



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: 707-653-3710

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: Coatney Water Diversions, Pond Spillway, and Stream Crossings Project. Lake or Streambed Alteration Agreement No. 1600-2018-0178-R1

Project Location (include county): The project is located within Cahto Creek watershed, approximately 2.2 miles southwest of the town of Laytonville, County of Mendocino, State of California; Section 15, T 21N, R 15W, Mt. Diablo Base and Meridian, in the Cahto Peak U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Numbers 014-250-83 (place of use) & 014-250-50 (additional POD); latitude 39.6694 N and longitude 123.5197 W at the first point of diversion (POD-1).

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number 1600-2018-0178-R1, pursuant to Section 1602 of the Fish and Game Code to Dennis Coatney. The project is limited to 11 encroachments. Two encroachments are for water diversion from unnamed tributaries to Cahto Creek. Water is diverted from POD-1 for domestic use and from POD-3 for irrigation. Work for the water diversions will include use and maintenance of the water diversion infrastructure. POD-3 will divert water from Holland Lake (formerly referred to as "Mast Dam") on a nearby parcel (APN 014-250-50) and will serve as the sole irrigation water source.

Five encroachments (SC-1, 3, 5-7) are proposed to upgrade failing and undersized stream crossings. Work for these encroachments will include excavation, removal of the failing culverts, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. SC-5 shall be constructed to permit fish passage at all life stages. Fish passage designs for the restored stream shall be provided by May 31, 2024.

Two encroachments (SC-4 & 8) are proposed to remove undersized stream crossing culverts and to conduct stream restoration and riparian revegetation. Work for these encroachments will include excavation, removal of the failing culverts, recontouring the stream bed and banks as close as possible to natural stream grade and alignment, and restoring the stream bank slopes to no greater than a 2:1 slope or natural slope. Streambanks will be stabilized and revegetated to prevent slumping and to minimize soil erosion. SC-4 shall be constructed to permit fish passage at all life stages. Fish passage designs for the restored stream shall be provided by May 31, 2024.

One encroachment (SC-2) is proposed to replace an undersized stream crossing culvert with a rocked ford crossing. Work for this encroachment will include excavation, removal of the failing culvert, installation and secure placement of river washed rock for the ford, backfilling and compaction of fill on the approaches, and rock armoring as necessary to minimize erosion. The crossing shall be constructed to permit fish passage at all life stages. Fish passage designs for the new crossing shall be provided by May 31, 2024.

The final encroachment is a spillway improvement project and water diversion (POD-4) for an existing on-stream pond. Stream water is impounded in the pond for watering livestock. Water is pumped from the pond to a storage tank in an animal pen for use by livestock at that location. The improved spillway shall be reconstructed and appropriately sized to pass the 100-year flow and permit fish passage at all life stages. Fish passage designs for the new spillway shall be provided by May 31, 2024.

Project activities at stream crossings 2, 4, & 5 and at the stock pond (POD-4) spillway shall require pre-construction surveys by a Designated Biologist. Project activities at all other stream crossings shall require pre-construction surveys by a Designated Biologist if surface water is or becomes present during construction.

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: 4/26/2023
B5D12FCE94324AF

Rebecca Garwood, Environmental Program Manager

Date Received for filing at OPR: _____