



To:
Office of Planning and Research
For U.S. Mail:
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Street Address:
1400 Tenth Street
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From:
Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: John Herrera

Phone: 707-653-3710

Lead Agency (if different from above)
County of Mendocino
860 N. Bush Street
Ukiah, CA 95482
Contact: Julia Acker
Phone: 707-234-6650

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

State Clearinghouse Number: 2016112028

Project Title: Lake Pond Spillway Project and Water Diversion. Lake or Streambed Alteration Agreement No. EPIMS-MEN-04541-R1C

Project Location (include county): The project is located within the Berry Creek watershed, approximately 3.3 miles northeast of the City of Willits, County of Mendocino, State of California; Section 5, T 18N, R 13W, & Section 33, T 19N, R 13W, Mt. Diablo Base and Meridian, in the Willits U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 108-050-09; latitude 39.4486 N and longitude 123.3194 W at the point of diversion (POD-1).

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number EPIMS-MEN-04541-R1C, pursuant to Section 1602 of the Fish and Game Code to Jonathan Lake.

The project is limited to two encroachments. One encroachment is for water diversion from an unnamed tributary to Berry Creek. Water is diverted for domestic use and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure.

The other proposed encroachment is to perform drainage improvements on an existing rainwater catchment pond by adding in a subdrain spillway that will drain toward a nearby stream. Work for this encroachment will include excavation of the dam, installation of a filter fabric wrapped and rock-filled subdrain, backfilling and compaction of fill, and installation of erosion control including rock armoring. Installation of the subdrain will not directly impact the bank of the stream.

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:
Signature Angela Liebenberg Date: 11/19/2021
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Angela Liebenberg, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: _____