



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: 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: Cox Water Diversions and Stream Crossings Project. Lake or Streambed Alteration Agreement No. EPIMS-MEN-04572-R1C

Project Location (include county): The project to be completed is located within the Eel River watershed, approximately 2.7 miles northeast of the City of Willits, County of Mendocino, State of California. The project is located in Section 5, T 18N, R 13W, Mt. Diablo Base and Meridian; in the Willits U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 108-050-10; latitude 39.4452 N and longitude 123.3203 W at the first point of diversion.

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number EPIMS-MEN-04572-R1C, pursuant to Section 1602 of the Fish and Game Code to Gilbert Cox. The project is limited to five encroachments. Two encroachments are for water diversion from unnamed tributaries 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. One encroachment is for the removal of existing water diversion infrastructure.

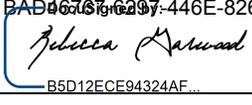
One encroachment is for maintenance of an existing stream crossing. Work for this encroachment will include regularly clearing the inlet of debris and removing vegetation blocking the inlet.

The final proposed encroachment is use and maintenance of an existing low water crossing. The Notification did not propose application of additional rock armoring. However, to protect fish and wildlife resources, CDFW is including protective measures to improve the crossing and to reduce sediment delivery into the stream. Work for this encroachment shall include improving the crossing and armoring both approaches to the crossing in a manner consistent with conditions 2.41.1 through 2.41.8 and 2.42 of this Agreement.

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.



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Signature

9/15/2022
Date:

Rebecca Garwood, Environmental Program Manager

Date Received for filing at OPR: _____