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From: Department of Fish and Wildlife
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Contact: Cheri Sanville
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Lead Agency (if different from above)
County of Mendocino
860 N. Bush Street
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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: MIDDLETON ISLAND INVESTMENTS WATER DIVERSION AND STREAM CROSSINGS (Lake or Streambed Alteration Agreement No. 1600-2019-0176-R1)

Project Location (include county): The projects to be completed are located within the Eel River watershed, near the town of Bell Springs, County of Mendocino, State of California. 74250 Island Mountain Road, Assessor's Parcel Number 011-670-28, approximately latitude 39.961826 N and longitude -123.484272 W. See Table 1 for specific project coordinates.

Project Description: The project is limited to 9 encroachments. Seven encroachments are for stream crossings on unnamed tributaries to the Eel River. Two encroachments are for water diversions. Stream-crossings-1, -4, -5, and -8 will be replaced. Stream-crossings-3, -6, and -7 will be upgraded to improve water passage and energy dissipation. Stream-crossing-2 is located off-parcel. Point-of-diversion-1 will be used for domestic and irrigation water supply, while point-of-diversion-2 will not be used by the Permittee but is used to water livestock by a nearby rancher. Work for these encroachments will include excavation, removal of the failing culverts, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

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 
Cheri Sanville, Senior Environmental Scientist Supervisor

Date: 9/27/19

Date Received for filing at OPR: _____