



To:
Office of Planning and Research
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From:
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Northern Region
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Eureka, California 95501
Contact: John Herrera

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Lead Agency (if different from above)
County of Mendocino
860 N. Bush Street
Ukiah, CA 95482
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: Marcus Water Diversions, Stream Crossings, Stream Restoration, and Pond Spillway Project. Lake or Streambed Alteration Agreement No. 1600-2019-0108-R1

Project Location (include county): The project to be completed is located within the Big River watershed, approximately 15 miles northwest of the city of Ukiah, County of Mendocino, State of California. The project is located in Section 19, T16N, R14W, Mt. Diablo Base and Meridian; in the Bailey Ridge U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Numbers 149-070-08, 149-070-09, 149-070-12, 149-070-14, and 149-070-17; latitude 39.2316 N and longitude 123.4603 W at the first point of diversion (POD-A).

Project Description: The California Department of Fish and Wildlife has executed Lake or Streambed Alteration Agreement number 1600-2019-0108-R1, pursuant to Section 1602 of the Fish and Game Code to Stuart Marcus.

The project is limited to twelve (12) encroachments. Three (3) encroachments are water diversions. Two are direct diversions from South Fork Big River and the third is from an unnamed tributary to South Fork Big River. Water is diverted for domestic use and irrigation. Work for the water diversions will include 1) installation of diversion infrastructure consistent with this Agreement and 2) use and maintenance of the water diversion infrastructure.

Six (6) proposed encroachments (Crossings 1, 4, 5, 6, 7, and 9) are to upgrade stream crossing 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.

One (1) proposed encroachment (Crossing 2) is to decommission a stream crossing and restore the stream channel. Work for these encroachments will include excavation, removal of fill and culvert, recontouring the channel to its original cross-section and profile, stabilizing fill in upland areas (or removal from the property), installing stream grade control, stabilizing exposed soils, and installing adequate erosion control.

One (1) proposed encroachment (Crossing 8) is to install a secondary rocked ford and spillway to increase an onstream pond's capacity to withstand 100-year flows. Work for the rocked ford and spillway encroachments will involve excavation, rock armoring slopes, placement of rock in the stream to mimic the natural channel, and rock armoring of crossings and approaches as necessary to minimize erosion.

One (1) proposed encroachment (Greenhouse Removal) is to restore a stream channel by removing a greenhouse, raised planting beds, and imported soil from within an existing on-stream pond that no longer impounds water. A culvert located under the footprint of the greenhouse will be fully removed. After removing the culvert under the greenhouse, the fill will be contoured to a minimum 2:1 slope and the exposed fill shall be stabilized and revegetated. Work for this encroachment includes excavation, removal of fill and culverts, recontouring the channel to its original cross-section and profile, stabilizing fill in upland areas (or removal from the property), installing stream grade control, stabilizing exposed soils, and installing adequate erosion control.

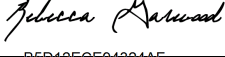
This is to advise that CDFW, acting as the Lead Agency / a Responsible Agency approved the above described project and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

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:* 10/30/2023

Rebecca Garwood, Environmental Program Manager

Date Received for filing at OPR: _____