



State of California—The Resources Agency
 DEPARTMENT OF FISH AND GAME
2012 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT # 076

STATE CLEARING HOUSE # 2101062035
 (If applicable)

TYPE OR PRINT CLEARLY

LEAD AGENCY Town of Yountville		08/10/2012	
COUNTY/STATE AGENCY OF FILING NAPA COUNTY CLERK		DOCUMENT NUMBER 2012-076	
PROJECT TITLE Yountville Recycled Water Project			
PROJECT APPLICANT NAME Town of Yountville		PHONE NUMBER (707) 948 - 2628	
PROJECT APPLICANT ADDRESS 6550 Yount Street		Yountville	STATE: CA ZIP CODE 94599
PROJECT APPLICANT (Check appropriate box): <input checked="" type="checkbox"/> Local Public Agency <input type="checkbox"/> School District <input type="checkbox"/> Other Special District <input type="checkbox"/> State Agency <input type="checkbox"/> Private			
CHECK APPLICABLE FEES:			
<input type="checkbox"/>	Environmental Impact Report	\$2,919.00	\$ _____
<input checked="" type="checkbox"/>	Negative Declaration	\$2,101.50	\$ 2101.50
<input type="checkbox"/>	Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$ _____
<input type="checkbox"/>	Projects Subject to Certified Regulatory Programs	\$992.50	\$ _____
<input checked="" type="checkbox"/>	County Administrative Fee	\$50.00	\$ 50.00
<input type="checkbox"/>	Project that is exempt from fees		
	<input type="checkbox"/> Notice of Exemption		
	<input type="checkbox"/> DFG No Effect Determination (Form Attached)		
Other			\$ _____
TRANSACTION # 2012081000055			
PAYMENT METHOD: Cash <input type="checkbox"/> Credit <input checked="" type="checkbox"/> Check <input type="checkbox"/> Journal _____			TOTAL RECEIVED \$2151.50
SIGNATURE X L. Rodriguez		TITLE DEPUTY COUNTY CLERK	

ORIGINAL - PROJECT APPLICANT
 FIG 753.5a (Rev. 01/2010)

COPY - DFG/ASB

COPY - LEAD AGENCY

COPY - COUNTY CLERK

2012-076

AUG 10 2012

Notice of Determination

JOHN TUTEUR
Napa County Recorder - County Clerk
By I. RODRIGUEZ
DEPUTY RECORDER - CLERK

To:

[X] 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

[X] County Clerk
County of: Napa
Address: 900 Coombs Ave
Napa, CA 94559

From:

Public Agency: Town of Yountville
Address: 6550 Yount Street
Yountville, CA 94599
Contact: Graham Wadsworth
Phone: 707-948-2628

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): 2012062035

Project Title: Yountville Recycled Water Project

Project Applicant: Town of Yountville

Project Location (include county): Yountville and Napa County

Project Description:

The Town will meet its wastewater reuse permit requirements & offset Napa River water and groundwater use for agricultural irrigation by expanding the recycled water system to accommodate additional recycled water users. The project includes 3 phases and will include installation of 20,000 feet of 8-inch pipe, 1,190 feet of 6-inch pipeline, new valves and turnouts for new recycled water customers, and equipment upgrades at the Joint Treatment Plant and Recycled Water Pump Station to distribute disinfected tertiary recycled water to existing vineyard irrigation ponds east of Yountville. Existing users will use recycled water for irrigation when recycled water is available.

This is to advise that the Town of Yountville has approved the above (X) Lead Agency or () Responsible Agency)

described project on August 7, 2012 and has made the following determinations regarding the above described project. (date)

- 1. The project [] will [X] 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. [X] 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. A statement of Overriding Considerations [] was [X] was not adopted for this project.
6. Findings [] were [X] 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:

Town of Yountville, 6550 Yount Street Yountville, CA 94599

Signature (Public Agency) [Signature] Title: Public Works Director / Town Engineer

Date: 8/10/12 Date Received for filing at OPR:



JOHN TUTEUR

Assessor-Recorder-County Clerk

900 Coombs, Room 116

Napa, CA 94559

(707)253-4247

Mail To:
TOWN OF YOUNTVILLE

Requested by: TOWN OF YOUNTVILLE

Comments:

