

To:
Office of Planning and Research

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From:
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Lead Agency (if different from above)
Humboldt County Dept. of Planning and Building
3015 H Street, Eureka, CA 95501
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: Glick Water Diversion and Stream Crossing Project (Streambed Alteration Agreement No. EPIMS-HUM-14183-R1C)

Project Location: The project to be completed is located in the Elk Creek watershed, approximately 3.7 miles east north east of the town of Myers Flat, County of Humboldt, State of California. The project is located in Section 14, Township 2S, Range 3E Humboldt Base and Meridian; in the Myers Flat U.S. Geological Survey 7.5-minute quadrangle; Humboldt County Assessor's Parcel Numbers: 211-341-028, Latitude and Longitude for the individual projects are listed in Table 1 below.

Project Description: This Agreement relies on the Notification materials and a desk review without a CDFW site inspection.

The project is limited to 2 encroachments (Table 1). One encroachment is for water diversion from a spring for domestic use. Work for the water diversion will include use and maintenance of the water diversion infrastructure in accordance with this Agreement. One encroachment is to upgrade a failing and undersized stream crossing. Work for this encroachment will include excavation, removal of the failing crossing, replacement with new properly sized crossing, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

Table 1. Project Encroachments Covered by this Agreement with Description

| ID | Latitude/Longitude | Description |
|------------|--------------------|---|
| POD-1 | 40.2891, -123.8090 | Diversion from a spring for domestic water use; Permittee disclosed rate of diversion of approximately 0.04 gallons per minute. Permittee shall bypass 80% of flow and implement Seasonal Diversion Minimization: no more than 200 gallons per day from May 15 – October 31. |
| Crossing-1 | 40.2857, -123.8104 | Replace failing, undersized 24" diameter culvert with minimum 36" diameter culvert. |

The Notification disclosed a small reservoir (Lat/Long 40.2887, -123.8085) and proposes no work. The reservoir shall be subject to CDFW site inspection, and if work is determined necessary, then Permittee shall submit a major amendment or a separate Notification.

The Notification discloses two water wells; Well A (Lat/Long: 40.2883, -123.8093) and Well B (Lat/Long: 40.2893, -123.8099). The wells are presented as the sole source of water for all proposed commercial cannabis cultivation on the property. CDFW did not evaluate hydraulic connection of the wells to surface water, nor was a hydrogeologic evaluation prepared by a licensed geologist provided for CDFW review. Based on the available

resources the wells may be hydraulically connected to streams and/or springs and shall be evaluated for potential impacts from commercial cannabis irrigation use through Humboldt County's cannabis cultivation permit (PLN-2021-17108).

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.

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

Date Received for filing at OPR: _____