



To:
Office of Planning and Research
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From:
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Northern Region
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Contact: Angela Liebenberg

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Lead Agency (if different from above)
County of Mendocino
860 N. Bush Street
Ukiah, CA 95482
Contact: Julia Acker
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2016112028

Project Title: Marlin Stream Crossings and Water Diversion Project (Lake or Streambed Alteration Agreement No. 1600-2020-0129-R1)

Project Location (include county): The project to be completed is located within the Eel River watershed, approximately 4 miles north of the town of Potter Valley, County of Mendocino, State of California. The project is located in Section 29, T18N, R11W, Mt. Diablo Base and Meridian; in the Van Arsdale Reservoir U.S. Geological Survey 7.5-minute quadrangle.

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number 1600-2020-0129-R1, pursuant to Section 1602 of the Fish and Game Code to David Marlin.

The project is limited to six (6) encroachments (Table 1). Two (2) encroachments are for water diversion from Mill Creek. Point of Diversion 1 (POD 1) is an existing micro-hydropower water diversion within Mill Creek. POD 2 consists of water diversion from Mill Creek for domestic use. Work for the water diversions will include use and maintenance of the water diversion infrastructure, and activity required to bring the water diversion into compliance with this Agreement.

Two (2) proposed encroachments are to upgrade existing culverts. Work for these encroachments will include excavation, removal of undersized culverts, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. One (1) encroachment is for maintenance of an existing culvert, including removing concrete outlet armoring and replacing it with clean rock, and road maintenance to disconnect the roadside ditch from the stream. One encroachment is for regular manual maintenance of an existing culvert.

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.

DocuSigned by:
Signature Angela Liebenberg *Date:* 7/29/2021
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Angela Liebenberg, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: _____