



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: 707-653-3710
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: Stanton Water Diversion and On-stream Reservoir Project. Lake or Streambed Alteration Agreement No. EPIMS-MEN-08183-R1C

Project Location (include county): The project is located within the Ten Mile Creek watershed, approximately 4 miles north of the town of Laytonville, County of Mendocino, State of California; Section 24, Township 22N, Range 15W, Mt. Diablo Base and Meridian, in the Laytonville U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 013-570-66-00; latitude 39.7408 N and longitude -123.4860 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-08183-R1C, pursuant to Section 1602 of the Fish and Game Code to Mark Stanton.

The project is limited to two encroachments. Encroachment 1 (POD) is for water diversion from an existing on-stream reservoir located on an unnamed tributary to Tenmile Creek. Water is diverted for irrigation purposes. Work for the water diversion will include use and maintenance of the water diversion infrastructure.

Encroachment 2 (Spillway/Dam) is to implement modifications and/or improvements to the spillway and dam of the existing on-stream reservoir as needed to meet the requirements in this Agreement. The spillway shall be upgraded to accommodate the estimated 100-year flood flow, including debris and sediment. The dam and reservoir may also require modification to meet requirements described in the State Water Board Cannabis Policy. The final basis of design and construction plans for dam and spillway work shall be submitted to CDFW for review and acceptance within one year of the effective date of this Agreement, after which the Permittee shall allow 60 days for CDFW review and acceptance.

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.

Signature

2/16/2023

Date: _____

Rebecca Garwood, Environmental Program Manager

Date Received for filing at OPR: _____