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Office of Planning and Research
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From:
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Lead Agency (if different from above)
County of Mendocino
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Contact: Mary Lynn Hunt
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2016112028

Project Title: Keats Bridge and Crossing Maintenance, Stream Crossing Replacement, and Stream Crossing Removal and Restoration Project (Lake or Streambed Alteration Agreement No. 1600-2019-0893-R1)

Project Location: The project to be completed is located within the Eel River watershed, approximately 1 mile south of the town of Laytonville, County of Mendocino, State of California. The project is located in Section 13, T21N, R15W, Mt. Diablo Base and Meridian; in the Laytonville U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 014-260-55; latitude 39.6741 N and longitude 123.4837 W at the bridge (STX-1).

Project Description: This Agreement relies on the Notification materials and a desk review without a CDFW site inspection.

The project is limited to four encroachments (Table 1). One proposed encroachment is to upgrade an undersized stream crossing. Work for this encroachment will include excavation, removal of the failing crossing, replacement with new properly sized crossing, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. The second proposed encroachment is to remove a failing and undersized stream crossing and to restore the stream channel. Work for this encroachment will include excavation, removal of the failing crossing, removal of remaining fill pulling the stream channel banks to mimic up-and-downstream gradients, stabilizing fill in upland area or removal from property, installation of stream grade control, and stabilizing of exposed soils with erosion control methods.

The final two proposed encroachments are both maintenance projects, one for an existing bridge and the other for an existing stream crossing culvert. Work for the bridge will involve maintenance activities as necessary to ensure proper function of the structure. Work for the stream crossing maintenance project will include vegetation removal from the inlet and outlet of the culvert.

The Permittee disclosed:

An existing low water crossing on an ATV trail (C5) (located at approximately 39.6762, -123.4846)

The Notification states this stream crossing is in good condition and meeting current performance standards. Permittee intends to discontinue use of the ATV trail and abandon the C5 crossing. Existing stream crossings disclosed in the Notification, but not included as 1602 projects with fees, are not covered under this Agreement. If maintenance (such as armoring) and/or replacement become necessary, that work must be covered by a major amendment or a separate Notification.

The Notification also discloses the use of a well located at Lat/Long 39.6772, -123.4767 (Well #1) on an adjacent property. This well is presented as the sole source of water for all needs on the project property, and it also serves as the sole source of water for all needs on another Agreement that is held by the Permittee, Agreement #1600-2019-0158-R1.

Further, the Notification discloses two additional wells on the project property located at Lat/Long 39.6743, -123.4833 (Well #2) and 39.6739, -123.4856 (Well #3) respectively. Neither of these wells are in use nor will they be used for cannabis irrigation. Well #2 serves as the domestic water source for the property owner and Well #3 is not in use. CDFW did not evaluate hydrologic connection of these two wells to surface water, nor was a hydrogeologic evaluation prepared by a licensed geologist provided for CDFW review.

No other projects that may be subject to FGC section 1602 were disclosed. This Agreement does not retroactively permit any constructed reservoirs (including "ponds"), stream crossings, water diversions, modifications to riparian buffers, or other encroachments not described in Table 1.

This is to advise that CDFW, acting as ☐ the Lead Agency / ☒ a Responsible Agency approved the above described project 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. A ☒ mitigated negative declaration / ☐ negative declaration was prepared for this project pursuant to the provisions of CEQA.
CDFW considered the ☒ mitigated negative declaration / ☐ negative declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures ☒ were / ☐ were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan ☐ was / ☒ 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 Public Resources Code section 21081, subdivision (a).

The ☒ mitigated negative declaration / ☐ 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 related to the Lake or Streambed Alteration Agreement is available to the public for review at CDFW's regional office.

Signature **Sanville, Cheri@Wildlife** Digitally signed by Sanville, Cheri@Wildlife
DN: DC=Gov, DC=Ca, DC=Dfg, DC=AD, OU=DFG Divisions, OU=(1) NR, OU=Users, CN="Sanville, Cheri@Wildlife"
Reason: I am the author of this document
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Date: 2020-06-11 14:01:15
Foxit PhantomPDF Version: 9.6.0 Date:
Cheri Sanville, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: _____

Governor's Office of Planning & Research

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