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Office of Planning and Research
For U.S. Mail:
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From:
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Northern Region
619 Second Street
Eureka, California 95501
Contact: John Herrera
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Lead Agency (if different from above)
County of Mendocino
860 N. Bush Street
Ukiah, CA 95482
Contact: Mary Lynn Hunt
Phone: 707-234-6650

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2016112028

Project Title: Fenton Water Diversion Removal and Stream Crossing Project (Lake or Streambed Alteration Agreement No. 1600-2018-0638-R1)

Project Location (include county): The project is located approximately 3.3 miles northwest of the town of Hopland; affecting one unnamed tributary to Russian River in the County of Mendocino, State of California; Section 10, Township 13N, Range 12W; Mt. Diablo Base and Meridian, in the Yorkville, Calif. 7.5-minute quadrangle, U.S. Geological Survey (USGS) map.

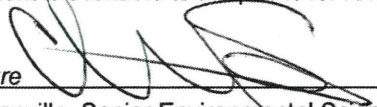
Project Description: The project consists of two encroachment(s): One encroachment is for the removal of an unpermitted water diversion infrastructure from an unnamed tributary to Feliz Creek. Water was diverted to fill a nearby off-stream reservoir. Work for removal of the water diversion infrastructure will include excavation of rock and sediment away from a 12" PVC pipe to allow access to the pipe, removal of the diversion by cutting the 12" PVC pipe flush with the stream bank and placing a PVC cap on the end to prevent water from entering the pipe. Any rock and sediment moved aside during deconstruction activities will be replaced and recontoured to mimic natural stream channel morphology. The other proposed encroachment is to upgrade a failing and undersized culvert. Work for this encroachment will include excavation, removal of the failing culvert, replacement with a new properly sized culvert, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

The Notification also discloses an off-stream reservoir and well. Following project completion, the reservoir will no longer receive water via the pre-existing PVC pipe described above. During a site inspection on 1/15/2019, it was discovered that a fissure in the dam/berm wall of the reservoir was allowing water from the reservoir to spill into the unnamed tributary to Feliz Creek. Future improvements to the dam at this site would require engineering to minimize the risk of a catastrophic streambank failure. This could be addressed through an amendment to this Agreement or a future Notification. Additionally, a landslide on the bank of the unnamed tributary to Feliz Creek was discovered on the project parcel. Future work to address this issue would require engineering and an LSA Notification. The well disclosed in this Notification is used for irrigation and domestic use with an estimated yield of 40 gallons per minute. CDFW did not evaluate hydraulic connection of the well to surface water, nor was a hydrogeologic evaluation prepared by a licensed geologist provided for CDFW review.

This is to advise that CDFW, acting as the Lead Agency / a Responsible Agency approved the above described project and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will not have a significant effect on the environment. This determination is limited to effects within CDFW's permitting jurisdiction as a Responsible Agency.
2. A mitigated negative declaration / negative declaration was prepared for this project pursuant to the provisions of CEQA.
CDFW considered the mitigated negative declaration / negative declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures were / were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan was / was not adopted by CDFW for this project.
5. A Statement of Overriding Considerations was not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to Public Resources Code section 21081, subdivision (a).

The mitigated negative declaration / negative declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record related to the Lake or Streambed Alteration Agreement is available to the public for review at CDFW's regional office.

Signature  _____ *Date:* 5/10/19
Cheri Sanville, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: Governor's Office of Planning & Research

MAY 10 2019

STATE CLEARINGHOUSE