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Office of Planning and Research
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From:
Department of Fish and Wildlife
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Eureka, California 95501
Contact: John Herrera
Phone: 707-962-9044

Lead Agency (if different from above)
County of Mendocino
860 N. Bush Street
Ukiah, CA 95482
Contact: Mary Lynn Hunt
Phone: 707-234-6650

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2016112028

Project Title: Ross Water Diversions Project (Lake or Streambed Alteration Agreement No. 1600-2019-0593-R1)

Project Location: The project to be completed is located within the Eel River watershed, approximately 8 miles north of the town of Redwood Valley, County of Mendocino, State of California. The project is located in Section 28, T18N, R12W, Mt. Diablo Base and Meridian; in the Foster Mountain U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Numbers 107-052-06 at the points of diversion (PODs) and place of use (POU), 107-054-11 at the other POU; latitude 39.38168 N and longitude 123.20635 W at the first POD.

Project Description: The project is limited to two encroachments (Table 1 of LSAA). Two encroachments are for new water diversions from unnamed tributaries to Cave Creek. Water from the spring (POD-1) is diverted for domestic use. Water from POD-2 is diverted for irrigation. Work for the water diversion will include the new installation of a spring box and a screened intake at the respective PODs and use and maintenance of the water diversion infrastructure.

The Permittee has disclosed a 24-inch culvert (located at approximately 39.3825, -123.2049), an 18-inch culvert (located at approximately 39.3823, -123.2050), and another 24-inch culvert (located at approximately 39.3793, -123.2044). These stream crossings were stated to be in good condition and meeting current standards. Culverts that were 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 is necessary, that work will need to be covered under a major amendment or a separate Agreement.

The Permittee has disclosed a water well located at approximately 39.3785, -123.2054. The well's potential for hydraulic connectivity to streams was not addressed in the Notification by a professional hydrogeologist licensed in the state of California and the Department has not evaluated this well.

No other projects that may be subject to FGC1602 were disclosed. This Agreement does not retroactively permit any stream crossings, water diversions or other encroachments not described in Table 1 of the LSAA.

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



Date:

11/14/19

Cheri Sanville, Senior Environmental Scientist Supervisor
Governor's Office of Planning & Research

Date Received for filing at OPR: NOV 15 2019

STATE CLEARINGHOUSE