



**To:**  
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**From:**  
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Northern Region  
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Contact: Angela Liebenberg

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Lead Agency (if different from above)  
County of Mendocino  
860 N. Bush Street  
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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:** Harwood Water Diversion and Stream Crossing Project (Lake or Streambed Alteration Agreement No. 1600-2018-0209-R1)

**Project Location (include county):** The project to be completed is located within the South Fork Eel River watershed, approximately 8 miles southwest of the town of Laytonville, County of Mendocino, State of California. The project is located in Sections 10, 14, 15 and 22, T21N, R16W, Mount Diablo Base and Meridian; in the Lincoln Ridge and Cahto Peak U.S. Geological Survey 7.5-minute quadrangles.

**Project Description:** The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number 1600-2018-0209-R1, pursuant to Section 1602 of the Fish and Game Code to Art Harwood.

The project is limited to 8 encroachments (Table 1). One encroachment is for water diversion from Kenny Creek. Water is diverted for domestic use. Work for the water diversion will include use and maintenance of the water diversion infrastructure, and any modifications required to meet the conditions of this Agreement. One encroachment is for water diversion from a spring, an unnamed tributary to Kenny Creek. Water is diverted for domestic use. Work for the water diversion will include use and maintenance of the water diversion infrastructure, and modifications required to meet the conditions of this Agreement.

One encroachment (Crossing 1) is for replacement an existing armored fill crossing with an appropriately-sized culvert. Two proposed encroachments (Crossings 2 and 5) are to upgrade failing and/or undersized culverts. Work for these encroachments will include excavation, removal of the undersized culverts, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. Two encroachments (Crossings 3 and 6) are for maintenance of existing, appropriately-sized culverts. Work will include removing debris and may include placement of rip rap. One encroachment (Crossing 4) is for maintenance and monitoring of an existing culvert where spring flow crosses a road. If it is determined through monitoring that the crossing does not function properly, a larger crossing shall be designed and installed.

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.

DocuSigned by:

*Angela Liebenberg*

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Signature

Date: 7/25/2021

Angela Liebenberg, Senior Environmental Scientist Supervisor

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