

To:
Office of Planning and Research
For U.S. Mail:
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From:
Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
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: Pillsbury Water Diversion and Stream Crossing Project (Lake or Streambed Alteration Agreement No. 1600-2017-0740-R1)

Project Location (include county): The project to be completed is located within the Eel River watershed, approximately 6 miles southwest of the town of Covelo, County of Mendocino, State of California. The project is located in Section 29, T22N, R13W, Mount Diablo Base and Meridian; in the Dos Rios 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 1600-2017-0740-R1, pursuant to Section 1602 of the Fish and Game Code to Mr. Dylan Pillsbury.

The project is limited to five (5) encroachments. One encroachment is for water diversion from an unnamed spring, tributary to Poonkinney Creek. Water is diverted for domestic use and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure, and any work required to bring the diversion into compliance with the Agreement. Two (2) proposed encroachments are to upgrade undersized culverts; one (1) proposed encroachment is to replace a culvert with a rocked ford crossing, and one (1) proposed encroachment is to upgrade a dirt ford to a rocked ford. Work for these encroachments will include excavation, removal of the undersized culverts (where present), replacement with new properly sized culverts (where proposed), backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

The notification identified a second point of diversion (POD 2), a 20-foot deep well which draws water from a stream, and stated it is not currently in use. Prior to future water diversion from the well, permittee shall notify the Department through submission of a major amendment to the Agreement.

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 Scott Bauer
Scott Bauer, Senior Environmental Scientist Supervisor

Date: 9/23/19

Governor's Office of Planning & Research

Date Received for filing at OPR: _____

SEP 23 2019

STATE CLEARINGHOUSE