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Office of Planning and Research

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From:
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Lead Agency (if different from above)
County of Mendocino
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2016112028

Project Title: Poole Water Diversion Removal Project (Lake or Streambed Alteration Agreement No. 1600-2019-0330-R1)

Project Location: The project to be completed is located within the South Fork Eel River watershed, approximately 2.25 miles south southeast of the town of Piercy, County of Mendocino, State of California. The project is located in Section 6, T24N, R17W, Mt. Diablo Base and Meridian; in the Piercy U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 053-160-15; latitude/longitude: 39.9542, -123.7762 at the point of diversion (POD).

Project Description: The Agreement relies on the Notification materials and a desk review without a CDFW site inspection. The project is limited to one encroachment (Table 1) to decommission a Point of Diversion (POD) in McCoy Creek.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
POD-1	39.9542, -123.7762	Permittee notified to decommission and cease using this Point of Diversion (POD) in McCoy Creek. The POD was previously used for domestic water needs and for irrigation of commercial cannabis.

The Permittee notified for a well located at Lat/Long 39.9533, -123.7763. This well is presented as the sole source of water for all needs on the property. CDFW determined that the water diversion proposed in the notification is not substantial due to the reliance on water storage for summer months. If the water diversion substantially changes, then the Permittee shall contact CDFW to determine if any minimization measures are required to be protective of fish and wildlife.

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, or other encroachments not described in Table 1. project is limited to seven (7) encroachments (Table 1). Two (2) encroachments are for water diversion from springs that are unnamed tributaries to Rancheria Creek. Water is diverted for domestic use and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure. The five (5) other proposed encroachments are to upgrade failing and undersized culverts and replenish rock in failed rocked fords. 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.

Determination: 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:

4/1/2020

Date Received for filing at OPR: _____

Governor's Office of Planning & Research

APR 02 2020

STATE CLEARINGHOUSE