



To: Office of Planning and Research
For U.S. Mail:
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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: 707-962-9044

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: Weinert Water Diversion Project (Lake or Streambed Alteration Agreement No. EPIMS-MEN-07092-R1C)

Project Location: The project is located within the Long Valley Creek watershed, approximately 3.8 miles south of the town of Laytonville, County of Mendocino, State of California; Section 35, T 21N, R15W, Mt. Diablo Base and Meridian, in the Laytonville U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 014-430-50; latitude 39.6337 N and longitude 123.4959 W at the point of diversion (POD-1).

Project Description: The project is limited to one encroachment. One encroachment is for water diversion from an on-stream pond located on an unnamed tributary to Long Valley Creek. Water is diverted for irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure. This Agreement only covers the diversion of water and does not retroactively permit the construction of the pond and spillway.

Permittee disclosed additional features of interest (Table 2). The Notification states these features are either in good condition and meeting current performance standards or will be addressed soon to eliminate potential impacts to fish and wildlife resources. Existing stream crossings, on-stream ponds, and domestic diversions disclosed in the Notification, but not included as 1602 projects with fees, are not covered under this Agreement. If maintenance (such as armoring) and/or replacement become necessary, that work must be covered by a major amendment or a separate Notification.

No other projects that may be subject to FGC section 1602 were disclosed. This Agreement does not retroactively permit any constructed reservoirs (including "ponds"), stream crossings, water diversions, modifications to riparian buffers, or other encroachments not described in Table 1.

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 Rebecca Garwood Date: 2/23/2022
Rebecca Garwood, Environmental Program Manager