



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Division of Water Rights

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Arnold Schwarzenegger
Governor

NOTICE OF PROPOSED MITIGATED NEGATIVE DECLARATION

Pursuant to California Public Resources Code Section 21092

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: Application A030717 to Appropriate Water.

APPLICANT: David M. Jenks
c/o Matt O'Connor
O'Connor Environmental, Inc.
PO Box 794
Healdsburg, CA 95448-0794

PROJECT LOCATION:

The project is located approximately 6.3 miles north of Philo along Highway 128 in Mendocino County, California.

PROJECT DESCRIPTION:

Application A030717 seeks to appropriate 3.81 acre feet (af) of water to storage. The project consists of a 3.81 acre-foot (af) reservoir previously constructed on a small unnamed swale that conveys water from Guntley Road and a vineyard area on the east side of Guntley Road, via two culverts under Guntley Road. The unnamed swale connects with another downstream unnamed stream a short distance from the reservoir. The second unnamed stream is tributary to Floodgate Creek thence the Navarro River. Water is to be used to irrigate 1.5 acres of vineyard and the remaining 18.5 acres of landscape vegetation around the main house and the guest house of Jenks' property. Additional uses include frost protection, recreation, heat protection and wildlife enhancement.

The project includes modification of the diversion facility and the installation of a conveyance system around the existing reservoir to ensure that a minimum bypass flow equal to the February median flow (0.013 cubic feet per second) during the diversion season, and all water outside the diversion season will be bypassed for protection of aquatic resources and habitat.

DETERMINATION:

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

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.waterrights.ca.gov/ceqadocs.html>. A hard copy of these documents or additional information concerning the proposed action may be obtained by contacting Joseph Bandel at jbandel@waterboards.ca.gov or 916-552-9286, or writing to the Division of Water Rights, P.O. Box 2000, Sacramento, CA 95812-2000.

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 Joseph Bandel at the above address. The comments should summarize the specific substantive and factual basis for disagreement. The final date for submitting such comments is 30 days from the date of this notice.

VICTORIA A. WHITNEY, Chief
Division of Water Rights

Dated: **June 18, 2008**