



**To:**  
 Office of Planning and Research  
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**From:**  
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 Northern Region  
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 Contact: Cheri Sanville  
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Lead Agency (if different from above)  
 County of Mendocino  
 860 N. Bush Street  
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 Contact: Mary Lynn Hunt  
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**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108**

**State Clearinghouse Number:** 2016112028

**Project Title:** Wan Water Diversion and Stream Crossings Project

**Project Location:** The project is located within the Russian River watershed, approximately 2.1 miles southeast of the town of Redwood Valley, County of Mendocino, State of California; Section 15, T16N, R12W, Mt. Diablo Base and Meridian, in the Ukiah U.S. Geological Survey 7.5-minute quadrangle; Assessor’s Parcel Numbers 166-230-09, 166-230-10, 166-230-11, &; latitude 39.2417 N and longitude 123.1740 W at the first stream crossing (STX1).

**Project Description:** This Agreement relies on the Notification materials and a desk review without a CDFW site inspection.

The project is limited to 1 encroachment(s) (Table 1). 1 encroachment is for water diversion from an unnamed tributary to Sherwood Creek. Water is stated to be diverted for domestic use only. The existing water diversion may not comply with the terms of this Agreement and modifications may be necessary.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
POD-1	39.4889, -123.4117	Point of Diversion (POD) is currently a seep well in an unnamed tributary of Sherwood Creek used as the sole source of domestic water on the property.

The Permittee disclosed the following features, but they are not covered as projects:

An existing pond (located at approximately 39.4877, -123.4122) that is stated to be the sole source of cannabis cultivation water. The pond is said to have an overflow spillway of 10” in diameter and has a dam of 120’ that wraps around the southeastern and south banks.

The pond was stated to be a rain-catchment pond, but the aerial imagery and the information provided with the Notification suggest this pond may be on-stream. The existing pond was disclosed but is not included under this agreement as a FGC 1602 project with fees. Any maintenance, construction, reconstruction, or replacement of this pond or the dam would require a major amendment or separate Agreement unless CDFW determines through a site inspection the pond is not subject to FGC 1602. This Agreement does not retroactively permit the construction of the pond, nor does it authorize any diversion.

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: \_\_\_\_\_ **Jul 01 2020**

**STATE CLEARINGHOUSE**