

Notice of Determination

To:

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:

Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 95434
Contact: Jessie Maxfield
Phone: (707) 210-2807



Lead Agency

**State Water Resources Control Board
1001 I Street, Sacramento CA 95814**

Contact: Kathryn Gaffney
Phone: (916) 341-5360

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 1995043040

Project Title: Wallace Ranch, Lake or Streambed Alteration Agreement No. 1600-2020-0153-R3.

Project Location: The project is located at Pope Creek, tributary to Putah Creek (thence Lake Berryessa), in the County of Napa, State of California; Latitude 38.636670, Longitude -122.398600 or Section 11, Township 9N, Range 5W, U.S. Geological Survey (USGS) map Aetna Springs, or 2371 Pope Canyon Road, Saint Helena, CA 94574; Assessor Parcel Number 018-110-020.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number 1600-2020-0153-R3, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Matthew Hardin.

The project is limited to the operation of an existing water diversion facility installed in Pope Creek. The Point of Diversion (POD) collects water from three pipes at different elevations in Pope Creek, and at least one of which is an infiltration gallery buried in the gravel under Pope Creek. Water is collected between November 1 and May 31 and diverted from Pope Creek via pipeline into two existing ponds. No construction of development on the property is addressed in this Agreement. This diversion is authorized by the State Water Resources Control Board (SWRCB) pursuant to Water Right Permit 20820. This Water Right Permit allows for the diversion of up to 245 acre-feet annually and the development of up to 5 storage reservoirs (2 of which are existing) and the development of 268 acres of vineyards (some of which have already been developed). The diversion facility has already been constructed, and pipelines to the existing and future ponds are already in place.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on September 14, 2020 and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will not have a significant effect on the environment. This determination is limited to effects within CDFW's permitting jurisdiction as a Responsible Agency.
2. CDFW considered the mitigated negative declaration / negative declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures were / were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan was / was not adopted by CDFW for this project.
5. A statement of overriding considerations was not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to California Code of Regulations section 15091.

The mitigated negative declaration / negative declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as Responsible Agency is available at CDFW's regional office.

Signature

Craig J. Weightman

Date: September 25, 2020

Craig J. Weightman, Environmental Program Manager

Governor's Office of Planning & Research

Date Received for filing at OPR: Sep 30 2020

STATE CLEARINGHOUSE