



**To:**  
Office of Planning and Research  
For U.S. Mail:  
P.O. Box 3044  
Sacramento, CA 95812-3044

*Street Address:*  
1400 Tenth Street  
Sacramento, CA 95814

**From:**  
Department of Fish and Wildlife  
Northern Region  
619 Second Street  
Eureka, California 95501  
Contact: John Herrera  
Phone: 707-962-9044

Lead Agency (if different from above)  
County of Mendocino  
860 N. Bush Street  
Ukiah, CA 95482  
Contact: Julia Krug  
Phone: 707-234-6650

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

**State Clearinghouse Number:** 2016112028

**Project Title:** Perry Mendocino Ranch Company Stream Crossings and Stream Restoration Project (Lake or Streambed Alteration Agreement No. 1600-2019-0762-R1)

**Project Location:** The project is located within the Indian Creek watershed, approximately 3.0 miles northeast of the town of Philo, County of Mendocino, State of California; Sections 3, 10, & 15, T 14N, R 14W, Mt. Diablo Base and Meridian, in the Philo U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Numbers (APN) 046-020-05, 046-020-86, 046-020-87, 046-020-90, 046-550-03; latitude 39.0768 N and longitude 123.3857 W at the first stream crossing (SC-1).

**Project Description:** The project is limited to 14 encroachments (Table 1). One encroachment is to restore a stream channels at an existing crossing location. Work for this encroachment will include excavation, removal of the failing crossing and associated fill, recontouring the channel and banks to match the natural condition, and revegetation. Four encroachments are to upgrade unimproved low water crossings, with three of these possibly being replaced with new culverts. Work for these encroachments will include excavation, replacement with new properly designed crossings, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. One encroachment is for maintenance of an existing stream crossing to repair and clear the inlet of a culvert and to add rock armoring. The eight 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 Notification listed the following ten APNs on the application: 046-010-35, 046-010-37, 046-020-05, 046-020-85, 046-020-86, 046-020-87, 046-020-88, 046-020-89, 046-020-90, and 046-550-03. This LSA only covers projects on the following five parcels: 046-020-05, 046-020-86, 046-020-87, 046-020-90, 046-550-03. No other sites/APNs besides what are covered as projects were visited or reviewed by CDFW staff.

Project activities at stream crossing 4 (SC-4) shall require pre-construction surveys by a Designated Biologist as this stream has surface water year-round. The 13 other stream crossings projects shall require pre-construction surveys by a Designated Biologist only if surface water is present one week before construction or becomes present during construction.

Permittee disclosed additional features of interest (Table 2).

Permittee disclosed that some stream crossing sites were associated with former LSA Agreement #LSAA R1-07-0552 (Table 3).

While some of the features listed in Table 2 are in good condition and meeting current performance standards, the February 10, 2021 CDFW site inspection revealed that some of the Table 2 features may need improvements, modification, or should be notified as LSA projects. 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.

The Notification also discloses the use of a well located at Lat/Long 39.0970, -123.3971. This well is presented as the sole source of water for all needs on the properties. 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.

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: \_\_\_\_\_