

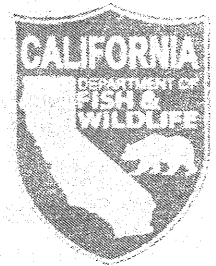
**To:**  
Office of Planning and Research

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**From:**  
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Eureka, California 95501  
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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:** Bernick Water Diversion, Water Impoundment and Stream Crossings Project (Lake or Streambed Alteration Agreement No. 1600-2018-0163-R1)

**Project Location:** The project to be completed is located within the Russian River watershed, approximately 13 miles north northwest of the town of Laytonville, County of Mendocino, State of California. The project is located in Section 7, T 23N, R 15W, Mt. Diablo Base and Meridian; in the Tan Oak Park U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Nos: 012-611-0500, latitude/longitude: 39.8581, -123.5720 at the point of diversion (POD).

**Project Description:** The project is limited to three (3) encroachments (Table 1). Two encroachments are for water diversion from unnamed tributaries to Foster Creek. Water is diverted for domestic use and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure on a spring and an onstream reservoir located in a headwater swale that outlets to a tributary to Foster Creek. The Permittee will provide a Diversion Infrastructure Plan (DIP) to the Department within 90 days of signing the Agreement. The reservoir will be maintained, monitored and an emergency rocked spillway will be installed. The other proposed encroachment is to perform instream work at an existing culvert. Work will involve placing rock for energy dissipation at the culvert outlet to prevent erosion.

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:*

4/22/19

Date Received for filing at OPR: \_\_\_\_\_

Governor's Office of Planning & Research

APR 22 2019

STATE CLEARINGHOUSE