

Notice of Exemption

To:

Office of Planning and Research
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From:

Department of Fish and Wildlife
 Northern Region
 619 Second Street
 Eureka, California 95501
 Contact: John Herrera

Phone: 707-445-6493



Project Title: Benton Water Diversion, Stream Crossings, and Pond Spillway Project (Notification of Lake or Streambed Alteration, No. 1600-2017-0884-R1)

Project Location (Mendocino): Russian River watershed, approximately 4.8 miles east of the town of Potter Valley, County of Mendocino, State of California. The project is located in Section 24, T17N, R11W, Mt. Diablo Base and Meridian; in the Potter Valley U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Numbers 173-300-12 and 173-310-02; latitude 39.3172 N and longitude 123.0273 W at the point of diversion (POD).

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement EPIMS Notification No. 1600-2017-0884-R1, pursuant to Section 1602 of the Fish and Game Code to Brer Benton.

The Project is limited to five encroachments. One encroachment is for water diversion from an unnamed tributary to Burright Creek. Water is diverted for domestic use. Work for the water diversion will include use and maintenance of the water diversion infrastructure. One proposed encroachment is to upgrade an existing culvert. Work for this encroachment will include excavation, removal of the existing culvert, replacement with new properly sized culvert, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

One proposed encroachment is to perform maintenance on an existing culvert. Work for this encroachment will include regularly clearing the inlet and outlet, removing the existing concrete armoring, and replacing it with rock armoring as necessary to minimize erosion.

One proposed encroachment is to fully decommission an existing stream crossing, restore the stream channel, and revegetate the banks of the stream. Work for this encroachment will include excavation, removal of the existing culvert, recontouring the stream banks to match the original channel grade, excavating the channel to be as wide or slightly wider than the original channel, rock armoring as necessary to minimize erosion, hydrologically disconnecting the road surface approaches, and revegetating the affected area.

The final proposed encroachment is to perform maintenance on the spillway of an existing on-stream pond. Work for the is encroachment will include rocking armoring the spillway outfall area.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: Brer Benton

Exempt Status:

- ☒ Categorical Exemption. Type – Classes 1, 2, and 4; California Code of Regulations, title 14, sections 15301, 15302, and 15304

Reasons why project is exempt: Diaz Water Diversion and Stream Crossings Project meets the criteria for categorical exemption type Class 1, California Code of Regulations, title 14, section 15301 because the project involves improvements and upgrades to stream crossings in existing locations. The project involves negligible or no expansion of the existing use. The Project meets the criteria for categorical exemption type Class 2, California Code of Regulations, title 14, section 15302 because the project consists of replacement or reconstruction of existing 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. The Project meets the criteria for categorical

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exemption type Class 4, California Code of Regulations, title 14, section 15304 because the project does not involve removal of healthy, mature, scenic trees.

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DocuSigned by:

Signature:

Angela Liebenberg

Date: 9/28/2026

Angela Liebenberg, Senior Environmental Scientist (Supervisor)



Date received for filing at OPR: _____