



To:
Office of Land Use and Climate Innovation
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NOTICE OF EXEMPTION

Project Title: Fiallo Water Diversion, Stream Crossings and Remediation Project
(Notification of Lake or Streambed Alteration, No. EPIMS-MEN-09885-R1C)

Project Location (Mendocino County): The Project to be completed is located within the Eel River watershed, approximately 9 miles northeast of the town of Piercy, County of Mendocino, State of California. The Project is located in Section 28, T5S, R5E, Humboldt Base and Meridian; in the Bell Springs U.S. Geological Survey 7.5-minute quadrangle.

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement EPIMS Notification No. EPIMS-MEN-09885-R1C, pursuant to Section 1602 of the Fish and Game Code to Ivan Fiallo.

The Project is limited to 7 encroachments. Encroachment 1 is for water diversion from an unnamed tributary to Tom Long Creek. Water is diverted for domestic use. Work for the water diversion will include installation of infrastructure that complies with this Agreement and use and maintenance of the water diversion infrastructure.

Encroachment 2 is for replacement of an existing stream crossing culvert with a stream crossing (e.g., bridge or culvert) and associated work to allow for fish passage. Work will include 1) Basis of Design and Construction Plans for a crossing that will allow fish passage shall be submitted for CDFW review and acceptance within two years of the effective date of the Agreement, and 2) The proposed work shall be completed by no later than October 31, 2029. The stream crossing shall be installed in accordance with the appropriate corresponding requirements in the California Salmonid Stream Habitat Restoration Manual to ensure the structure can facilitate the passage of anadromous fish.

Encroachments 3-5 are to upgrade existing stream crossing 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. Construction activities shall be conducted in accordance with the construction details shown in Pope Engineering LSA Fiallo Grading Plan- Updated 6-29-2023, Attachment 2 Fiallo Project Description Project Impacts-Replace

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Culvert 1, Attachment 3 Fiallo Project Description Project Impacts-Replace Culvert 2, and Attachment 4 Fiallo Project Description Project Impacts-Replace Culvert 3 submitted with the Notification.

Encroachment 6 is to upgrade an existing low-water crossing by constructing a rocked ford stream crossing. Construction activities shall be conducted in accordance with the construction details shown on pg. 3 of Pope Engineering LSA Fiallo Grading Plan-Updated 6-29-2023, submitted with the Notification.

Encroachment 7 is for work to reduce erosion through road work related to two springs. Construction activities shall be conducted in accordance with the construction details shown in Attachment S Fiallo Project Description Spring 1 and 2 Remediation Project and pg. 4 of Pope Engineering LSA Fiallo Grading Plan-Updated 6-29-2023, submitted with the Notification.

The project also includes implementation of remediation work as described in Remediation Plan Fiallo updated August 2024 and shall be conducted in accordance with the construction details shown in Pope Engineering Fiallo Erosion Control Plan submitted with the Notification.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project:

Permittee: Ivan Fiallo

Contact: Kari Gahan - CDFW Senior Environmental Scientist (Specialist)

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Exempt Status:

Categorical Exemption. Type – Class 1; California Code of Regulations, title 14, section 15301

Reasons why project is exempt: The Project meets the criteria for categorical exemption type Class 1, California Code of Regulations, title 14, section 15301 because the project involves replacing or upgrading existing stream crossings, use and maintenance of existing water diversion infrastructure, and remediation of existing impacts. The project involves no expansion of the existing use.

CDFW Contact Person: Kari Gahan, Senior Environmental Scientist (Specialist), Kari.Gahan@wildlife.ca.gov, (707) 339-6136.

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Angela Liebenberg
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Signature: _____ Date: 7/16/2025

Angela Liebenberg, Senior Environmental Scientist (Supervisor)

Date received for filing at LCI: