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

**State Clearinghouse Number:** 2016112028

**Project Title:** Perez Water Diversion, Stream Crossings, and Remediation Project, Lake or Streambed Alteration Agreement No. EPIMS-MEN-08559-R1C

**Project Location:** The project to be completed is located within the Russian River watershed, approximately 4.6 miles west of the town of Hopland, County of Mendocino, State of California. The project is located in Section 20, T13N, R12W, Mount Diablo Base and Meridian; in the Yorkville 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 EPIMS-MEN-08559-R1C, pursuant to Section 1602 of the Fish and Game Code to Jesse Perez.

The project is limited to ten (10) encroachments. One encroachment is for removal of an unpermitted spring water diversion from unnamed tributaries to Middle Fork Feliz Creek. Water is diverted for irrigation. Work for this encroachment will include removal of the impoundment, water tanks, water pumps, batteries, and any debris from the diversion site. Exposed soil resulting from removal of the impoundment will be covered with surrounding duff material.

One encroachment is abandoning of low water crossing on an intermittent watercourse. Work for this encroachment consists of restoring the natural streambed where evidence of a watercourse crossing facility was not observed. Work will primarily be confined to approaches to the watercourse crossing point. Approaches shall be prepared for seed casting and interim erosion control measures using a dozer to recontour the ATV trail to mimic surrounding natural topography.

One encroachment is to abandon the existing pond outlet at the outside dam embankment of Pond 1 that has exposed a ten-foot segment of the overflow culvert. Work for this encroachment consists of installing a new 4-foot-wide v-ditch, with 6-inch layer of 6 inch- minus riprap with 6 inches embedded. The existing overflow culvert will stay in place and the eroded area will be filled with 6 inch-minus riprap extending 6 feet beyond the culvert outflow.

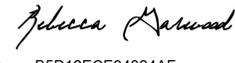
One encroachment is to abandon the existing pond outlet at Pond 2 that is undersized and has caused mass wasting at the southwest hinge between native soil and fill material. Work for this encroachment consists of removing the existing undersized culvert and replace it with a 60-foot-long v-ditch spillway that terminates into a 15-foot-long pad with 8 inch- minus rock riprap that is 6 inches of embedded. At the inlet, the drainpipe is to be abandoned and capped. A 1/8-inch steel plate will be welded over the cap of the drainpipe. Repair of by backfilling and compacting to address erosion will be approved and under supervision of Geotechnical Engineer. Stated water use for Ponds 1 and 2 is aesthetic. If the stated water use changes for either of the ponds, the Permittee shall comply with State Water Code as appropriate for the proposed water diversion and water storage.

The six (6) other proposed encroachments are to upgrade failing and undersized culverts. 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. Prior to installation of Crossing-8, recalculate sizing to confirm that it can handle Pond 1 overflow volumes that are proposed to be routed through the rock-lined v-ditch at Project 7 Crossing-10a.

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: 2/27/2023

Rebecca Garwood, Environmental Program Manager

Date Received for filing at OPR: \_\_\_\_\_