

Notice of Determination

Appendix D

To:

☒ Office of Planning and Research
U.S. Mail: _____ Street Address: _____
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814

☐ County Clerk
County of: _____
Address: _____

From: Butte County Dept. of Water
Public Agency: and Resource Conservation
Address: 308 Nelson Avenue
Oroville, CA 95965

Contact: Kamie Loeser, Director
Phone: (530) 552-3590

Lead Agency (if different from above): _____
Address: _____

Contact: _____
Phone: _____

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): 2022010096

Project Title: Palermo Clean Water Consolidation Project

Project Applicant: Butte County Department of Water and Resource Conservation

Project Location (include county): Butte County, 39 26'78"N, 121 32'45.2"W

Project Description:

The project is a water consolidation project to connect 110 parcels of the unincorporated Palermo community to the South Feather Water and Power Agency (SFWPA) treated surface water system. The consolidation project would bring all 490 parcels within in the community Safe Drinking Water Act compliant clean treated potable water. The project includes installation of water mains, laterals, meters, fire hydrants to service residential land uses.

This is to advise that the Butte County Board of Supervisors has approved the above
(☒ Lead Agency or ☐ Responsible Agency)

described project on 02/08/2022 and has made the following determinations regarding the above
(date)
described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ 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 [☐ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☐ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☐ was not] adopted for this project.
6. Findings [☐ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Butte County Dept. of Water and Resource Conservation, 308 Nelson Avenue, Oroville, CA 95965

Signature (Public Agency): Kamie Loeser Title: Director

Date: 7/6/23 Date Received for filing at OPR: July 6, 2023



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:

04 — 02/11/2022 — 008

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

Butte County Department of Water and Resource Conservation

LEAD AGENCY EMAIL

bcwater@buttecounty.net

DATE

02/11/2022

COUNTY/STATE AGENCY OF FILING

Butte

DOCUMENT NUMBER

PROJECT TITLE

Palermo Clean Water Project

PROJECT APPLICANT NAME

South Feather Water and Power Agency

PROJECT APPLICANT EMAIL

kmckillop@southfeather.com

PHONE NUMBER

(530) 532-1348

PROJECT APPLICANT ADDRESS

2310 Oro Quincy Hwy

CITY

Oroville

STATE

CA

ZIP CODE

95966

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency

☐ School District

☐ Other Special District

☐ State Agency

☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)

\$3,539.25

\$

0.00

☒ Mitigated/Negative Declaration (MND)(ND)

\$2,548.00

\$

2,548.00

☐ 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)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850.00

\$

0.00

☒ County documentary handling fee

\$

50.00

☐ Other

\$

PAYMENT METHOD:

☐ Cash

☐ Credit

☐ Check

☒ Other

TOTAL RECEIVED \$ 2,598.00

SIGNATURE

X 

AGENCY OF FILING PRINTED NAME AND TITLE

Butte County Clerk Recorder, R. Besseghini, Deputy



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.

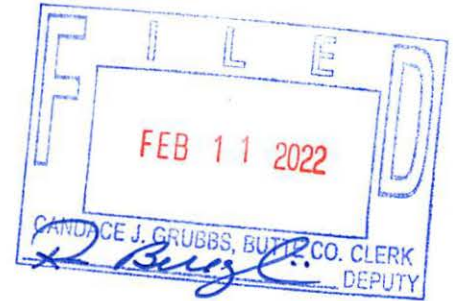
Mail to:

California Department of Fish and Wildlife
Accounting Services Branch
P.O. Box 944209
Sacramento, California 94244-2090

DECLARATION OF FEES DUE
(California Fish and Game Code Section 711.4)

Name and address of Lead Agency:

Butte County Department of Water & Resource Conservation
308 Nelson Avenue
Oroville, CA 95965-3302
Contact: Kamie N. Loeser, Director
(530) 552-3590



Project Title/File Number: Palermo Clean Water Consolidation Project
APN:

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

1. ☐ **NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION**
 - ☐ A. Statutorily or Categorically Exempt
\$50.00 Clerk's Documentary Handling Fee
 - ☐ B. Certificate of No Effect
\$50.00 Clerk's Documentary Handling Fee
2. ☒ **NOTICE OF DETERMINATION - FEE REQUIRED**
 - ☒ A. Negative Declaration
\$2,548.00 State Filing Fee
\$50.00 Clerk's Documentary Handling Fee
 - ☐ B. Environmental Impact Report
\$3,539.25 State Filing Fee
\$50.00 Clerk's Documentary Handling Fee
3. ☐ **NOTICE OF DETERMINATION - FEE NOT REQUIRED**
No Effect Determination from Dept. of Fish and Game
\$50.00 Clerk's Documentary Handling Fee

PAYMENT / NON-PAYMENT OF FEES:

1. ☒ **PAYMENT:** The above fees have been paid.
See attached receipt(s):
2. ☐ **NON-PAYMENT:** The above fees are required. Not paid.

By: Kamie Loeser, Water and Resource Conservation
Title: Director
Lead: Butte County Department of Water and Resource
Agency: Conservation
Date: December 21, 2021

TWO COPIES OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH ALL ENVIRONMENTAL DOCUMENTS FILED WITH THE BUTTE COUNTY CLERK'S OFFICE.
THREE COPIES OF ALL NECESSARY DOCUMENTATION ARE REQUIRED FOR FILING.
ALL APPLICABLE FEES ARE DUE AND PAYABLE PRIOR TO THE FILING OF ANY ENVIRONMENTAL DOCUMENT WITH THE BUTTE COUNTY CLERK'S OFFICE. MAKE CHECKS PAYABLE TO THE COUNTY OF BUTTE.



