

To:
Office of Planning and Research

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Lead Agency (if different from above)
Humboldt County Dept. of Planning and Building
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Contact: Steven Lazar, Phone: 707-445-7245

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2017042022

Project Title: Wilhelm Water Diversion, Stream Crossings and Restoration Project (Streambed Alteration Agreement No. 1600-2020-0146-R1)

Project Location: The project is located within the Chamise Creek watershed, approximately 12.5 miles east southeast of the town of Garberville, County of Humboldt, State of California; Sections 12 & 13, T5S, R5E, Humboldt Base and Meridian, in the Jewett, California U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Numbers 218-151-009, 218-151-010; latitude 40.0324 N and longitude 123.5744 W at the point of diversion (POD).

Project Description: This Agreement relies on the Notification materials and a CDFW site inspection by Environmental Scientist Andrew Orahoske on January 9, 2020. The project is limited to 10 encroachments (Table 1). One encroachment is for water diversion from a spring tributary to Chamise Creek. Water is diverted for domestic use only. Work for the water diversion will include use and maintenance of the water diversion infrastructure. Eight other proposed encroachments are to upgrade existing stream crossings. Work for these encroachments will include excavation, removal of the failing crossings, replacement with new properly sized crossings, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. One encroachment is for stream restoration for an area that was graded without permits.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
POD	40.0324, -123.5744	Water diversion from spring tributary to Chamise Creek for domestic use. Domestic Use: Water diversion for domestic use year-round. Permittee shall implement Seasonal Diversion Minimization: 200 gallons per day from May 15 – October 31, 80% bypass at all times.
Crossing-1	40.0336, -123.5722	Restore spring to its native channel and install a minimum 18" diameter culvert. CDFW recommends minimum 24-inch diameter where there is potential for debris and sediment delivery under high flows.
Crossing-2	40.0334, -123.5722	Replace existing culvert with minimum 18" diameter culvert and realign with native channel. CDFW recommends minimum 24-inch diameter where there is potential for debris and sediment delivery under high flows.
Crossing-3	40.0335, -123.5735	Existing 24" culvert is undersized, not set to grade and not properly rock armored. Permittee shall install rock armoring and monitor the culvert as notified. Should the culvert require replacement, it shall be appropriately upgraded to withstand 100-year flood flows and debris.
Crossing-4	40.0329, -123.5735	Replace existing culvert with minimum 30" diameter culvert.
Crossing-6	40.0311, -123.5755	Replace existing culvert with minimum 24" diameter culvert. Remove all water diversion infrastructure from the stream. No water diversion is authorized at this site.

ID	Latitude/Longitude	Description
Crossing-7	40.0302, -123.5750	Replace existing culvert with minimum 18" diameter culvert. CDFW recommends minimum 24-inch diameter where there is potential for debris and sediment delivery under high flows.
Crossing-8	40.0301, -123.5744	Replace existing culvert with minimum 18" diameter culvert. CDFW recommends minimum 24-inch diameter where there is potential for debris and sediment delivery under high flows.
Crossing-9	40.0295, -123.5755	Existing unarmored wet ford in Chamise Creek, a fish-bearing stream. Permittee shall treat the road approaches as described in the notification. No motorized vehicle use of this crossing is authorized by this Agreement.
Stream Restoration (Map Pt. A)	40.0352, -123.5739	Grading and development altered and obstructed the natural flow of a stream. The Permittee shall implement restoration at this site as described in the notification.

Permittee disclosed one crossing not included as 1602 projects with fees, and it is not covered under this Agreement. If maintenance (such as armoring) and/or replacement become necessary, that work must be covered by a major amendment or a separate Notification.

Table 2. Disclosures

ID	Latitude/Longitude	Description
Crossing-5	40.0321, -123.5741	Existing 12" diameter culvert draining a spring. No work is proposed for this site. Permittee intends to treat road surface to prevent sediment delivery to the stream as recommended by Waterboards and CDFW. When the culvert requires replacement, it shall be upgraded to withstand 100-year flood flows and debris.

No other projects that may be subject to FGC section 1602 were disclosed. This Agreement does not retroactively permit any constructed reservoirs (including "ponds"), stream crossings, water diversions, modifications to riparian buffers, or other encroachments not described in Table 1.

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. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. CDFW considered the Environmental Impact Report 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.

for Signature _____ Date: _____
 Cheri Sanville, Senior Environmental Scientist Supervisor

Governor's Office of Planning & Research

Date Received for filing at OPR: _____

Oct 01 2020

STATE CLEARINGHOUSE