



To:
Office of Planning and Research
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From:
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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
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2016112028

Project Title Ingram Water Diversion, Pond Removal/ Stream Restoration, and Stream Crossings Project (Lake or Streambed Alteration Agreement No. 1600-2018-0141-R1)

Project Location: The project to be completed is located within the Eel River watershed, approximately 6.4 miles SE of the town of Leggett, County of Mendocino, State of California. The project is located in Sections 27, 28, 33, and 34, T23N, R16W, Mt. Diablo Base and Meridian; in the Tan Oak Park U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 012-710-58, 012-710-59, 012-710-64, 012-710-65, & 010-710-66; latitude 39.8092 N and longitude -123.6166 W at the point of diversion (POD).

Project Description: The project is limited to fifteen encroachments. One encroachment is for water diversion from an unnamed tributary to Mad Creek. Water is diverted for domestic use and irrigation. Work for the water diversion will include modification of diversion infrastructure to be consistent with this Agreement and use and maintenance of the water diversion infrastructure. Thirteen other proposed encroachments are to upgrade failing and undersized stream crossings. Work for these encroachments will include excavation, removal of the failing crossings, replacement with new properly sized crossings, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

The final proposed encroachment is to remove the dam of an onstream pond, restore the stream channel through the pond's footprint, and reconnect the restored channel to the stream below. Work for this encroachment will include draining the pond, excavation of soils within the pond and below the dam, excavation of the dam, placing engineered fill within restoration area to create restoration contours, excavation of restored channel to proposed location and depth, placement of rip-rap within the channel and as bank protection, seeding and mulching exposed soils with native vegetation, and implementation of the riparian re-vegetation plan that will be submitted prior to project activities.

The Permittee has disclosed four additional spring water diversions that are no longer in use. These diversions include Spring 3 (39.8049, -123.6145), Spring 4 (39.8083, -123.6209), Spring 5 (39.8134, -123.6282), and Spring 6 (39.8120, -123.6275). Spring 1 (39.8160, -123.6177) was determined to be located off the Permittee's property. These water diversions were stated to be inactive and not connected to water storage facilities. Diversion infrastructure will be removed from each location. Water diversions that were disclosed in the Notification, but not included as 1602 projects with fees, are not covered under this Agreement. If maintenance and/or resumption of use is necessary, that work will need to be covered under a major amendment or a separate Agreement.

The Permittee has disclosed two off-stream ponds on the properties. Pond 2 is located at approximately 39.8116 N, 123.6166 W and Pond 3 is located at approximately 39.8082 N, 123.6210 W. Pond 2 is used as storage for the Spring 2 POD and Pond 3 is an existing off-stream rainwater catchment pond that is not in use. Both pond's dam and berm were stated to be in good condition. Pond 2's spillway was stated to have no observed erosion. Pond 3 does not have a spillway and one will be installed to further improve the integrity of the embankment. Ponds that were disclosed in the Notification, but not included as 1602 projects with fees, are not covered under this Agreement. If maintenance such as armoring or repairs to the spillways are necessary (except for the installation of a spillway on Pond 3), that work may need to be covered under a major amendment or a separate Agreement.

No other projects that may be subject to FGC1602 were disclosed. This Agreement does not retroactively permit any stream crossings, water diversions or other encroachments not described in Table 1.

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:

12/13/19

Cheri Sanville, Senior Environmental Scientist Supervisor

Governor's Office of Planning & Research

Date Received for filing at OPR: DEC 13 2019

STATE CLEARINGHOUSE