

To:
Office of Planning and Research

For U.S. Mail:
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Street Address:
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From:
Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: Rebecca Garwood
Phone: 707-499-5962



Lead Agency (if different from above)
County of Mendocino
860 N. Bush Street
Ukiah, CA 95482
Contact: Julia Acker
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2016112028

Project Title: Hanley Water Diversion Project (Lake or Streambed Alteration Agreement No. EPIMS-MEN-14248-R1)

Project Location: The project is located within the Low Gap Creek watershed, approximately 3 ½ miles northeast of the town of Piercy, County of Mendocino, State of California; Assessor's Parcel Number 011-400-30; latitude 40.00114 N and longitude 123.75067 W at the point of diversion (POD).

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number EPIMS-MEN-14248-R1, pursuant to Section 1602 of the Fish and Game Code to John Hanley. The project is limited to one encroachment for water diversion from an unnamed tributary to Low Gap Creek (Table 1). Water is diverted for irrigation and fire protection purposes. Work for the water diversion will include upgrading the infrastructure and maintenance of the water diversion infrastructure consistent with this Agreement.

Table 1. Project Encroachments Covered by this Agreement with Description

ID	Latitude/Longitude	Description
POD-1	40.0011, -123.7506	Water diversion from unnamed tributary to Low Gap Creek to storage for irrigation and fire protection. Upgrade diversion infrastructure to comply with the conditions of this Agreement. Diversion restricted to the period November 1 – March 31. Diversion shall occur only when sufficient flows exist at assigned compliance gauge (SF EEL R NR MIRANDA CA; #11476500). Rate of diversion shall not exceed 3 gallons per minute. Permittee shall bypass a minimum 80% of the flow at all times.

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
Signature _____ **Date:** 1/12/2022
Rebecca Garwood, Environmental Program Manager

Date Received for filing at OPR: _____