



To: Office of Planning and Research  
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From: Department of Fish and Wildlife  
Northern Region  
619 Second Street  
Eureka, California 95501  
Contact: Christine Hahn Vertical  
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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: J Ferguson Water Diversion and Stream Crossings (Lake or Streambed Alteration Agreement No. 1600-2019-0100-R1)

Project Location (include county): The project to be completed is located within the Upper Eel River watershed, located 7.8 miles North west of the town of Willits, County of Humboldt, State of California. The project is located in Section 16, T19N, R14W in the Longvale U.S. Geological Survey 7.5-minute quadrangle, Mt. Diablo Base and Meridian. The project is at 7700 3rd Gate; Assessor's Parcel Number 037-620-03; approximately latitude 30.5069 N and longitude -123.4229 W.

Project Description: The project is limited to 7 encroachments. Two encroachments are for water diversions from unnamed tributaries to Sherwood 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 5 other proposed encroachments are to upgrade failing and undersized culverts. Work for these encroachments will include excavation, removal of the failing culverts, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. The Notification also discloses tow other water sources that are not covered by this Agreement. A rain catchment pond and the use of a proposed well located at Lat/Long 39.5068, -123.4223. The well is the sole source of water for irrigating cannabis on the property. 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.

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: [Handwritten Signature] Date: 10/2/19  
Cheri Sanville, Senior Environmental Scientist Supervisor  
Governor's Office of Planning & Research

Date Received for filing at OPR: OCT 02 2019