

Notice of Determination

To:

Office of Planning and Research

For U.S. Mail:

P.O. Box 3044

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: Cheri Sanville

Phone: 707-441-5901



Lead Agency (if different from above)

County of Mendocino

860 N. Bush Street

Ukiah, CA 95482

Contact: Mary Lynn Hunt

Phone: 707-234-6650

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

State Clearinghouse Number: 2016112028

Project Title: MJ Meuschke Mountain High Farms Water Diversion (Streambed Alteration Agreement No. 1600-2019-0175-R1)

Project Location (include county): The project to be completed is located within the Eel River watershed, 36728 Mendocino Pass Road, Covelo, County of Mendocino, State of California. The project is located in Section 24, T23N, R11W, Mt. Diablo and Meridian; in the Newhouse Ridge U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 32-190-48; latitude 39.829282 N and longitude -123.040792 W at the point of diversion (POD).

Project Description: The project is limited to 1 encroachment. The encroachment is for water diversion from an unnamed tributary to Rose Creek. The encroachment addresses an onstream pond that was only created for aesthetic purposes and no water from the pond will be used for cannabis irrigation. The onstream pond is 4.34 acre-foot diverted from a class III channel. The pond was created in 2011 and provides limited habitat to aquatic organisms. The pond outlet consists of a projected 18-inch corrugated metal culvert set to grade which is connected to about 160-feet of corrugated metal flume. This configuration connects the water to its natural receiving waters, a class II watercourse.

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:
Kursten Sheridan
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Signature: _____ Date: 12/9/2021

Kursten Sheridan, Senior Environmental Scientist Supervisor