



**To:**  
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**From:**  
Department of Fish and Wildlife  
Northern Region  
619 Second Street  
Eureka, California 95501  
Contact: John Herrera  
Phone: 707-962-9044

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:** River Water Diversions and Pond Project (Lake or Streambed Alteration Agreement No. 1600-2019-0248-R1)

**Project Location:** The project to be completed is located within the Eel River watershed, approximately 6.1 miles northwest of the town of Mendocino, County of Mendocino, State of California. The project is located in Section 22, T19N, R14W, Mt. Diablo Base and Meridian; in the Willits U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 037-640-22; latitude 39.4873 N and longitude 123.4041 W at the first point of diversion (POD-1).

**Project Description:** The project is limited to two encroachments. One encroachment is for water diversion from and spillway improvements to an on-stream man-made pond located at the headwaters of an unnamed tributary to Sherwood Creek. Water is diverted for irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure. Work for the spillway will include installing rock armoring at the outlet of the pond. The pond will also be inspected by a licensed engineer to determine if the embankment and spillway are appropriately designed. The other encroachment is for is for water diversion from an unnamed tributary to Sherwood Creek. Water is diverted for domestic use. Work for the water diversion will include use and maintenance of the water diversion infrastructure.

The Notification discloses an additional feature of interest. There is an additional pond on the property that functions as a rainwater catchment pond. A portion of the dam face is showing signs of erosion. The overflow from the spillway does not appear to connect to the nearby stream. The pond will be inspected by a licensed engineer to determine if the embankment and spillway are appropriately designed.

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*

*Date:*

Cheri Sanville, Senior Environmental Scientist Supervisor

Governor's Office of Planning & Research

Date Received for filing at OPR: APR 14 2020

**STATE CLEARINGHOUSE**