



To: Office of Planning and Research
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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: Christine Hahn Vertical
Phone: 707.502.8768

Lead Agency
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: Kent Baker Water Diversion, Stream Crossings, and Restoration Project (Lake or Streambed Alteration Agreement No. 1600-2019-0628-R1)

Project Location: The project to be completed is located within the Eel River watershed, approximately 15.6 miles northeast of the town of Leggett, County of Mendocino, State of California. The project is located within Assessor's Parcel Numbers 031-020-34, 031-010-27 and 031-020-35 at latitude 39.9669 N and longitude 123.4460 W.

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number 1600-20109-0628-R1, pursuant to Section 1602 of the Fish and Game Code to Kent Baker. The project is limited to sixteen (16) encroachments. Three projects are for water diversion from unnamed tributaries and springs to Eel River. Water is diverted for domestic use and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure. Two encroachments are to return the stream to natural conditions by removing cultivation infrastructure. The 11 other proposed encroachments are to upgrade or decommission failing and undersized culverts. Work for these encroachments will include excavation, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

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.

Posigned by:

Signature _____
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Date: _____

Rebecca Garwood, Environmental Program Manager

Date Received for filing at OPR: _____