



**To:**  
Office of Planning and Research  
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**Street Address:**  
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**From:**  
Department of Fish and Wildlife  
Northern Region  
619 Second Street  
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:** Poole MMJ Enterprises Water Diversions Project (Lake or Streambed Alteration Agreement No. 1600-2019-0580-R1)

**Project Location:** The project to be completed is located within the Eel River watershed, approximately 2.1 miles southeast of the town of Piercy, County of Mendocino, State of California. The project is located in Sections 7 & 8, T24N, R17W, Mt. Diablo Base and Meridian; in the Piercy U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 053-190-19 at the Point of Diversion 1 (POD-3) and Place of Use (POU), 053-190-18 at the POU, and 053-210-04 at POD 1 & 2; latitude 39.9417 N and longitude 123.7734 W at POD-3.

**Project Description:** This Agreement relies on the Notification materials and a desk review without a CDFW site inspection.

The project is limited to three encroachment(s) (Table 1). One encroachment is for water diversion from an unnamed tributary to South Fork Eel River. Water is diverted for domestic use. Work for the water diversion will include use and maintenance of the water diversion infrastructure. One encroachment is for the removal of existing water diversion infrastructure from the same unnamed tributary to South Fork Eel River as the first encroachment. Work for this encroachment will involve removing a screened plastic pipe from the stream channel and all associated infrastructure. The final encroachment is for water diversion from a shallow well. Water is diverted for domestic and backup commercial irrigation use. Work for the water diversion will include use and maintenance of the water diversion infrastructure.

No other projects that may be subject to FGC section 1602 were disclosed. This Agreement does not retroactively permit any constructed reservoirs (including "ponds"), stream crossings, water diversions, modifications to riparian buffers (as required by other entities), or other encroachments not described in Table 1.

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):

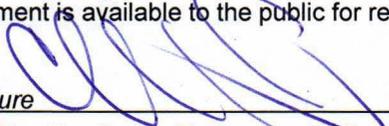
1. The project will not have a significant effect on the environment. This determination is limited to effects within CDFW's permitting jurisdiction as a Responsible Agency.
2. A  mitigated negative declaration /  negative declaration was prepared for this project pursuant to the provisions of CEQA.

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:*

1/30/2020

Cheri Sanville, Senior Environmental Scientist Supervisor

Governor's Office of Planning & Research

Date Received for filing at OPR: JAN 31 2020

**STATE CLEARINGHOUSE**