

Notice of Determination

To:
Office of Planning and Research
[CEQA Submit](#)

From:
Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: Kari Gahan
Phone: 707-339-6136



Lead Agency
County of Mendocino
860 N. Bush Street
Ukiah, CA 95482
Contact: Julia Acker-Krog
Phone: 707-234-6650

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

State Clearinghouse Number: 2016112028

Project Title: Foltz Water Diversion and Stream Crossing Project (Lake or Streambed Alteration Agreement No. EPIMS-MEN-17129-R1C)

Project Location (Mendocino): 32370 Timberline Rd, Willits, County of Mendocino, State of California; Assessor's Parcel Number 037-670-09.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-MEN-17129-R1C) pursuant to Fish and Game Code section 1602, the project Applicant, Richard Foltz.

The project is limited to 4 encroachments. One encroachment is replacing the existing 16-inch culvert on an ephemeral stream with a new 24-inch diameter culvert. The second encroachment is for water diversion from an unnamed tributary to Rows Creek. The third encroachment is for the replacement of the existing spillway of the off-stream pond. The fourth encroachment is associated with the remediation and erosion/stabilization of equestrian stable/stall areas.

This is to advise that CDFW, acting as 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. 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** made as a condition of CDFW's approval of the project.
4. A Mitigation Reporting or Monitoring Plan **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 California Code of Regulations section 15091.

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 of project approval as a Responsible Agency is available at CDFW's regional office.

Signature:  _____ Date: 5/1/2024
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Rebecca Garwood, Environmental Program Manager

Notice of Determination

Date Received for filing at OPR: _____