

To:
Office of Planning and Research
For U.S. Mail:

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Sacramento, CA 95812-3044

Street Address:
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From:
Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: John Herrera
Phone: 707-653-3710



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: Phillips Water Diversion and Stream Crossing Project (Lake or Streambed Alteration Agreement No. 1600-2018-0196-R1)

Project Location (include county): The project is located approximately 5.2 miles southeast of the City of Willits; affecting one unnamed tributary to the Eel River in the County of Mendocino, State of California; Section 03, Township 17N, Range 13W; Mt. Diablo Base and Meridian, in the Laughlin Range, Calif. 7.5-minute quadrangle, U.S. Geological Survey (USGS) map.

Project Description: The project consists of two encroachment(s): One encroachment is for water diversion from an unnamed tributary to Davis 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 one other 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 replacement culvert shall be aligned with the stream channel, set to grade, and the outlet shall not be placed in a perched waterfall configuration. Project commencement is contingent upon Department approval of yet to be submitted revised stream crossing design plans reflective of this description and the project timing and stream crossing measures listed below in this Agreement.

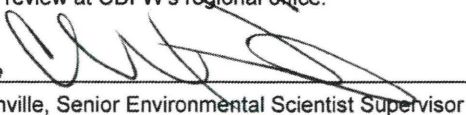
The Notification discloses the use of a well for irrigation and domestic use capable of pumping at 10 gpm year-round. CDFW did not evaluate hydraulic connection of the well to surface water, nor was a hydrogeologic evaluation prepared by a licensed geologist provided for CDFW review. The Notification also discloses the presence of an off-stream pond for fire protection and recreation.

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:

4/18/19

Date Received for filing at OPR: _____

Governor's Office of Planning & Research

APR 22 2019

STATE CLEARINGHOUSE