



State of California - Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
(530) 225-2300
www.wildlife.ca.gov

EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director

WR-159



February 6, 2017

Doug Cole
Marble Mountain Ranch
92520 State Highway 96
Somes Bar, CA 95568

**Subject: Failure to Notify of Lake or Streambed Alteration under California Fish and Game Code Section 1602
Marble Mountain Ranch Diversion, Stanshaw Creek, Tributary to the Klamath River, Siskiyou County**

Dear Mr. Cole:

On May 16, 2016, the California Department of Fish and Wildlife (Department) sent you a letter (attached) identifying that your water diversion, located on Stanshaw Creek in Siskiyou County, requires notification pursuant to Fish and Game Code section 1602. The Department requested the notification be submitted to the Department by December 31, 2016.

To date, the Department has not received your notification. Failure to notify the Department for an act of diversion that is substantial may result in law enforcement action resulting from a violation of Fish and Game Code. If you are currently diverting water from Stanshaw Creek, please submit the enclosed notification packet and notification fee (Notification), and a copy of this notice within 15 business days from the receipt of this letter.

If you are not currently diverting water from Stanshaw Creek but intend to do so in the future, please note that until the Department has received Notification and issued a Lake or Streambed Alteration Agreement, if required, you are not authorized for the diversion of water.

As stated in the May 26, 2016 letter, once the Department receives your Notification, it will determine if your diversion of water and other potential included actions such as maintenance and operation are considered a substantial impact to fish and wildlife resources, and if required, will issue a lake or Streambed Alteration Agreement.

Included with this letter is a Notification Package which includes links to our Department website regarding the Lake or Streambed Alteration Agreement Program.

Conserving California's Wildlife Since 1870

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Doug Cole
Marble Mountain Ranch
February 6, 2017
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If you have any questions regarding this letter or the Notification Package, please contact Michael Harris, Senior Environmental Scientist, at (530) 225-2306 or by e-mail at Michael.R.Harris@wildlife.ca.gov.

Sincerely,



Curt Babcock
Habitat Conservation Program Manager

Attachment: May 16, 2016 Department Letter
Enclosure: Lake or Streambed Alteration Agreement Notification Packet

ec: Kenneth Petruzzelli
North Coast Regional Water Quality Control Board
Kenneth.Petruzzelli@Waterboards.ca.gov

Lt. Steve McDonald, Curt Babcock, Janae Scruggs, Caitlin Bean
Jennifer Bull
California Department of Fish and Wildlife
Steven.mcdonald@wildlife.ca.gov, Curt.babcock@wildlife.ca.gov,
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May 16, 2016

Mr. Doug Cole
 Marble Mountain Ranch
 92520 CA-96
 Somes Bar, CA 95568

Subject: No Lake or Streambed Alteration Agreement Needed
 Notification No. 1600-2016-0198-R1
 Marble Mountain Ranch Fish Screen, Gate Valve & Pipeline Installation Project
 Stanshaw Creek, Tributary to the Klamath River, Siskiyou County

Dear Mr. Cole:

The California Department of Fish and Wildlife (Department) has reviewed your Lake or Streambed Alteration Notification (Notification). We have determined that your project is subject to the Notification requirement in Fish and Game Code Section 1602.

The Department has also determined that your Fish Screen, Gate Valve & Pipeline Installation Project (Project) as proposed will not substantially adversely affect an existing fish or wildlife resource. As a result, you will not need a Lake or Streambed Alteration Agreement for your proposed construction Project. You are responsible for complying with all applicable local, state, and federal laws in completing your work. A copy of this letter and your Notification with all attachments should be available at all times at the work site.

Please note that if you change your construction Project so that it differs materially from the Project you described in your original Notification, you will need to submit a new Notification and corresponding fee to the Department. In addition, the Department would like to remind you that you will need to submit a separate Lake or Streambed Alteration Notification by December 31, 2016 for the "act of diverting water" pursuant to your water right. The Department will then determine if your diversion of water is considered a substantial impact to the stream and aquatic resources, and, if necessary, issue a Lake or Streambed Alteration Agreement.

Thank you for notifying us of your construction Project. If you have any questions, please contact me at (530) 225-2314 or Donna.Cobb@wildlife.ca.gov.

Sincerely,

Donna L. Cobb
 Aquatic Conservation Planning Supervisor

cc: North Coast Regional Water Quality Control Board, NorthCoast@Waterboards.ca.gov
 Will Harling, MKWC, will@mkwc.org

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