

Notice of Determination

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: California Department of Fish and Wildlife
1455 Sandy Prairie Ct, Suite J
Fortuna, CA 95540
Contact: Trevor Lucas
Phone: (707) 725-1058

LEAD AGENCY (if different from above):

California Department of Fish and Wildlife
830 S Street
Sacramento, CA 95814-7023
Contact: Dylan Inskeep
Phone: (916) 327-8658

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

State Clearinghouse Number: **2019109011**

Project Title: **Lake and Streambed Alteration Agreement No. 1600-2020-0346-R1 Dutch Charlie creek Instream Coho Habitat Enhancement Project**

Project Location: **Located at Dutch Charlie Creek, in the County of Mendocino, State of California: 39.68903 north latitude, -123.67799 west longitude.**

Project Description: **Project will install 203 pieces of large woody debris (LWD) at 96 distinct locations along ~2 miles of mainstem Dutch Charlie Creek, 80 of which will be installed using the accelerated recruitment approach. These structures will create year round habitat for all life stages of anadromous fish, providing increased cover, complexity, and high flow refugia throughout the treatment reach.**

This is to advise that the Department of Fish and Wildlife (CDFW), acting as **the lead agency** / **a responsible agency** approved the above-described project on the date signed below and has made the following determinations regarding the above described project:

1. The project **will** / **will not** have a significant effect on the environment. (This determination is limited to effects within CDFW's jurisdiction when CDFW acts as a responsible agency.)
 2. **An environmental impact report** / **A negative declaration** / **A timber harvesting plan** was prepared for this project pursuant to CEQA.
 3. Mitigation measures **were** / **were not** made a condition of CDFW's approval of the project.
 4. A Statement of Overriding Considerations **was** / **was not** adopted by CDFW for this project.
 5. Findings **were** / **were not** made by CDFW pursuant to Public Resources Code § 21081(a). CDFW did, however, adopt findings to document its compliance with CEQA.
 6. Compliance with the environmental filing fee requirement at Fish and Wildlife Code § 711.4 (check one):
 - Payment is submitted with this notice.
 - A copy of a receipt showing prior payment is on file with CDFW.
 - A copy of the CEQA Filing Fee No Effect Determination Form signed by CDFW is attached to this notice.
 - Payment is not required when CDFW is Lead Agency.
- Lead Agency certification:** CDFW, as Lead Agency, has made the final EIR with comments and responses and record of project approval, or the Negative Declaration, available to the General Public at the CDFW office identified above.
- Responsible Agency statement:** The final EIR, Negative Declaration, or THP that was prepared by the Lead Agency for this project is available to the General Public at the office location listed above for the Lead Agency. CDFW's record of decision is available at the CDFW office identified above.

Signed: _____



Governor's Office of Planning & Research

Date: 7/30/2020

Trevor Tollefson

Jul 31 2020

STATE CLEARINGHOUSE

Senior Environmental Scientist (Supervisor)
Date Received for filing at OPR:

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
CEQA FINDINGS FOR THE
AGREEMENT REGARDING PROPOSED LAKE OR STREAMBED
ALTERATION NO. 1600-2020-0346-R1

Introduction

The California Environmental Quality Act (**CEQA**) (Public Resources Code section 21000, *et seq.*) and the State CEQA Guidelines (**Guidelines**) (Section 15000, *et seq.*, Title 14, California Code of Regulations) require that no public agency shall approve or carry out a project for which a mitigated negative declaration (MND) has been completed that identifies one or more significant effects, unless such an agency makes the following finding as to each significant effect:

Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

As the lead agency for the project, the California Department of Fish and Wildlife (CDFW) adopted the MND for the Project on **November 18, 2018** CDFW found that the Project will not result in significant environmental effects with the mitigation measures required in or incorporated into the Project.

CDFW is issuing a Lake or Streambed Alteration Agreement (Agreement) to the project applicant, **Ms. Elizabeth Mackey representing Trout Unlimited, Inc.** The project is located at **Dutch Charlie Creek, tributary to South Fork Eel River, in the County of Mendocino, State of California; Section 6; Township 21 North, Range 16 West, Humboldt Baseline and Meridian.**

Findings

CDFW has considered the MND adopted for the project and has concluded that the Agreement should be issued under the terms and conditions specified therein. On the basis of the record before CDFW, there is no substantial evidence that the project will have a significant effect on the environment. CDFW finds that the MND reflects CDFW's independent judgment and analysis. In this regard, CDFW hereby adopts the findings set forth in the MND insofar as they pertain to the Project's impacts on biological resources.



Signed:

Date: 7/30/2020

Trevor Tollefson
Senior Environmental Scientist (Supervisor)
California Department Fish and Wildlife