

To:
Office of Planning and Research

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From:
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Contact: Cheri Sanville
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Lead Agency (if different from above)
County of Mendocino
860 N. Bush Street
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Contact: Julia Acker
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SUBJECT: *Filing of Notice of Determination pursuant to Public Resources Code section 21108*

State Clearinghouse Number: 2016112028

Project Title: Ryk Stream Crossing Project (Lake or Streambed Alteration Agreement No. EPIMS-MEN-05481-R1)

Project Location: The project is located within the Eel River watershed, approximately 9.2 miles Northeast of the town of Covelo, County of Mendocino, State of California; Section 27, T23N, R11W, Mt. Diablo Base and Meridian, in the Newhouse Ridge U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 032-291-03; latitude 39.8201 N and longitude , -123.0785 W at the point of the first stream crossing.

Project Description: The project is limited to one encroachment (Table 1). The one proposed encroachment is to upgrade an undersized stream crossing. Work for this encroachment will include excavation, removal of the failing crossing, replacement with a new properly sized crossing, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
Crossing-1	39.8201, -123.0785	Replace the undersized 12" diameter culvert with minimum 36" diameter culvert.

Permittee disclosed:

- An existing 12-inch culvert (located at approximately 39.8206 -123.0791)
- An existing 12-inch culvert (located at approximately 39.8202, -123.0781).

The Notification states that the stream crossings located on Mendocino Pass Road are maintained by Mendocino county. The crossings were not evaluated for their ability to pass 100-year storm flow and its associated debris. These crossings are not covered under this Agreement. The Notification also discloses that all commercial cannabis cultivation water is provided through Smith Property Restoration water hauling and that there is no source of domestic water on the property as there are no full time residents.

No other projects that may be subject to FGC section 1602 were disclosed. This agreement does not retroactively permit any other sources of water for domestic or commercial use, this includes constructed reservoirs (including "ponds"), water diversions, active wells, or other encroachments. In addition, this agreement does not authorize any maintenance, construction, reconstruction, or replacement work, other than what is described in Table 1. If additional maintenance and/or replacement work becomes necessary, that work must be covered by a major amendment or a separate Notification.

Determination: 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: _____