

Notice of Exemption

To:
Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

From:
Department of Fish and Wildlife
Region 1 - Northern
601 Locust Street
Redding, California 96001



Street Address:
1400 Tenth Street
Sacramento, CA 95814

Project Title: Papenheim Domestic Water Diversion and Dam Improvement Project (Lake or Streambed Alteration Agreement No. 1600-2020-0383-R1)

Project Location (include county): The project site is located at 19256 Spootsy Drive in Montgomery Creek, Shasta County; Assessor's Parcel Number (APN) 027-310-040-000.

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement (Agreement) No. 1600-2020-0383-R1, pursuant to Section 1602 of the Fish and Game Code to Mr. Jerry Papenheim on behalf of Shasta Forest Properties, LLC.

This project has been proposed to address sediment inputs and risk of fill failure from an existing dam spillway structure as well as operation of an ongoing surface water diversion and maintenance to the existing infrastructure. This project proposes to excavate an existing culvert acting as a spillway and replace the existing structure with an armored spillway designed to meet 100-year storm flows. In addition, the applicant has proposed the continued use of a domestic water diversion, updating infrastructure to shape an armored overflow channel to deliver any unused portion of water back to the channel while minimizing risk of erosion and sediment delivery.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: Mr. Jerry Papenheim (Shasta Forest Properties, LLC)

Exempt Status:

Statutory Exemption.

Categorical Exemptions. Types:

Class 1; California Code of Regulations, title 14, section 15301, Existing facilities. operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

Class 2; California Code of Regulations, title 14, section 15302 (c), Replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. (c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

Reasons why project is exempt: The proposed project involves remediation and replacement of an existing failing spillway, as well as ongoing operation of and maintenance of an existing domestic surface water diversion. The project(s) will occur within the same footprint and will serve the same purposes as the existing structures. This project, as carried out in accordance with the Agreement, poses no significant adverse impacts to endangered, rare or threatened species or their habitat.

CDFW Contact Person: Ashley Worth, Senior Environmental Scientist (Specialist) (530) 225-2384

Signature: DocuSigned by:
Donna L. Cobb
1AFB1E1AEF314DD... *Date:* 5/4/2021

Donna L. Cobb
Senior Environmental Scientist Supervisor
Cannabis Enforcement Program

Date received for filing at OPR: _____