

Notice of Determination

To:

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

From:

Department of Fish and Wildlife
 Bay Delta Region
 2825 Cordelia Road, Suite 100
 Contact: James Hansen
 Email: james.hansen@wildlife.ce.gov
 Phone: (707) 576-2869



Lead Agency
 City of Cloverdale
 124 N Cloverdale Blvd
 Cloverdale, CA 95425
 Contact: Kevin Thompson
 Email: kthompson@ci.cloverdale.ca.us
 Phone: (707) 894-1726

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

State Clearinghouse Number: None

Project Title: Bi' Du Khaale Affordable Elder Housing Project (Lake or Streambed Alteration Agreement No. EPIMS-SON-31466-R3)

Project Location (Sonoma County): The project is located at an unnamed tributary to Icaria Creek, in an unincorporated area of the County of Sonoma, State of California; Latitude 38.77481°, Longitude -123.00856°; 235 Kelly Road, Cloverdale, CA 95425; Assessor's Parcel Number 117-040-073.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-SON-31466-R3), pursuant to Fish and Game Code section 1602, the project Applicant, Dry Creek Rancheria Band of Pomo Indians.

The project is limited to the replacement of an existing 24-inch diameter 142-foot-long metal culvert with a 36-inch diameter high-density polyethylene (HDPE) culvert of the same length. The project also includes the installation of five new HDPE culverts and associated riprap where appropriate at the inlets and outlets, including a 36-inch diameter 70-foot-long HDPE culvert, a 36-inch diameter 36-foot-long HDPE culvert, two 24-inch diameter 31-foot-long HDPE culverts, and a 36-inch diameter 17-foot-long HDPE culvert. The project also includes approximately 4,023 square feet of riparian habitat enhancement on-site. The project will result in permanent impacts from the five new culverts and associated riprap of approximately 218 linear feet and 1,704 square feet. No trees will be removed as part of this project. No temporary impacts will occur as part of this project. Access and staging will occur outside of the riparian area.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on January 11, 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.
4. A Mitigation Reporting or Monitoring Plan **was** 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.

Notice of Determination

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: DocuSigned by: Craig J. Weightman Date: 1/11/2023
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Craig J. Weightman, Environmental Program Manager

Date Received for filing at OPR: _____