

Notice of Exemption

To:
Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

From:
Department of Fish and Wildlife
South Coast Region 5
3883 Ruffin Rd.
San Diego, CA 92123
Contact: Sarah Rains
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sarah.rains@wildlife.ca.gov



Street Address:
1400 Tenth Street
Sacramento, CA 95814

Project Title: Shale Creek Daylighting Project (Streambed Alteration Agreement No. EPIMS-SBA-16697-R5)

Project Location (include county): The project is located at Shale Creek, tributary to the Santa Ynez River, in the County of Santa Barbara, State of California; Latitude 34.605718, Longitude -120.300611; 5935 Santa Rosa Road, Lompoc, CA, 93436; Assessors Parcel Number (APN) 083-150-011

Project Description: California Department of Fish and Wildlife has executed Streambed Alteration Agreement number EPIMS-SBA-16697-R5, pursuant to Section 1602 of the Fish and Game Code to Wil Crummer.

This project is in response to part of a litigation and 2007 Judgement (Case No. 1088751) by the Honorable Rodney S. Melville. The Judgement specifically ordered that the streambed lying within the "Lower Donovan parcel [APN 083-150-011] daylight into the Santa Ynez River and [that it] be engineered to permit the flow to continue to the Santa Ynez River unimpeded by a gradient that is too flat to permit such flow". The purpose of this project is to fulfill the "daylighting" requirement of the litigation so Shale Creek will flow to the Santa Ynez River. To fulfill the requirement, Permittee proposes to daylight (remove obstructions covering) Shale Creek where it runs through the length of Permittee's property, a distance of 2,834.67 linear feet. This activity will entail grading of approximately 460 cubic yards of cut and removal of a 24-inch culvert that is 12 linear feet long. The slope of the daylighted creek will vary from -.02% to -1.49%. The final width of the creek will be an average of 15 linear feet wide. The final area of the creek will amount to 66,918.75 square feet or 1.54 acres. The daylighted creek will be seeded with a Basic Native Erosion Control Seed Mix from S&S Seeds. A mini excavator and backhoe will be used to complete project activities.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

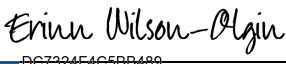
Person or Public Agency Carrying Out Project: Wil Crummer

Exempt Status:

- Statutory Exemption. State code number
- Categorical Exemption. Type – Class (21); California Code of Regulations, title 14, section 15321 Enforcement Actions by Regulatory Agencies

Reasons why project is exempt: This project is required as a stipulation in a 2007 Judgement (Case No. 1088751) by the Honorable Rodney S. Melville in which the property owners and Santa Barbara County were ordered to maintain their respective portions of Shale Creek and daylight and engineer the streambed in APN 083-150-011 so that it connects to Santa Ynez river.

CDFW Contact Person: Sarah Rains, Environmental Scientist, sarah.rains@wildlife.ca.gov (661) 414-2729

DocuSigned by:

Signature: _____ **Date:** 9/20/2021
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 Erinn Wilson-Olgin, Environmental Program Manager

Date received for filing at OPR: _____