



**To:**  
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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  
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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:** Green Onstream-Pond Embankment and Overspill Improvements and Water Diversion Project (Lake or Streambed Alteration Agreement No. 1600-2019-0820-R1)

**Project Location (include county):** within the Outlet Creek watershed, at 1333 East Hill Road, Willits, County of Mendocino, State of California; Assessor's Parcel Number 103-160-34.

**Project Description:** The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number 1600-2019-0820-R1, pursuant to Section 1602 of the Fish and Game Code to Mr. Russell Green.

The project is limited to the project is limited to two encroachments. One encroachment is for water diversion from a "shallow well water system collected from the unnamed tributary" to Davis Creek. Water is diverted to storage for cannabis cultivation, though Permittee states "due to a water quality issue, the water supply is not currently used." Work for the water diversion will include use and maintenance of the water diversion infrastructure in accordance with the terms of this Agreement. The other proposed encroachment is to upgrade the embankment and overspill of an onstream pond. Work for this encroachment will include excavation, removal of the failing crossing, reconstruction of the embankment, outlet and spillway, 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 \_\_\_\_\_ Date: \_\_\_\_\_

Cheri Sanville, Senior Environmental Scientist Supervisor

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