



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Northern Region  
619 Second Street  
Eureka, California 95501  
(707) 441-2075  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**VALERIE TERMINI, Acting Director**



To:  
Office of Land Use and Climate Innovation  
[CEQA Submit](#)

## NOTICE OF EXEMPTION

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**Project Title:** Lupian Water Diversion Project (Notification of Lake or Streambed Alteration, No. EPIMS-MEN-63541-R1C)

**Project Location (Mendocino County):** The Project to be completed is located within the Eel River watershed, approximately 4.2 miles southwest of the town of Laytonville, County of Mendocino, State of California. The Project is located in Section 28, T 21N, R 15W, Mt. Diablo Base and Meridian; in the Cahto Peak U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 014-570-01 at place of use and 014-420-54 at the point of diversion (POD); latitude 39.6462 N and longitude 123.5403 W at the POD.

**Project Description:** The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement EPIMS Notification No. EPIMS-MEN-63541-R1C, pursuant to Section 1602 of the Fish and Game Code to Juan Lupian.

The Project is limited to one encroachment. The single encroachment is for water diversion from an unnamed tributary to Cahto Creek. Water is diverted for domestic use and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure.

The Notification also describes an off-stream reservoir that the Permittee will use for cannabis irrigation. Permittee does not store water from the domestic diversion in the reservoir.

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

**Person or Public Agency Carrying Out Project:**

Permittee: Juan Lupian  
Contact: John Herrera - CDFW Senior Environmental Scientist (Specialist)  
619 Second Street  
Eureka, CA 95501  
707-445-6493  
[John.Herrera@wildlife.ca.gov](mailto:John.Herrera@wildlife.ca.gov)

NOTICE OF EXEMPTION  
EPIMS-MEN-63541-R1C  
February 18, 2026

**Exempt Status:**

Categorical Exemption. Type – Classes 1 and 4; California Code of Regulations, title 14, sections 15301 and 15304

**Reasons why project is exempt:** Lupian Water Diversion Project meets the criteria for categorical exemption type Class 1, California Code of Regulations, title 14, section 15301 because the project involves the use of an existing facility and negligible or no expansion of the existing use. The Project meets the criteria for categorical exemption type Class 4, California Code of Regulations, title 14, section 15304 because the project does not involve removal of healthy, mature, scenic trees.

**CDFW Contact Person:** John Herrera, Senior Environmental Scientist (Specialist), [John.Herrera@wildlife.ca.gov](mailto:John.Herrera@wildlife.ca.gov), 707-445-6493.

DocuSigned by:  
*Signature* Angela Liebenberg *Date:* 2/18/2026  
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Angela Liebenberg, Senior Environmental Scientist (Supervisor)

Date received for filing at OPR: \_\_\_\_\_