placer County to
Application 5634x01 and 5634
Based on Public Interest

Potential Injury to Public Interest

Protestant Placer County has an obligation to constituents to review and analyze all environmental analysis and mitigation terms under the California Environmental Quality Act (CEQA) for the Application 5634x01 and 5634 (Centennial Reservoir). Because they have not been completed prior to this Application Process Placer County declares the areas of public interest that could be injured are at a minimum the following all of which are located adjacent to or downstream of the Centennial Reservoir; Groundwater levels and recharge capability for the North American Sub-basin under the Sustainable Groundwater Management Act (SGMA), preservation of a reserve system comprised of agriculture, open space, wetland and species habitat within the Placer County Conservation Plan (PCCP), transportation system issues both during construction and operations, flood control and water conservation, recreation and other environmental impacts.

Protest Dismissal Terms

Placer County needs to have the opportunity to review and analyze all environmental analysis and mitigation terms of the project. Once the EIR process has been completed and issues have been reviewed for their impact then the protest from Placer County could be dropped or amended.