Napa Recorder-County Clerk's Office

Invoice

Transaction # 2012081000055

Date:
8/10/2012

Time:
11:20:38AM

Product - Description	Charge	Amount
1 FISH/GAME ADMIN FEE Yountville Recycled Water Project		\$50.00
1 FISH/GAME NEGATIVE DECLARATION Yountville Recycled Water Project		\$2,101.50
TOTAL CHARGES		\$2,151.50
CHECK	038870	\$2,151.50

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

San Francisco Bay Regional Water Quality Control Board

March 30, 2012
CIWQS Place No. 274410
CIWQS Place No. 274528

Town of Yountville
Attn: Graham Wadsworth
6550 Yount Street
Yountville, CA 94599

Subject: Yountville Recycled Water Expansion Project

Dear Mr. Wadsworth:

We encourage the Town of Yountville to pursue construction of proposed recycled water distribution pipeline and storage ponds, as identified as alternatives 1 and 2 in your December 15, 2011, letter regarding the Town's proposal to expand its recycled water distribution and storage system. The Town evaluated three alternatives as described in two technical memorandums (dated July 26, 2011 and September 16, 2011) attached to your letter. Each alternative builds upon the work completed in the previous alternative, which is to build more distribution pipelines and storage ponds for additional customers. The technical memorandums conclude that alternatives 1 and 2 are feasible, but alternative 3 is not because of costs.

We highly encourage the development of recycled water projects wherever feasible. Recycled water not only increases local control and reliability of the supply, but also requires less energy to produce and transport than most new supply options. Water recycling also reduces the amount of wastewater and associated pollutants discharged to receiving waters. The Town currently discharges about 130 acre-feet per year to the river. The Town's wastewater discharge permit (Order No. R2-2010-0072) prohibits discharges to the Napa River except when treatment plant inflow exceeds the capacity of the recycled water distribution and storage system. If implemented, alternatives 1 and 2 would reduce the need to discharge to the river because recycled water could be stored during the wet season when demand is low. For these reasons, we support the project.

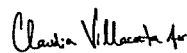
JOHN MULLER, CHAIR | BRUCE H. WOLFE, EXECUTIVE OFFICER

1515 Clay St., Suite 1400, Oakland, CA 94612 | www.waterboards.ca.gov/sanfranciscobay

If you have any questions regarding this letter or if we can be of further assistance, please contact Vincent Christian at (510) 622-2336 or by e-mail at vchristian@waterboards.ca.gov.

Sincerely

Digitally signed
by Claudia



Villacorta
Date: 2012.03.30
09:59:17 -07'00'

Lila Tang
Chief, NPDES Wastewater Division

Wendy Ziegler

From: Christian, Vince@Waterboards <Vince.Christian@waterboards.ca.gov>
Sent: Wednesday, September 19, 2012 2:12 PM
To: Wendy Ziegler
Cc: Ted Whiton; Allen, Blair@Waterboards
Subject: RE: Town of Yountville Petition for Change

Hi Wendy,

This email confirms that the Town of Yountville has consulted with our office (San Francisco Bay Regional Water Quality Control Board) and that we concur that the project will not impair water quality. We support the Town's proposed project to recycle more of its wastewater. It is the State Water Board's policy (Resolution 2009-0011) to encourage the beneficial use of recycled water. Furthermore, the Town's NPDES discharge permit (R2-2010-0072) prohibits the discharge of treated wastewater to the Napa River except when inflow to the treatment plant exceeds the capacity of the recycled water distribution and storage system.

Please feel free to contact me if you have any questions regarding this email.

Vincent Christian, staff engineer
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94512
510-622-2336

From: Wendy Ziegler [<mailto:Wendy.Ziegler@ghd.com>]
Sent: Wednesday, September 19, 2012 11:51 AM
To: Christian, Vince@Waterboards
Cc: Ted Whiton
Subject: Town of Yountville Petition for Change

Hi Vince,
Thank you for calling me back. As discussed the State Water Board Division of Water Rights has requested a Petition for Change for our project. Below is what is requested on the Environmental Information for Petitions. (I have attached a pdf page of our response) I was going to include the letter dated March 20,2012 regarding the project.

