

To:
Office of Planning and Research
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From:
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Contact: John Herrera
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Lead Agency (if different from above)
County of Mendocino
860 N. Bush Street
Ukiah, CA 95482
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: Harris Greenlight Organics Water Diversion, Stream Crossing, and Micro Hydro-electric Project (Lake or Streambed Alteration Agreement No. 1600-2019-0265-R1)

Project Location: The project to be completed is located within the Eel River watershed, approximately 7.7 miles northwest of the town of Willits, County of Mendocino, State of California. The project is located in Section 16, T19N, R14W, Mt. Diablo Base and Meridian; in the Longvale U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 037-620-02; latitude 39.5056 N and longitude 123.4289 W at the first point of diversion (POD-1).

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

The project is limited to three encroachments (Table 1). One encroachment is for water diversion from Sherwood Creek. Water is diverted for domestic use. Work for the water diversion will include use and maintenance of the water diversion infrastructure. One proposed encroachment is to upgrade a failing and undersized culvert. Work for this encroachment will include excavation, removal of the failing culvert, replacement with new properly sized culvert, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. The final encroachment is for the use of an existing micro-hydroelectric power diversion. Work for the micro-hydroelectric power diversion will include use and maintenance of the water diversion infrastructure and either installing an additional 3-inch pipe in the channel or otherwise modifying the structure such that 50% bypass of flow is ensured when diversion is in use.

The Notification discloses an additional feature of interest (Table 2). An existing rainwater catchment pond on the property will be used for cannabis irrigation. CDFW has not conducted a site inspection and has not evaluated hydrologic connection of the pond spillway to surface water, nor was a hydrologic connectivity evaluation provided for CDFW review.

No other projects that may be subject to FGC1602 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.

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@wildlife.ca.gov** Date:
Cheri Sanville, Senior Environmental Scientist Supervisor

Digitally signed by cheri.sanville@wildlife.ca.gov
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Location: CDFW 619 2nd Street Eureka, CA
Date: 2020-06-01
Foxit Reader PDF Version: 9.6.0

Governor's Office of Planning & Research

Date Received for filing at OPR: JUN 02 2020

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