



To: Office of Planning and Research
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From: Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: Jessica Ryan
Phone: 707-445-6493
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: Beatty Pond Maintenance and Spring Diversion Project, or Lake or Streambed Alteration Agreement No. EPIMS-MEN-48714-R1C

Project Location: The Project to be completed is located within the Russian River watershed, approximately 3.8 miles west of the town of Redwood Valley, County of Mendocino, State of California. The Project is located in Section 11, Township 16N, Range 13W, Mt. Diablo Base and Meridian; in the Laughlin Range U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 162-014-06-00; latitude 39.26032 N and longitude 123.27549 W at the pond and the point of diversion (POD).

Project Description: The California Department of Fish and Wildlife has executed Lake or Streambed Alteration Agreement number EPIMS-MEN-48714-R1C, pursuant to Section 1602 of the Fish and Game Code to James Beatty. This Agreement relies on the Notification materials, a CDFW site visit on May 9, 2024, and correspondence with the Permittee. The Project is limited to one (1) encroachment. The encroachment involves maintenance of the spillway of a lined rain catchment pond that outlets to a stream, and diversion of water from a spring under the pond. Work for the encroachment will include use and maintenance of the pond, and the water diversion infrastructure for the spring. Water diverted from the spring is for domestic use only. The rain catchment pond is the water source for cannabis irrigation and domestic use.

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.

Rebecca Garwood
Signature

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6/18/2024
Date:

Rebecca Garwood, Environmental Program Manager

Date Received for filing at OPR: _____