Please let me know if this is acceptable or provide an appropriate response.

Thank you, Wendy

Wendy Ziegler, PE, CDT
Senior Civil Engineer

GHD
T: 707-523-1010 | F: 707 527 8679 | C: 707 217 5778 | E: wendy.ziegler@ghd.com
2235 Mercury Way Suite 150, Santa Rosa, CA 95407, USA | www.ghd.com

[WATER](#) | [ENERGY & RESOURCES](#) | [ENVIRONMENT](#) | [PROPERTY & BUILDINGS](#) | [TRANSPORTATION](#)

Please consider our environment before printing this email

6. CONSULTATION AND COORDINATION

SUMMARY OF PUBLIC INVOLVEMENT

The Town will conduct public outreach on the Project during the CEQA process. Public Notices and copies of the EA/IS/Proposed MND will be sent to agencies, organizations and individuals. Public meetings will be held during Town Council consideration of the EA and IS/Proposed MND. The EA/IS/Proposed MND will be posted on Reclamation's website and will be available for review for 30 days.

EA AND IS/PROPOSED MND DOCUMENT DISTRIBUTION

The Draft EA/IS/Proposed MND was submitted to the State Clearinghouse (15 copies) on June 12, 2012. The public review for the document is from June 12, 2012 to July 24, 2012 and oral comments will be received at the August 7 2012 Town Council meeting.

FINAL MND/NOD

The Town consider adoption of the MND and approve the Project at the August 7, 2012 Town Council meeting. The Notice of the Determination for project approval would be filed with the County Clerk and State Clearinghouse within five days.

PUBLIC MEETINGS

On August 26, 2011 the Town conducted a workshop with existing and potential recycled water users. At the workshop, the Town provided an overview of the recycled water program including drivers for the program and current customers, recycled water quality and allowable uses and the proposed expansion project including the need for storage and benefits of offsetting groundwater use.

On March 23, 2012, the Town conducted a second workshop describing alternatives, financing methods and potential costs share. The Town provided an overview of the background and purpose of the recycled water system, the recommended project scope and benefits, existing rate structure, and proposed rate structure. The existing and potential customers seemed agreeable to the project.

A public meeting will be held on August 7, 2012 at which time the Town Council will consider the EA/IS/Proposed MND. The public has an opportunity provide oral comments to the Council during the meeting.

COMPLIANCE WITH FEDERAL STATUTES AND REGULATIONS

This section describes the status of compliance with the relevant federal laws, executive orders and policies, and the consultation that has occurred to date or will occur in the near future. Most of these regulations involve ongoing compliance, which would occur in coordination with preparation of the EA & IS/Proposed MND.

Federal Endangered Species Act

Pursuant to the Federal Endangered Species Act (FESA), U.S. Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) have authority over projects that may result in take of a federally listed species. Under FESA, the definition of "take" is to "Harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." USFWS has also

interpreted the definition of "harm" to include significant habitat modification that could result in take. If there is a likelihood that a project would result in take of a federally listed species, either an incidental take permit, under Section 10(a) of FESA, or a federal interagency consultation, under Section 7 of FESA, is required.

A list of threatened and endangered species in the project area was obtained from the FWS (See Appendix C). Reclamation requested concurrence from FWS on June 11, 2012 that the proposed action is not likely to adversely affect the federally-listed threatened red-legged frog.

Clean Water Act

The Clean Water Act (CWA) is the primary surface water protection legislation throughout the country. The CWA aims to restore and maintain the chemical, physical, and biological integrity of surface waters to support "the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water." The U.S. Environmental Protection Agency is the Federal agency with primary authority for implementing regulations adopted pursuant to the CWA, and has delegated the authority to implement and oversee most of the programs authorized or adopted for CWA compliance to U.S. Army Corps of Engineers (USACE) and the Regional Water Quality Control Boards (RWQCB).

