



To:
Office of Planning and Research
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From:
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Northern Region
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Contact: Jessica Ryan

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Lead Agency (if different from above)
County of Mendocino
860 N. Bush Street
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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: Martin Stream Crossings, Water Diversion, and Pond Removal Project Lake or Streambed Alteration Agreement No. EPIMS-MEN-24483-R1C

Project Location: The project to be completed is located within the Lower Tenmile Creek watershed, approximately 6 miles northwest of the town of Laytonville, County of Mendocino, State of California. The project is located in Section 20, T22N, R15W, Mount Diablo Base and Meridian; in the Cahto Peak U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 013-560-31, latitude 39.7466 N and longitude 123.5519 W at the point of diversion (POD).

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number EPIMS-MEN-24483-R1C, pursuant to Section 1602 of the Fish and Game Code to Deborah Martin.

This Agreement relies on the Notification materials, revised project documents submitted via email, and a CDFW site inspection on February 22, 2022.

The project is limited to five (5) encroachments. Two (2) proposed encroachments are to upgrade existing culverts (SC-1 and SC-2). Work for these encroachments will include excavation, removal of the existing culverts, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

Encroachment 3 is for water diversion from unnamed tributaries to 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.

Encroachment 4 is to improve the spillway and outlet channel of an off-stream pond (Pond 2). Work for this encroachment will include bioengineering, installation of rock armoring, coir fabric or jute netting, and revegetation. Pond 2 Spillway and Dam Inspection and Assessment with final designs and sizing calculations shall be submitted to CDFW for review and acceptance as described in Measures 2.30 and 2.31 of this Agreement prior to project implementation. Water is diverted from Pond 2 for cannabis irrigation.

Encroachment 5 is to decommission an on-stream pond (Pond 3) and upgrade the failing culvert(s) associated with it. Work for this encroachment will include removal of the on-stream pond, installation of riprap rock to armor the inlet and outlet culverts, installation of coir fabric, and restoration of the stream channel. A Pond Decommissioning and Stream Restoration Plan with final designs and sizing calculations shall be submitted to CDFW for review and acceptance as described in Measure 2.44 of this Agreement prior to project implementation.

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: 1/12/2023

Rebecca Garwood, Environmental Program Manager

Date Received for filing at OPR: _____