



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: Christine Hahn Vertical
Phone: 707-502-8768

Lead Agency
County of Mendocino
860 N. Bush Street
Ukiah, CA 95482
Contact: Mary Lynn Hunt
Phone: 707-234-6650

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

State Clearinghouse Number:2016112028

Project Title: 4595 Shale #2 Berg Onstream Pond Diversion, Stream Restoration, and Crossing Project (EPIMS-MEN-06676-R1)

Project Location (include county): The project is located within the East Fork Russian River watershed, approximately miles 3.8 miles South and West of the town of Redwood Valley, County of Mendocino, State of California; Assessor's Parcel Numbers APN 176-100-30-00 and 176-100-20-00; latitude 39.2501 N and longitude -123.1261 W at the first point of diversion (POD).

Project Description: This Agreement relies on the Notification materials and a CDFW site inspection by Environmental Scientist Christine Hahn Vertical on February 16, 2021. The project is limited to 2 encroachments. One encroachment is for water diversion from unnamed tributaries to East Fork Russian River into an onstream pond. Water is diverted for esthetic purposes. The onstream pond's work will include installation of a spillway and bypass control structures, and stream restoration below the earthen embankment to restore to natural conditions. Work for the water diversion will include use and maintenance of the water diversion infrastructure. The other proposed encroachment is to upgrade failing and undersized stream crossings. Work for this encroachment 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.

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 Sanville, Cheri@Wildlife
Cheri Sanville, Senior Environmental Scientist Supervisor

Digitally signed by Sanville, Cheri@Wildlife
DN: DC=Gov, DC=Ca, DC=Dfg, DC=AD, OU=DFG Divisions, OU=(1) NR, OU=Users, CN="Sanville, Cheri@Wildlife"
Reason: I am approving this document
Location: CDFW 619 Second Street, Eureka, CA
Date: 2021.07.19 16:42:16 -0700
Foxit PhantomPDF Version: 9.8.0

Date Received for filing at OPR: _____