



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
619 Second Street
Eureka, CA, 95501
(707) 445-6493
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
MEGAN HERTEL, Director



To:
Office of Land Use and Climate Innovation
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NOTICE OF EXEMPTION

Project Title: Esters-Berkich Water Diversion Project (Notification of Lake or Streambed Alteration, No. EPIMS-MEN-63009-R1C)

Project Location (Mendocino): The Project to be completed is located within the Russian River watershed, approximately 9 miles south of the City of Ukiah, County of Mendocino, State of California. The Project is located in Section 9, T13N, R12W, Mt. Diablo Base and Meridian; in the Elledge Peak U.S. Geological Survey 7.5-minute quadrangle; Assessor’s Parcel Number 047-030-03-00; latitude 39.00439 N and longitude 123.19150 W at the point of diversion (POD).

Project Description: The Project is limited to one (1) encroachment. The encroachment is for water diversion from a spring on an unnamed tributary to Feliz Creek. Water is diverted for domestic use and cannabis irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure, and any work required to comply with the Agreement.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project:

Permittee: Kai Esters-Berkich
Contact: Penny Lancaster – CDFW Environmental Scientist
619 Second Street
Eureka, CA 95501
707-445-6493
Penny.Lancaster@wildlife.ca.gov

Exempt Status:

Categorical Exemption. Type – Class 1; California Code of Regulations, title 14, section 15301.

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Reasons why project is exempt: The Esters-Berkich Water Diversion Project meets the criteria for categorical exemption 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.

CDFW Contact Person: Penny Lancaster, Environmental Scientist (707) 672-3530, and Penny.Lancaster@wildlife.ca.gov.

DocuSigned by:
Signature: Angela Liebenberg *Date:* 3/2/2026
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Angela Liebenberg, Senior Environmental Scientist (Supervisor)

Date received for filing at LCI: