

Notice of Exemption**Form D**

To: Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From: State Water Resources Control Board
Division of Water Rights
PO Box 2000
Sacramento, CA 95812-2000

County Clerk
County of Modoc
204 S. Court Street
Alturas, CA 96101

Project Title: Four Mile/Weed Valley Reservoir Wetlands Restoration Project

Project Location – Specific:

The Four Mile project area is within the SE¼ of section 35, T48N, R9E, MDB&M; the SW¼ of section 36, T48N, R9E, MDB&M; the E½ of section 1, T47N, R9E, MDB&M; and the N½ of NE¼ section 12, T47N, R9E, MDB&M as shown on the US Geological Survey 7.5 minute Steele Swamp Quadrangle. The Weed Valley project area is within section 33, T48N, R10E, MDB&M; the W½ of section 34, T48N, R10E, MDB&M; and the N¼ of the NE¼ of section 3, T47N, R10E, MDB&M as shown on the US Geological Survey 7.5 minute Weed Valley Quadrangle.

Project Location – City: Not applicable

Project Location – County: Modoc

Description of Nature, Purpose and Beneficiaries of Project:

The project consists of reservoir maintenance and habitat improvement for the Four Mile Valley/Weed Valley Reservoirs. The Four Mile/Weed Valley project will restore 259 and 519 acres, respectively, of seasonal wetlands. Project activities will consist of spillway and weir repair, embankment reinforcement, dam reinforcement, and the retrofitting of the water control structure to original design or as-built specifications. The project will also rehabilitate the reservoir bottoms to promote the habitat of endangered sucker species, will enhance waterfowl and other wildlife habitats, and will facilitate conversion of the vegetation to a more diverse emergent marsh plant community.

Name of Public Agency Approving Project:

State Water Resources Control Board (State Water Board), Division of Water Rights

Name of Person or Agency Carrying Out Project:

US Forest Service (USFS), Modoc National Forest

Exempt Status (check one)

- Ministerial (Sec.21080(b)(1); 15268);
- Declared Emergency (Sec.21080(b)(3); 15269(a));
- Emergency Project (Sec.21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Class 1 section 15301. Existing Facilities, and Class 4 section 15304. Minor Alternation to Land
- Statutory Exemption. State code number:

Reason Why Project is Exempt:

The three reservoirs in the Four Mile Valley were built in the 1960's and the Weed Valley Reservoir was constructed in the 1930s by the USFS. The USFS reservoirs were historically used for livestock watering, but these water bodies also benefit wildlife and waterfowl. Over time, the existing structures at all four reservoirs have deteriorated. As a result the USFS, Modoc National Forest proposed a restoration project.

In accordance with the National Environmental Policy Act, in March of 2002, the US Department of Agriculture (USDA) prepared an environmental assessment for the Warm Springs and Fort Springs grazing allotment located in the Modoc and Fremont National Forest. The environmental effect was evaluated for the Four Mile/Weed Valley Reservoir Wetlands Restoration Project. The USDA 2002 assessment was a finding of no significant impact. The USFS, May 3, 2007 Biological Assessment for Aquatic and Wildlife Species for the Weed Valley Wetland Project site found that the project is not likely to adversely affect the Lost River and Shortnose Suckers.

The Four Mile/Weed Valley Wetland Restoration Project requires a 401 Water Quality Certification from the State Water Board prior to issuance of the nationwide permits by the US Army Corps of Engineers. An environmental assessment is required under California Environmental Quality Act (CEQA) and the processing agency is the State Water Board.

The USFS project reservoirs have existed for over 40 years and the retrofit is for repair and maintenance of the spillways, weirs, control structures, and embankments. The repair work is focused primarily around the perimeters of the reservoir. The earth work planned within the bottom of the reservoirs will create nesting habitats and loafing bars for waterfowl and the construction of swales and potholes will enhance the wetlands with mid-season open water. The USFS also proposes at both project sites to place boulders in the spillway discharge channels to create rest areas for fish during fish migration to and from the reservoirs. The Four Mile/Weed Valley Reservoir Wetlands Restoration Project meets the categorical exemptions for an existing facility needing repair, with limited expansion and minor alternation of the land, and for the improvement of the habitat for fish and wildlife resources, per the guidelines defined under sections 15301 and 15304, title 14 of CEQA.

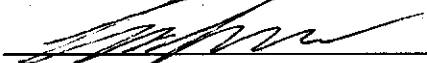
Lead Agency

Contact Person: Whalen Toy

Area Code/Telephone/Extension: 916-341-5408

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?

Signature:  Date: 6/18/08 Title: EPM I

Signed by Lead Agency

Date received for filing at OPR: _____

Signed by Applicant