

To:
Office of Planning and Research
For U.S. Mail:
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Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
Sacramento, CA 95814

From:
Department of Fish and Wildlife
Northern Region
619 Second Street
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 Krug
Phone: 707-234-6650

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

State Clearinghouse Number: 2016112028

Project Title: Brown Water Diversion and Stream Crossing Project (Lake or Streambed Alteration Agreement No. 1600-2018-0151-R1)

Project Location: The project to be completed is located within the Russian River watershed, approximately 1.6 miles southeast of the town of Potter Valley, County of Mendocino, State of California. The project is located in Section 21, T17N, R11W, Mt. Diablo Base and Meridian; in the Potter Valley U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 175-160-09 at the place of use and 175-160-04 at the point of diversion (POD); latitude 39.3087 N and longitude 123.0883 W at the POD.

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number 1600-2018-0151-R1, pursuant to Section 1602 of the Fish and Game Code to James Brown.

The project is limited to two encroachments. One encroachment is for water diversion from a shallow well adjacent to an unnamed tributary to the East Fork Russian River. Water is diverted for domestic use. Work for the water diversion will include use and maintenance of the water diversion infrastructure. Permittee shall monitor the performance of the well and install a measuring device to ensure compliance with diversion conditions. Permittee shall also incrementally increase their storage capacity so that diversion when the stream is dry can cease. The other proposed encroachment is to upgrade a failing and undersized stream crossing culvert. Work for this encroachment will include excavation, removal of the failing culvert, replacement with new properly sized culvert, 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.

DocuSigned by:

Angela Liebenberg

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Signature

Date: 07/30/2021

Angela Liebenberg, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: _____