



To:
Office of Planning and Research
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Street Address:
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From:
Department of Fish and Wildlife
Northern Region
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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: 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: Menesini Strong Mountain Farm Domestic Water Diversion Project (Lake or Streambed Alteration Agreement No. EPIMS-MEN-07659-R1)

Project Location: The project to be completed is located within the Ten Mile River watershed, approximately 13.9 miles northwest of the City of Willits, County of Mendocino, State of California. The project is located in Section 22, T20N, R15W, Mt. Diablo Base and Meridian; in the Sherwood Peak U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 015-420-31 at the place of use (POU) and 015-420-30 at the point of diversion (POD); latitude 39.5655 N and longitude 123.5201 W at the POD.

Project Description: This Agreement relies on the Notification materials and a CDFW site inspection by John Herrera on March 11, 2020.

The project is limited to one encroachment. The single encroachment is for water diversion from an unnamed tributary to Middle Fork Ten Mile River. Water is diverted for domestic use only. Work for the water diversion will include use and maintenance of the existing water diversion infrastructure. This diversion is one of nine active diversions from a single spring connected to a water distribution system that has been divided to deliver equal flow to up to twelve different nearby locations for domestic use and commercial irrigation. CDFW anticipates the use of this POD will eventually be regulated under a single Lake and Streambed Alteration Agreement submitted by the owner of the water diversion. Once that Agreement is established, the Permittee and all other water users shall cooperate with the POD owner and each other to achieve compliance in a coordinated fashion.

The Permittee disclosed additional features of interest that are not covered by this Agreement.

The Notification states the features in Table 2 are in good condition and meeting current performance standards. Existing features listed in Table 2 and disclosed in the Notification, but not included as 1602 projects with fees, are not covered under this Agreement. If the irrigation reservoir or any of the ponds become permanently connected to nearby streams and maintenance (such as armoring) and/or replacement of spillways become necessary, that work must be covered by a major amendment or a separate Notification. Similarly, if the old spring POD infrastructure is ever to be removed, that work must be covered by a major amendment or a separate Notification.

No other projects that may be subject to FGC section 1602 were disclosed. This Agreement does not retroactively permit any constructed reservoirs (including "ponds"), stream crossings, water diversions, modifications to riparian buffers, or other encroachments not described.

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

Date Received for filing at OPR: _____