

## Notice of Exemption

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**To:**

Office of Land Use and Climate  
Innovation  
[CEQA Submit](#)

**From:**

Department of Fish and Wildlife  
1701 Nimbus Road  
Rancho Cordova, CA 95670



**Project Title:** Avery Ditch (Streambed Alteration Agreement EPIMS Notification No. CAL-65415-R2)

**Project Location:** The project is located at an unnamed tributary to Mill Creek, in the County of Calaveras, State of California; Latitude 38.20411, Longitude -120.36823 (WGS 84 datum, decimal degrees); 4650 Moran Road. Avery, CA 95215; Assessor's Parcel Number 030-019-026-000.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Streambed Alteration Agreement EPIMS Notification Number CAL-65415-R2, pursuant to Section 1602 of the Fish and Game Code to the project Applicant, Marshall Bellm/KW Emerson.

The project is limited to implementing erosion control best management practices to address deficiencies that remain surrounding a 40-foot long, 24-inch diameter corrugated high-density polyethylene pipe (HDPE). Approximately 3.8 cubic yards of clean fill dirt will be placed in the channel on the top and sides of the pipe. Trench plates will be used over the HDPE pipe for vehicles to drive over.

**Public Agency Approving Project:** California Department of Fish and Wildlife

**Person / Public Agency Carrying out Project:**

KW Emerson  
Marshall Bellm  
413 West Charles Street  
San Andreas, CA 95249  
(435) 840-4566  
marshall.bellm@kwemerson.com

**Exempt Status:**

Categorical Exemption. Type – Class (1 and 3); California Code of Regulations, title 14, sections (15301 and 15303)

**Reasons why project is exempt:**

Class 1 because the project consists of repair, maintenance, or minor alteration of existing public, facilities and topographical features, involving negligible or no expansion of existing or former use.

Class 4 because the project consists of a minor alteration to the land and does not involve the removal of healthy, mature, scenic trees.

**Notice of Exemption**

**CDFW Contact Person:** Hailey Donaldson, Environmental Scientist, (916) 216-6253

DocuSigned by:  
*Tanya Sheya*  
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*Signature:* \_\_\_\_\_  
Tanya Sheya, Environmental Program Manage

*Date:* 3/12/2026