

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION 83-19

APPROVING CUMULATIVE IMPACT ASSESSMENTS
FOR HYDROELECTRIC DEVELOPMENT IN
THE TRINITY RIVER, OWENS RIVER, UPPER
SAN JOAQUIN RIVER AND NORTH FORK FEATHER RIVER BASINS

WHEREAS:

1. The State Water Resources Control Board (Board) has received numerous applications to appropriate water for hydroelectric development in the Trinity River (near Willow Creek), Owens River, Upper San Joaquin River, and North Fork Feather River basins as indicated on the attached maps (Attachments 1-4).
2. The subject basins support a number of valuable natural resources, including extensive sport fisheries, migratory deer herds, critical wildlife habitats, and important recreation resources.
3. For most of the projects shown on Attachments 1-4, the Board is lead agency pursuant to the California Environmental Quality Act (CEQA). When acting as lead agency, the Board is responsible for preparing any documents needed to meet the requirements of CEQA.

4. The proposed projects have possible environmental effects which may be individually limited but are cumulatively considerable. The incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of current projects and the effects of probable future projects (CEQA Section 21083(b)).
5. Section 21083 of CEQA requires a finding that a project may have a significant effect on the environment and hence, requires the preparation of an Environmental Impact Report (EIR) whenever a project has possible environmental effects which are individually limited but cumulatively considerable.
6. Section 15143(a) of the Resources Agency Guidelines for the Implementation of CEQA (Title 14, California Administrative Code) requires that an EIR address cumulative effects when they are found to be significant.
7. Where a number of small projects is proposed in a limited area, the burden on each individual applicant of preparing an accurate and adequate assessment of his application in conjunction with numerous other applications may be very heavy unless costs are shared.
8. A single assessment of the cumulative effects of hydroelectric development in each of the subject basins jointly funded by all the applicants would avoid this problem. This approach would also provide the Board with a more thorough informational document.
9. The cost of such studies can be charged to the subject applicants on a pro-rata basis according to the theoretical horsepower to be generated by each application. A scope of work, schedule and cost estimate has been prepared for cumulative impact studies in each of the subject basins.

10. There are a small number of projects for which the Board is lead agency within the subject basins which are entitled to a categorical exemption from the operation of CEQA pursuant to Section 15128 of the Resources Agency Guidelines for Implementation of CEQA (Categorical Exemption for Small Hydroelectric Projects at Existing Facilities) in that they are for a 5 megawatt or less facility, involve no change in the flow regime, involve less than one mile of new power line, will not raise the surface water elevation of any impoundment, involve areas where there is no existing upstream or downstream migration of fish, the discharge will not be more than 300 feet from the toe of the diversion structure, they will not cause violations of State or Federal water quality standards, they will not entail any alteration of a site included or eligible for inclusion in the National Register of Historic Places and construction will not occur in the vicinity of any rare, or endangered species. These projects should not be required to participate in the cumulative impact assessments.
11. An understanding of the cumulative beneficial aspects of small hydroelectric development within the State would be also of value to the Board when making decisions on applications for such projects.
12. The Board's Special Energy Consultant is capable of preparing an assessment of such beneficial aspects of small hydroelectric development within the State.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The State Water Resources Control Board approves the preparation of joint cumulative impact assessments to be included as a part of the Environmental Impact Report for each hydroelectric development within the Trinity River basin in the vicinity of Willow Creek, Owens River basin, Upper San Joaquin River basin, and the North Fork Feather River basin.
2. These assessments are to be prepared in general accordance with the attached scopes of work (Attachments 5-8) and are to be completed on or about December 15, 1983.
3. The Board's Executive Director is hereby authorized to negotiate and execute a contract for each of these studies in amounts not to exceed:

Trinity	- \$ 50,000
Owens	- \$217,000
Upper San Joaquin	- \$214,000
North Fork Feather	- \$129,000
4. The costs of preparing the studies shall be charged to the affected applicants based on their pro-rata share of the total theoretical horsepower listed in their water rights application(s). The participating

4. (cont.)

applicants and their share of the cost are detailed in Attachment 9. Total costs as shown on Attachment 9 shall be adjusted downward if the competitive bidding process, the cancellation of applications or the determination that certain projects are categorically exempt results in a cost less than the currently estimated cost for any of the basins.

5. No project which is entitled to a categorical exemption pursuant to Section 15128 of the Resources Agency Guidelines for implementation of CEQA shall be included in the cumulative assessment.
6. The State Water Resources Control Board approves the preparation of an assessment of cumulative benefits from small hydroelectric development within the State. This assessment is to be prepared by the Board's Special Energy Consultant.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on March 17, 1983.



Clint Whitney
Executive Director