



To: Office of Planning and Research
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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: John Herrera
Phone: 707-653-3710
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: Waluk Shepherds Meadow Farm Stream Crossings and Water Diversion Project. Lake or Streambed Alteration Agreement No. 1600-2019-0144-R1

Project Location (include county): The project is located within the South Fork Eel River watershed, approximately 2.8 miles south of the town of Laytonville, County of Mendocino, State of California; Section 25, T 21N, R 15W, Mt. Diablo Base and Meridian, in the Laytonville U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 014-630-07; latitude 39.6493 N and longitude 123.4814 W at the point of diversion (POD-1).

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number 1600-2019-0144-R1, pursuant to Section 1602 of the Fish and Game Code to Brandon Waluk. The project is limited to five encroachments. One encroachment is for water diversion from a shallow well located on the streambank of Tenmile Creek. Water is diverted for domestic use and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure. One proposed encroachment is to decommission an existing stream crossing and perform stream channel restoration. The three 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 or a rocked ford, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. Crossing STX-B will be installed to facilitate fish passage and work for this crossing will also include embedding the culvert with native streambed material and installation of a rock weir immediately downstream of the proposed culvert to help ensure a range of passable flows for all life stages of anadromous fish.

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.

DocuSigned by:
Signature Angela Liebenberg Date: 9/23/2021
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Angela Liebenberg, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: _____