

Notice of Exemption

To:

Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From:

Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, CA 95001

Project Title: Rhys Vineyards - Clarke Ranch Road Network Upgrade

Project Location: The Project is located within the South Fork Eel River and North Fork Ten Mile River watersheds, approximately 4 miles southwest of the town of Laytonville, County of Mendocino, State of California, specifically, Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, and 17 T20N, R15W, and Sections 32, 33, and 34 T21N, R15W; Mt. Diablo Base and Meridian; in the Sherwood Peak and Cahto Peak U.S. Geological Survey 7.5-minute quadrangle.

Project Description: The California Department of Fish and Wildlife has executed a streambed alteration agreement (Notification No. EPIMS-MEN-14074-R1) pursuant to Fish and Game Code section 1602 (SAA). The agreement authorizes Rhys Vineyards, the permittee, to upgrade 93 and decommission 90 stream crossings on 36.3 miles of permanent and seasonal roads on its Clarke Ranch property to reduce delivery of sediment into streams.

Public Agency Approving Project: California Department of Fish and Wildlife

Person or Public Agency Carrying Out Project: Rhys Vineyards

Exempt Status:

Categorical Exemption. California Code of Regulations, title 14, sections 15301, 15302, 15304

Reasons why project is exempt: This work is required under a settlement agreement between Rhys Vineyards and the North Coast Regional Water Board (WR 2019-0053-EXEC). The purpose of the project is to address identified controllable sediment sources (CSS) discharging from Rhys Vineyard's Clarke Ranch 36.3-mile road network to watercourses on the property. Under the SAA, Rhys Vineyards will upgrade 93 stream crossings by installing new structures, including trash racks and culverts, or removing and replacing existing stream crossings with upgraded crossings, such as properly sized and placed culverts, bridges, or rocked ford crossings. Rhys Vineyards will also decommission 90 stream crossings by removing old, poorly functioning culverts; excavating and stabilizing residual fill material; and installing cross drains to hydrologically disconnect road segments. Project crossings will be constructed to the 100-year storm requirements and the SAA includes measures to assure that construction will avoid and minimize the threat of sediment discharge to streams and impacts to their beds, banks, and channels.

In approving the SAA, the Department relied on the Class 1, 2, and 4 categorical exemptions in the CEQA Guidelines. (Cal. Code Regs., tit. 14, §§ 15301, 15302, 15304.) The work to upgrade stream crossings under the SAA is limited to existing crossings that will be repaired or replaced in the same location, will have the same purpose, and will have the same capacity as the existing structures, except where undersized or poorly placed culverts, bridges, and rocked ford crossings will be replaced. In these cases, these structures will have upgraded capacity to pass water, thereby substantially decreasing the discharge of sediment into watercourses on the property. The work to decommission stream crossings under the SAA will allow Rhys Vineyards to decommission 13.9 miles of roads that will also substantially decrease sediment delivery into watercourses on the property. Any alterations to land, water, and vegetation the work will cause will be minor and will not involve the removal of healthy, mature, scenic trees. Also, the work will not have any adverse effect on endangered, rare, or threatened species or their

habitat. Finally, the Department has determined that the work the SAA authorizes will not result in impacts that are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

Contact Person: Angela Liebenberg, Senior Environmental Scientist Supervisor, (707) 741-1265

DocuSigned by:

Curt Babcock

Signature: _____ Title: Environmental Program Manager

Curt Babcock

Date received for filing at OPR: _____