



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 Acker
Phone: 707-234-6650

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

State Clearinghouse Number: 2016112028

Project Title: Womack Mountain Top Management Stream Crossing Project (Lake or Streambed Alteration Agreement No. EPIMS-MEN-02820-R1)

Project Location: The project is located within the Eel River watershed, approximately 6.8 miles southeast of the town of Covelo, County of Mendocino, State of California; Section 36, T 22N, R 12W, Mt. Diablo Base and Meridian, in the Jamison Ridge U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Numbers 034-147-15 & 034-147-17; latitude 39.7250 N and longitude 123.1547 W at the first stream crossing (STX-1).

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

Project activities at stream crossing 1 require pre-construction surveys by a Designated Biologist only if surface water is present one week before construction or becomes present during construction.

The Permittee disclosed additional features of interest.

The Notification demonstrates that these stream crossings are neither in good condition nor meeting current performance standards. 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 two wells located at Lat/Long 39.7268, -123.1528 (Well #1), and 39.7245, -123.1532 (Well #2). These wells are presented as the sole sources of water for all needs on the property. Based on the available resources, well #1 may be hydraulically connected to streams and/or springs and shall be evaluated for potential impacts from commercial cannabis irrigation use through Mendocino County's cannabis cultivation permit.

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: _____