

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:

Department of Fish and Wildlife

Northern Region

619 Second Street

Eureka, California 95501

Contact: Jessica Ryan

Email: jessica.ryan@wildlife.ca.gov

Phone: 707-445-6493



Lead Agency

City of Willits

111 E. Commercial Street, Willits, CA 95490

Contact: Dusty Duley

Email: dduley@cityofwillits.org

Phone: 707-459-7124

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

State Clearinghouse Number: 2022030663

Project Title: Duley Stream Crossings Willits Rail with Trail Project (Lake or Streambed Alteration Agreement No. EPIMS-MEN-39386-R1C)

Project Location: The project to be completed is located within the Upper Eel River watershed, approximately 0.4 miles northeast of the city of Willits, County of Mendocino, State of California. The project is located in Section 18, Township 18N, Range 13W, Mt. Diablo Base and Meridian; in the Willits U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 005-149-08; latitude 39.41006 N and longitude 123.35056 W at the first stream crossing (Broadus Creek Bridge).

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake or Streambed Alteration Agreement (EPIMS-MEN-39386-R1C), pursuant to Fish and Game Code section 1602, to the project Applicant, Dusty Duley representing the City of Willits.

This Agreement relies on the Notification materials, a CDFW site visit on August 30, 2023, a meeting on October 20, 2023, and email correspondence with the project proponents. The project is limited to six (6) encroachments involved in the construction of an approximately 1.6-mile trail segment as a component of the Great Redwood Trail.

The first three encroachments are for the construction of new bridges. Work for these encroachments will include concrete form building, pouring and curing for the piles and abutments, construction of retaining walls, placing rock slope protection (RSP), and installing prefabricated bridges. Construction activity shall be restricted to the banks of Broadus Creek, Baechtel Creek, and Haehl Creek, and shall not include driving through or working within the wetted portion of the stream.

The remaining three encroachments are to replace existing culverts. Work for these encroachments will include excavation, removal of the existing culverts, installation of new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. Work at Culvert 5 will include construction of a left bank retaining wall downstream of the crossing (stations 72+50 to 81+50).

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on September 13, 2023, 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** prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures **were** made a condition of CDFW's approval of the project.

Notice of Determination

- 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 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: 5/7/2024
B5D12ECE94324AF

Rebecca Garwood, Environmental Program Manager

Date Received for filing at OPR: _____