NPDES General Permit for Stormwater Discharges Associated with Construction Activity from the State Water Resources Control Board

Under the CWA Section 402, stormwater discharges from construction activities that disturb one or more acres, or smaller sites that are part of a larger common plan of development, are regulated under the National Pollutant Discharge Elimination System (NPDES) stormwater program. Prior to discharging stormwater, construction operators must obtain coverage under an NPDES permit, which, in California, is administered by the State Water Resources Control Board (SWRCB). Because the Project will disturb one or more acre, the Town will obtain the necessary permit from SWRCB prior to beginning any project-related work.

Section 404 Permit from the U.S. Army Corps of Engineers

Under Section 404 of the CWA, the permanent disposal of dredged or fill material into Waters of the U.S. is regulated by USACE. Waters of the U.S. include territorial seas, tidal waters, and non-tidal waters, including wetlands. A permit from the USACE is required prior to any work being completed within Waters of the U.S.

The Town will obtain the necessary permits from USACE prior to beginning any project-related work in Waters of the U.S., if necessary.

Section 401 Water Quality Certification from the RWQCB for wetland and waters impacts

Under Section 401 of the CWA, states have the right to ensure that the State's interests are protected on any federally permitted activity occurring in or adjacent to Waters of the State. In California, the RWQCBs are the agencies mandated to ensure protection of the State's waters. If a project requires an USACE Section 404 permit and has the potential to impact Waters of the State, the local RWQCB will regulate the project and associated activities through a Water Quality Certification determination (Section 401). A permit from the North Coast RWQCB is required prior to any Project work being completed within Waters of the State.

The Town will obtain the necessary permits from RWQCB prior to beginning any project-related work in Waters of the State, if necessary.

Section 10 of the Rivers and Harbors Act of 1899

Under Section 10 of the Rivers and Harbors Act of 1899, the construction of structures in, over, or under, excavation of material from, or deposition of material into "navigable waters" are regulated by USACE.

Navigable waters of the United States are defined as those waters subject to the ebb and flow of the tide shoreward to the mean high-water mark or those that are currently used, have been used in the past, or may be susceptible to use to transport interstate or foreign commerce. A Letter of Permission or permit from the USACE is required prior to any work being completed within navigable waters.

The Town will obtain the necessary permits from USACE prior to beginning any project-related work in navigable waters, if necessary.

Section 106 of the National Historic Preservation Act

Section 106 of the National Historic Preservation Act (NHPA) of 1966 (as amended in 1992) requires Federal agencies to evaluate the effects of Federal undertakings on historical, archaeological, and cultural resources, and to consult with the Advisory Council on Historic Preservation concerning potential effects of Federal actions on historic properties. Before Federal funds are approved for a particular project or prior to the issuance of any license, the effect of the project on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register shall be evaluated.

To comply with NHPA, notices of public meetings for this project will be sent to the SHPO, which acts as an intermediary for the Advisory Council on Historic Preservation. A copy of this Draft MND will be sent to SHPO, as a unit of the California Department of Parks and Recreation, request its review and soliciting input on the Project.

Based on the findings documented in the cultural resource report, Reclamation (the lead Federal Agency) will likely conclude that no historic properties will be affected by the proposed undertaking (36 CFR Part 800.4(d)(1)). Pursuant to the 36 CFR Part 800 regulations outlining the Section 106 process, Reclamation will entered into consultation with the SHPO on a determination of effect of no historic properties affected. The consultation package will be sent to the California SHPO. The SHPO is afforded 30 days to comment on each determination made by Reclamation.

Native American Consultation

Implementing regulations for Section 106 require that Federal agencies identify potentially affected Indian tribes that might have knowledge of sites of religious and cultural significance in the APE (36 CFR 800.3[f][2]). If any such properties exist, the regulations require that Federal agencies invite Indian tribes to participate in the Section 106 process as consulting parties.

