

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: Jonathan Hollis
Phone: 707-441-5842



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: Belovsky Overspill Improvement and Water Diversion Project (Lake or Streambed Alteration Agreement No. EPIMS-MEN-06059-R1)

Project Location: The project is located within the Ten Mile River watershed, approximately 15 miles northwest of the town of Willits, County of Mendocino, State of California; Assessor's Parcel Number (APN) 015-410-20-01. The point of diversion (POD) occurs on APN 015-420-30 at latitude 39.5654 N and longitude 123.5204 W, and water is conveyed a distance of approximately 5,400 feet for use on APN 015-410-20-01.

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number EPIMS-MEN-06059-R1, pursuant to Section 1602 of the Fish and Game Code to John Thomas Belovsky. The project is limited to two (2) encroachments. One encroachment is for water diversion from an unnamed tributary to Middle Fork Ten Mile River. Water is diverted for domestic use and commercial irrigation purposes. This diversion serves as many as 12 users in the vicinity. CDFW anticipates the use of this shared POD will eventually be regulated under a pending Streambed Agreement; at that time, the Permittee shall cooperate with those diverters to achieve compliance in a coordinated fashion. The other proposed encroachment shall upgrade the overspill of a reservoir to meet modern performance standards.

Determination: 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:
Rebecca Garwood 1/7/2022
Signature _____ **Date:** _____
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Rebecca Garwood, Environmental Program Manager

Date Received for filing at OPR: _____