

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: Lemos Shasta River Diversion and Maintenance (Streambed Alteration Agreement Number EPIMS-SIS-37640-R1)

Project Location (include county): The project is located on Shasta River, in the County of Siskiyou, State of California.

Project Description: The California Department of Fish and Wildlife has executed Streambed Alteration Agreement number EPIMS-SIS-37640-R1, pursuant to Section 1602 of the Fish and Game Code to Antone C. Lemos.

The project is limited to activities associated with 1) the diversion of water from Shasta River at a single point of diversion, and 2) maintenance of the on-stream pumping facility and/or removal of material in stream that impacts pumping of water. The Permittee diverts water from Shasta River pursuant to Decree #7035 of the Superior Court of the State of California (Decree) in and for the County of Siskiyou judgement for Shasta River, and/or riparian claimed water right to the SWRCB Division of Water Rights. The Permittee operates the point of diversion for himself and David E. & Mary Lea Lemos Trust. The diversion facility is a pumping station with fish screen and pump which the Permittee maintains and operates. The SSWD currently manages the diversion in compliance with the SWRCB Division of Water Rights and maintains a flow below the diversion. Permittee coordinates activating the diversion with the SSWD Watermaster for those flows pursuant to the riparian water rights.

Maintenance of the diversion may include repair of the pumping facility (screen, pump, etc.) and/or removal of material in the vicinity of the diversion which may impact water being pumped. At no time will the diversion be actively pumping during repairs. Any work requiring manipulation of the bed, bank, or channel and/or use of heavy equipment will be done with a work plan approved, in writing, by CDFW prior to work commencing.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: Antone C. Lemos

Exempt Status:

Statutory Exemption.

Categorical Exemption. Type – **Class 1; California Code of Regulations, title 14, section 15301,** 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 use beyond that existing at the time of the lead agency’s determination.

Reasons why project is exempt: The Project is limited to operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features with negligible or no expansion. The diversion facilities are currently in good working order.

CDFW Contact Person: Janae R. Scruggs, Senior Environmental Scientist (Specialist) (530) 945-9458

Michael Harris
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6/28/2023

Signature:

Date:

Michael R. Harris
Klamath Watershed Program Manager

Date received for filing at OPR: _____