A fax was sent to the State of California Native American Heritage Commission (NAHC) to ask for a review of the Sacred Lands file for information on Native American traditional cultural resources for the proposed APE on June 9, 2011 (Montgomery 2011). A response was received on July 16, 2011 indicating that the commission has no records on file for the APE, but provided a list of six Native American individuals/organizations who may have knowledge of cultural resources within the APE. These individuals and were contacted by letter on July 1, 2011 and a follow-up letter with a corrected APE map was sent on July 9, 2011. A response from Nick Tipon from the Federated Indians of Graton Rancheria was received on July 18, 2011. It stated that the APE lies outside of their recognized traditional territory and had no other comments. On August 22, 2011, Vincent Salsedo, a representative of the Mishewal-Wappo Tribe of Alexander Valley contacted ASC and expressed an interest in the Project. Mr. Salsedo accompanied the archaeologists during a site visit on November 22, 2011 (ASC 2011c) and requested to be kept informed of the survey findings. Mr. Salsedo was provided with the written findings of the survey.

Farmland Protection Policy Act

The Farmland Protection Policy Act (FPPA) is intended to minimize the impact of Federal programs with respect to the conversion of farmland to nonagricultural uses. It ensures that, to the extent possible, Federal programs are administered to be compatible with state, local, and private programs and policies to protect farmland. The Natural Resources Conservation Service (NRCS) is the agency primarily

responsible for implementing the FPPA. Agricultural resources are addressed in Section 3.2 “Agriculture and Forest Resources”. The Town and Reclamation will submit this EA & IS/Proposed MND to the NRCS for its comment.

Executive Order 11988 (Floodplain Management)

Executive Order 11988—Floodplain Management (May 24, 1977) directs Federal agencies to issue or amend existing regulations and procedures to ensure that the potential effects of any action it may take in a floodplain are evaluated and that its planning programs and budget requests reflect consideration of flood hazards and floodplain management. Guidance for implementation of the Order is provided in the floodplain management guidelines of the U.S. Water Resources Council (40 CFR 6030; February 10, 1978) and in A Unified National Program for Floodplain Management, prepared by the Federal Interagency Floodplain Management Taskforce.

The Town and Reclamation have considered Executive Order 11988 in their development of this EA & IS/Proposed MND and have complied with this order.

Executive Order 11990 (Protection of Wetlands)

The purpose of Executive Order 11990 is to “minimize the destruction, loss or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands.” To meet these objectives, the Order requires Federal agencies, in planning their actions, to consider alternatives to wetland sites and limit potential damage if an activity affecting a wetland cannot be avoided. The Order applies to:

- acquisition, management, and disposition of Federal lands and facilities construction and improvement projects which are undertaken, financed or assisted by Federal agencies; and
- Federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulation, and licensing activities.

The Town and Reclamation have considered Executive Order 11990 in their development of this EA & IS/Proposed MND and have complied with this order. The Town has taken a number of actions to minimize project effects on wetlands (see Section 3.4, Biological Resources) and will be pursuing a Clean Water Act Section 404 permit from USACE.

Executive Order 12898 (Environmental Justice)

Executive Order 12898, Section 2-2, requires all Federal agencies to conduct programs, policies, and activities that substantially affect human health or the environment, in a manner that ensures that such programs, policies, and activities do not have the effect of excluding persons (including populations) from participation in, denying persons the benefits of, or subjecting persons to discrimination because of their race, color or national origin. Section 1-101 requires Federal agencies to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of programs on minority and low-income populations. This EA & IS/Proposed MND has identified and described the project’s potential to result in disproportionately high and adverse human health or environmental effects on minority and low-income populations (see analysis of Environmental Justice in Chapter 5, Other Required Analysis), as required by this order.

STATE AND LOCAL REQUIREMENTS

Operationally, the Town has coverage for an expanded recycled water project under its Master Reclamation Permit (General Order 96-011). In order to add additional users, the Town will need to update its Engineering Report that is on file with the California Department of Public Health (CDPH) and the RWQCB to add the additional use area(s).

When the recycled water project is completed, a new Notice of Intent would be issued by updating the pages of the existing Recycled Water (RW) Program Manual that are impacted by the improvements to the system, and a new RW Program Manual could be produced.

Other permits and approvals anticipated:

- Napa County: Grading permit; Encroachment Permit; Floodplain Permit.
- San Francisco Bay RWQCB: Amendment to the Town's existing water reuse NPDES permit and compliance with any of the following potentially required permits.
- Streambed Alteration Agreement from the California Department of Fish and Game for stream crossings and riparian impacts, if any;