Clerk-Recorder's Department
County of Butte
CANDACE J. GRUBBS
County Clerk-Recorder

1 FISH AND GAME CLERKS FEE	50.00
1 NEGATIVE DECLARATION	2548.00

Total Charges	2598.00
JOURNAL	2598.00

Total Tendered	2598.00
Change	.00

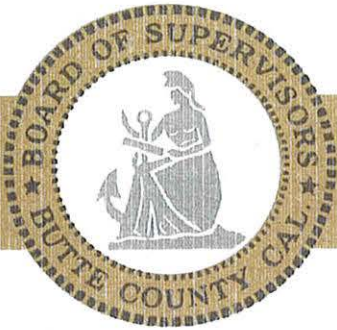
2/11/2022 2:36:12 PM 2022021100145

Printed: Feb 11 2022 2:36PM by RB ECR-REC-07

Thank You



Requested By LYNNE PILLUS



BOARD OF SUPERVISORS

COUNTY OF BUTTE, STATE OF CALIFORNIA

Resolution No. 22-018

A RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE PALERMO CLEAN WATER CONSOLIDATION PROJECT, FOR WHICH AN INITIAL STUDY WAS PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the County of Butte ("County") has a project to ensure a safe reliable water supply to the Palermo community located in Butte County which currently relies on local shallow groundwater supplies facing water quality and quantity challenges; and

WHEREAS, the County has determined that the best long term Palermo water solution is through the Palermo Clean Water Consolidation Project ("Project") and that funding will be needed for timely implementation of the Project; and

WHEREAS, the County and South Feather Water and Power Agency have approved a Project MOU through which to pursue Project funding sources to deliver a long-term water solution for the Palermo community; and

WHEREAS, an environmental documentation pursuant to the California Environmental Quality Act is required to be prepared and submitted as part of the final DWSRF Construction Application for the Project; and

WHEREAS, the County of Butte, acting as lead agency, has determined it was appropriate to prepare an Initial Study and Mitigated Negative Declaration for the Palermo Clean Water Consolidation Project; and

WHEREAS, the County of Butte, acting as lead agency, consulted with South Feather Water and Power Agency during the environmental review process; and

WHEREAS, the Board of Supervisors has reviewed and considered the Initial Study and Mitigated Negative Declaration in accordance with the California Environmental Quality Act for the Palermo Clean Water Consolidation Project; and

WHEREAS, a duly noticed public hearing was held on February 8, 2022; and

WHEREAS, the Board of Supervisors has considered the staff report and recommendation of the Butte County Department of Water and Resource Conservation and all public comments received.

NOW, THEREFORE, BE IT RESOLVED that the Butte County Board of Supervisors, takes the following actions:

1. Certifies that it has reviewed and considered the Mitigated Negative Declaration for the Palermo Clean Water Consolidation Project;
2. Finds the Mitigated Negative Declaration to be adequate for the purpose of submittal with the DWSRF Construction Application and all other funding applications, as deemed necessary and appropriate;

3. Finds that construction and operation of the Palermo Clean Water Consolidation Project will have no impacts upon aesthetics, agricultural resources, land use planning, mineral resources, population, public services, recreation, transportation, utilities and service systems, and wildfire;
4. Finds that construction and operation of the Palermo Clean Water Consolidation Project will have less than significant impacts upon energy, geology and soils, and tribal cultural resources;
5. Finds that construction and operation of the Palermo Clean Water Consolidation Project will have a less than significant impact with mitigation incorporated for air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, and noise during construction.

BE IT FURTHER RESOLVED that the Butte County Board of Supervisors hereby adopts the Mitigated Negative Declaration and seven mitigation measures as described in the Mitigation Monitoring and Reporting Program (Appendix H of the Initial Study and Mitigated Negative Declaration),

1. Mitigation Measure Air Quality (Project Activities to Minimize Particulate Matter and Other Pollutants)
2. Mitigation Measure Biological Resources (Avoid Impacts to Raptors, Migratory Birds and Other Special-Status Species)
3. Mitigation Measure Cultural Resources and Tribal Cultural Resources (Unanticipated Cultural Resources During Project Construction Activities)
4. Mitigation Measure Greenhouse Gas Emissions (Minimize Greenhouse Gas Emissions)
5. Mitigation Measure Hazards and Hazardous Materials (Fueling and Construction Equipment)
6. Mitigation Measure Hydrology and Water Quality (Water Quality During Construction)
7. Mitigation Measure Noise (Minimize Construction Noise)

BE IT FURTHER RESOLVED AND ORDERED, that the Department of Water and Resource Conservation, Director or designee, prepare and file a Notice of Determination with the County Clerk.

PASSED AND ADOPTED by the Butte County Board of Supervisors this 8th day of February, 2022, by the following vote:

AYES: Supervisors Lucero, Ritter, Kimmelshue, Teeter and Chair Connelly

NOES: None

ABSENT: None

NOT VOTING: None



Bill Connelly, Chair
Butte County Board of Supervisors

ATTEST:

Andy Pickett, Chief Administrative Officer
and Clerk of the Board of Supervisors

By: 

Deputy