

Notice of Exemption

To:

Office of Planning and Research
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From:

Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: John Herrera



Phone: 707-445-6493

Project Title: Diaz Water Diversion and Stream Crossings Project (Notification of Lake or Streambed Alteration, No. EPIMS-MEN-32282-R1C)

Project Location (Mendocino): Eel River watershed, approximately 3.2 miles east of the town of Laytonville, County of Mendocino, State of California. The Project is located in Sections 4 and 9, T 21N, R 14W, Mt. Diablo Base and Meridian; in the Laytonville U.S. Geological Survey 7.5-minute quadrangle; Assessor’s Parcel Number 035-490-16; latitude 39.6967 N and longitude 123.4239 W at the point of diversion (POD-1).

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement EPIMS Notification No. EPIMS-MEN-32282-R1C, pursuant to Section 1602 of the Fish and Game Code to Eladio Diaz.

The Project is limited to five encroachments. One encroachment (POD-1) is for water diversion from unnamed tributaries to Bear Pen Canyon. Water is diverted for domestic use. Work for the water diversion project will include use and maintenance of the water diversion infrastructure.

The four other proposed encroachments are to upgrade existing culverts. Work for these encroachments will include excavation, removal of the existing culverts, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: Eladio Diaz

Exempt Status:

- Categorical Exemption. Type – Classes 1, 2, and 4; California Code of Regulations, title 14, sections 15301, 15302, and 15304

Reasons why project is exempt: Diaz Water Diversion and Stream Crossings Project meets the criteria for categorical exemption type Class 1, California Code of Regulations, title 14, section 15301 because the project involves improvements and upgrades to stream crossings in existing locations. The project involves negligible or no expansion of the existing use. The Project meets the criteria for categorical exemption type Class 2, California Code of Regulations, title 14, section 15302 because the project consists of replacement or reconstruction of existing facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. The Project meets the criteria for categorical exemption type Class 4, California Code of Regulations, title 14, section 15304 because the project does not involve removal of healthy, mature, scenic trees.

CDFW Contact Person: John Herrera, Environmental Scientist, (707) 445-6493, john.herrera@wildlife.ca.gov

Angela Liebenberg

5/29/2025

Signature: _____

Date: _____

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Angela Liebenberg, Senior Environmental Scientist (Supervisor)

Date received for filing at OPR: _____