

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
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534



Street Address:
1400 Tenth Street
Sacramento, CA 95814

Project Title: **Bear Canyon Creek Fish Passage Maintenance Project** (Lake or Streambed Alteration Agreement No. 1600-2020-0275-R3)

Project Location: The project is located at a private reservoir immediately upstream of the Bear Canyon Creek dam at 1460 Niebaum Lane in Rutherford, Napa County, California. The reservoir is located west of the winery building, approximately 0.68 miles, and can be accessed via the winery’s unpaved access road to Bear Canyon Creek; Latitude 38.45181°, Longitude -122.44416°

Project Description: The California Department of Fish and Wildlife has executed Lake or Streambed Alteration Agreement number 1600-2020-0275-R3, pursuant to Section 1602 of the Fish and Game Code to Niebaum-Coppola Estate Winery, L.P.

Project activities are limited to routine maintenance of the on-stream Bear Canyon Creek reservoir (Reservoir) and associated fish passage structures. Routine maintenance activities include: 1) draining the Reservoir and removing up to 2,800 cubic yards of accumulated sediment from the Reservoir and around the outlet pipe annually, or on an as needed basis, to maintain functioning fish passage structures; 2) maintaining and repairing existing stream gauges, and 3) temporarily stockpiling excavated sediment at upland locations on the Niebaum-Coppola Estate Winery, L.P. property.

Public Agency Approving Project: **CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**


Person or Public Agency Carrying Out Project: **Niebaum-Coppola Estate Winery, L.P.**

Exempt Status:

- Statutory Exemption.
- Categorical Exemption. Type – Class 1 & Class 4; California Code of Regulations, title 14, sections 15301 and 15304

Reasons why project is exempt: The project consists of the operation, repair, and maintenance of private structures, facilities, and topographical features, involving negligible expansion of use beyond existing conditions; and includes minor private alterations in the condition of land, water, and vegetation, which do not involve removal of healthy, mature, scenic trees.

CDFW Contact Person: Garrett Allen, Environmental Scientist

DocuSigned by:

Craig J. Weightman
 Signature: _____ Date: 8/31/2021
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 Craig J. Weightman, Environmental Program Manager

Date received for filing at OPR: _____