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## State Water Resources Control Board

### NOTICE OF PROPOSED MITIGATED NEGATIVE DECLARATION Pursuant to Section 21092– Public Resources Code

The staff of the State Water Resources Control Board (State Water Board) has prepared a Mitigated Negative Declaration setting forth the findings that the following proposed action will have a less than significant effect on the environment.

**PROJECT TITLE:** Marino Water Right Project

**APPLICANT:** Gerald J. Marino, Joseph C. Nichelini, and Christopher J. Harney  
19419 Marna Lane  
Sonoma, CA 95476

**PROJECT LOCATION:**

The 455-acre subject property is located approximately six miles northeast of Angwin in Napa County, California. The location can be found within Township 9N, Range 5W of the “Aetna Springs, California” and “Walter Springs, California” U.S. Geological Survey (USGS) 7.5 minute topographic quadrangles.

**PROJECT DESCRIPTION:**

Application 30384 proposes the diversion to storage of a total of 245 acre-feet of water per year. The collection season would be from December 15 through March 31 of the following year. Two reservoirs would store the collected water. An existing 46.8 acre-foot capacity onstream reservoir would be increased in capacity to 196 acre-feet. The enlarged reservoir would include the 35 acre-foot capacity licensed pursuant to License 10101 for stockwatering and recreational purposes; no changes in the purposes of use under License 10101 would occur. Diversion to the reservoir would be from Point of Diversion 1 (POD 1) located at the dam of the enlarged reservoir, on an Unnamed Stream tributary to Pope Creek thence Putah Creek at Lake Berryessa thence the Yolo Bypass, as well as from Pope Creek at POD 2.

One offstream reservoir (Reservoir 4) would also be constructed with a 49 acre-foot storage capacity. Water would be diverted to storage in Reservoir 4 from PODs 1 and 2 via proposed pipelines between POD 1 and POD 2 and between POD 1 and the offstream reservoir. Water would be used for purposes of irrigation, frost protection, heat control, recreation, fire protection, and wildlife enhancement for a proposed 305-acre vineyard within a gross of 455 acres.

**DETERMINATION:**

The State Water Board has determined that the above-described project will have a less than significant effect on the environment for the reasons specified in the Initial Study prepared for this project.

The Proposed Mitigated Negative Declaration and the Initial Study in support of the proposed Mitigated Negative Declaration are available on the Division of Water Rights website at [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/ceqa/index.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/ceqa/index.shtml) . A hard copy of these documents or additional information concerning the proposed action may be obtained by writing to State Water Resources Control Board, Division of Water Rights, Attn: Greg Brown, P.O. Box 2000, Sacramento, CA 95812-2000, by email at [gbrown@waterboards.ca.gov](mailto:gbrown@waterboards.ca.gov), or by phone at (916) 323-1847.

Persons who disagree with the conclusions set forth in the Mitigated Negative Declaration or who disagree with the information contained therein are invited to furnish written comments to Greg Brown at the above address. The comments should summarize the specific substantive and factual basis for disagreement. The final date for submitting comments is 30 days from the date of this notice.

Barbara Evoy, Deputy Director  
Division of Water Rights

Dated: August 10, 2012