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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
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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: Amato Water Diversion, Stream Crossings, and Ponds Project (Lake or Streambed Alteration Agreement No. 1600-2018-0634-R1)

Project Location: The project is located within the Feliz Creek watershed, approximately 4.3 miles west of the town of Hopland, County of Mendocino, State of California; Sections 20 & 21, T13N, R12W, Mt. Diablo Base and Meridian, in the Yorkville U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 047-070-46; latitude 38.9771 N and longitude 123.1954 W at the point of diversion (POD).

Project Description: This Agreement relies on the Notification materials and a CDFW site inspection by Environmental Scientist John Herrera on January 9, 2019.

The project is limited to five (5) encroachments (Table 1). One encroachment is for water diversion from an unnamed tributary to Feliz Creek. Water is diverted for irrigation only. Work for the water diversion will include use and maintenance of the water diversion infrastructure. Diverted water is stored in Reservoir-1 (Table 1) and additional storage tanks. The second proposed encroachment is to enhance a spillway of an existing reservoir (Reservoir-1), with an 18" diameter outlet connected to waters of the State, that serves as storage for the POD. Work for the spillway enhancement will involve removal of large rocks and material from existing outlet ditch, excavation of ditch banks to 2:1 slope, lining ditch with appropriately sized and embedded rock, and application of erosion control measures to minimize surface erosion. The third proposed encroachment (STX-A) is to install a rock armored low water crossing on an existing road without a crossing facility. Work for this encroachment will involve excavation, construction of the armored crossing following construction details in the Notification, backfilling and compaction of fill where necessary, and rock armoring as necessary to minimize erosion. The fourth proposed encroachment (STX-2) is to repair and enhance an existing stream crossing that lacks armoring, is misaligned, not set to grade, and includes a secondary undersized parallel culvert that is obstructing stream flow. Work for this encroachment will include excavation, removal of the smaller parallel culvert, properly re-aligning and setting the larger 18" culvert to grade, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. The fifth proposed encroachment (STX-5) is to upgrade a failing and undersized stream crossing functioning as an outlet for an on-stream pond. Work for this encroachment will include excavation, removal of the failing crossing, replacement with new properly sized crossing, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

The Permittee disclosed additional features of interest (Table 2).

The Notification states STX-1 is in good condition and meeting current performance standards. Existing stream crossings disclosed in the Notification, but not included as 1602 projects with fees, are not covered under this Agreement. If maintenance (such as armoring) and/or replacement become necessary, that work must be covered by a major amendment or a separate Notification. CDFW is aware of the issues at STX-3, STX-4, and On-stream pond 2 and anticipates that any work subject to FGC section 1602 will be covered under amendments to this Agreement or a separate Notification.

No other projects that may be subject to FGC section 1602 were disclosed. This Agreement does not retroactively permit any constructed reservoirs (including "ponds"), stream crossings, water diversions, modifications to riparian buffers, 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: _____

Cheri Sanville, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: _____

Governor's Office of Planning & Research

Jun 12 2020

STATE CLEARINGHOUSE