

To:
Office of Planning and Research
For U.S. Mail:
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1400 Tenth Street
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From:
Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: Angela Liebenberg

Phone: 707-964-4830

Lead Agency (if different from above)
County of Mendocino
860 N. Bush Street
Ukiah, CA 95482
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: Thies Water Diversion and Stream Crossing Project (Lake or Streambed Alteration Agreement No. 1600-2017-0754-R1)

Project Location (include county): The project to be completed is located within the Eel River watershed, approximately 8 miles northeast of the town of Laytonville, County of Mendocino, State of California. The project is located in Sections 4 and 5, T21N, R13W and Sections 32 and 33, T22N, R13W, Mt. Diablo Base and Meridian; in the Dos Rios U.S. Geological Survey 7.5-minute quadrangle.

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number 1600-2017-0754-R1, pursuant to Section 1602 of the Fish and Game Code to Mark Thies.

The project is limited to six (6) encroachments. Encroachment 1 is for maintenance and use of an existing spring diversion for domestic and irrigation use. Minor modifications will be made to the diversion infrastructure as described in the notification.

Encroachment 2 is for water diversion using an existing underground "French drain" system that, according to the notification, intercepts subsurface water. Water is diverted for irrigation purposes. Work for the water diversion will include use and maintenance of the water diversion infrastructure. Proposed changes to diversion and storage infrastructure, including directing tank overflow to an existing pond, shall be described in detail in a Diversion Infrastructure Plan prior to implementation.

Encroachments 3 - 6 are to upgrade existing undersized culverts. Work for these encroachments will include excavation, removal of the failing culverts, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. (The project identified in the notification as Stream Crossing 1 was determined to be located on an adjacent parcel not owned by the Permittee and is no longer part of this notification.)

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

Handwritten signature of Scott Bauer in black ink.

Date:

5/20/2021

Scott Bauer, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: _____