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

State Clearinghouse Number: 2016112028

Project Title: Schaeffer Stream Crossings, Ponds, Water Diversion, and Micro-hydroelectric Power Project (Lake or Streambed Alteration Agreement No. 1600-2020-0226-R1)

Project Location: The project is located within the Russian River watershed, approximately 2.2 miles south of the town of Hopland, County of Mendocino, State of California; Section 31, T 13N, R 11W, and Section 5, T 12N, R 11W, Mt. Diablo Base and Meridian, in the Hopland U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Numbers 050-110-05 & 049-360-23; latitude 38.9413 N and longitude 123.1151 W at the seventh stream crossing (C7).

Project Description: The project site has multiple forms of water diversions including the impoundment of water in Pond 1, diversion of water from Pond 1 for irrigation, a micro-hydroelectric power diversion, and the diversion of water from springs and small on-stream ponds into Pond 2. CDFW could only find one domestic use water right associated with Pond 2 (Application ID D030863) for non-consumptive aesthetic, recreational, and fish and wildlife preservation and enhancement use. The Water Board's EWRIMS website shows two points with separate POD numbers that are located on Pond 2. No other water rights could be found that are associated with the impoundment of water in Pond 1, the diversion from Pond 1 for irrigation, or the micro-hydroelectric power diversion.

The project is limited to nine encroachments (Table 1). One encroachment has three components related to the existing on-stream pond, Pond 1. The first component is for water diversion from an on-stream pond on an unnamed tributary to the Russian River. Water is diverted for irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure. The second component is the installation of a bypass flow structure in the southwest corner of the pond that will capture sheet flow entering the pond and direct it through a water pipe to the stream channel below the spillway. Work for the bypass structure will include installation of a redwood spring box to collect the water and trenching/installation of water lines connected to the spring box. The third component is the stabilization of a southwestern pond banks with appropriately sized rock armoring to reduce ongoing erosion.

Another encroachment is for a separate existing on-stream pond (Pond 2) and has two components. Pond 2 receives water from a series of smaller existing spring and stream fed ponds. Water is directed through small, open concrete channels from the upper ponds to the larger pond below (Pond 2). The first component is the installation of a bypass flow structure at the inlet of the large pond in the southwest corner that will bypass water through a water pipe to the stream channel below the spillway. Work for the bypass structure will include installation of a redwood spring box to collect the water and trenching/installation of water lines connected to the spring box. The second component is the replacement of the existing, undersized, and failing spillway culverts. Work for this component will include excavation, removal of the failing culverts, replacement with new properly sized culvert, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

A third encroachment is for an existing micro-hydroelectric power diversion (POD-2) from an unnamed tributary to the Russian River. This encroachment has two components: 1) the non-consumptive diversion and 2) modification of the re-entry point where water is discharged from the hydroelectric turbine. Water flows into a gravity-fed 4-inch pipe that is attached to a permanent, concreted, and screened structure located in the stream channel. The maximum proposed diversion rate from POD-2 for hydroelectric generation is approximately 50 gallons per minute (gpm). The existing season of diversion for hydroelectric generation is Jan. 1 – Dec 31 of each year, but water can only be diverted if Measures 2.85 to 2.91 below can be met. Currently, water exiting the hydroelectric turbine is discharged onto an upland location, flows over a dirt road, and spreads out preventing most of the water from returning to the stream channel. The second

component is to install a new 23-foot long by 4-inch-wide discharge pipe on the turbine allowing the water to re-enter the stream directly adjacent to the turbine. To reduce erosion and scour of the stream channel by the discharging water, a new 8' by 3' rip rap apron using rock with a d-50 of 6 inches will be installed in the channel. The discharge pipe will be set in the channel at grade on the rip rap apron. A fish screen will be installed on the outlet of the discharge pipe to prevent wildlife from entering. Water is returned to the stream from POD-2 approximately 1,600 feet downstream.

The six other proposed encroachments are to upgrade failing and/or undersized stream crossings. Work for five of 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 sixth stream crossing encroachment is an existing low water crossing with downcutting below the crossing on the edges of the banks. Work for this final encroachment will include excavation, re-contouring the banks to native slope to remove downcutting, and armoring the channel at the crossing with native rock sourced from the stream.

All project activities (including bypass structures and micro-hydroelectric modification) shall require pre-construction surveys by a Designated Biologist if surface water is present one week before construction or becomes present during construction.

Permittee disclosed additional features of interest (Table 2).

While some of the features listed in Table 2 are in good condition and meeting current performance standards, the September 17, 2020 site inspection revealed that some of the Table 2 features may need improvements. 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.

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: _____