



**To:**  
Office of Planning and Research  
For U.S. Mail:  
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**Street Address:**  
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**From:**  
Department of Fish and Wildlife  
Northern Region  
619 Second Street  
Eureka, California 95501  
Contact: Angela Liebenberg  
Phone: 707-964-4830  
  
Lead Agency (if different from above)  
County of Mendocino  
860 N. Bush Street  
Ukiah, CA 95482  
Contact: Julia Acker  
Phone: 707-234-6650

**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108**

**State Clearinghouse Number:** 2016112028

**Project Title:** Tollow Pond, Diversion, Stream Crossings and Road Decommission Project (Lake or Streambed Alteration Agreement No. 1600-2019-0367-R1)

**Project Location (include county):** The project to be completed is located within the Eel River watershed, approximately 7 miles northeast of the City of Willits, County of Mendocino, State of California. The project is located in Section 6, T18N, R12W, Mt. Diablo Base and Meridian; in the Foster Mountain 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 1600-2019-0367-R1, pursuant to Section 1602 of the Fish and Game Code to Mr. Tyler Tollow.

The project is limited to eleven (11) encroachments. One (1) encroachment is for water diversion from an unnamed tributary to Scott Creek. Water is diverted to an existing pond for hydroelectric generation. Work for the water diversion will include use and maintenance of the water diversion infrastructure, and work required to bring the diversion into compliance with the Agreement. Work on the pond will include replacement of the existing outlet culvert.

One (1) encroachment is to construct an overflow culvert for an existing pond adjacent to Scott Creek. For this encroachment, construction work shall be monitored by a qualified biologist. One (1) proposed encroachment is for remediation of riparian vegetation.

Eight (8) proposed encroachments are to upgrade stream crossings, and decommission or improve road segments to reduce sediment delivery. Work for these encroachments include excavation, removal of fill and/or existing culverts, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize 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 Scott Bauer Date: 6/1/2020  
Scott Bauer, Senior Environmental Scientist Supervisor

Governor's Office of Planning & Research

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

**Jun 11 2020**

**STATE CLEARINGHOUSE**