



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: Adam Hutchins
Phone: 707-445-6493
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: Byarlay Stream Crossings and Restoration Project, Lake or Streambed Alteration Agreement No. EPIMS-MEN-17861-R1C

Project Location: The project to be completed is located within the Eel River watershed, approximately 8 miles north-northeast of Laytonville, County of Mendocino, State of California. The project is located in Sections 4 & 5, Township 22N, Range 14W, Mt. Diablo Base and Meridian; in the Iron Peak U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 033-040-34-00; latitude 39.7989 N and longitude 123.4329 W.

Project Description: The California Department of Fish and Wildlife has executed Lake or Streambed Alteration Agreement number EPIMS-MEN-17861-R1C, pursuant to Section 1602 of the Fish and Game Code to Patrice Byarlay.

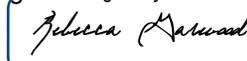
The project description is based on information included in the initial Notification, additional information submitted on September 26, 2022, and the CDFW site visit on October 26, 2022, and is limited to 30 encroachments to replace stream crossings, restore stream channels, remediate ponds, and permit water diversion from a spring.

The project proposes encroachments at twenty-six (26) stream crossings, three (3) ponds, and one (1) point of diversion (POD). The proposed stream crossings work is to include replacing three (3) culverts, replacing or decommissioning two (2) culverts, installing two (2) culverts, installing six (6) armored fill crossings, and restoring the stream by decommissioning twelve (12) existing dirt fill crossings. The proposed pond remediation work is to install a spillway and stabilize the outlet at one (1) pond, and decommission two (2) ponds. The POD is located at a spring that is used for domestic water use.

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 
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Date: 4/3/2023

Rebecca Garwood, Environmental Program Manager

Date Received for filing at OPR: _____