

**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  
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Contact: Steven Lazar  
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**SUBJECT: *Filing of Notice of Determination pursuant to Public Resources Code section 21108***

**State Clearinghouse Number:** 2015102005

**Project Title:** Tietz Water Diversion and Stream Crossings Project (Streambed Alteration Agreement No. 1600-2018-0258-R1)

**Project Location:** The project is located within the South Fork Eel River watershed, approximately 4 miles south southwest of the town of Garberville, County of Humboldt, State of California; Section 3, T05S, R03E, Humboldt Base and Meridian, in the Garberville U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 222-042-006; latitude 40.0553 N and longitude 123.8191 W at the point of diversion (POD).

**Project Description:** The project is limited to four encroachments (Table 1). One encroachment is for water diversion from a spring tributary to the South Fork Eel River. Water is diverted for domestic use only. Work for the water diversion will include use and maintenance of the water diversion infrastructure. The three other proposed encroachments are to upgrade 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. If stream work is completed in a manner that does not damage existing culverts, then undersized culverts at Crossing-1 & Crossing-2 shall remain in place until they require replacement.

Table 1. Project Encroachments with Description

<b>ID</b>	<b>Latitude/Longitude</b>	<b>Description</b>
POD-1	40.0553, -123.8191	<b>Domestic Use</b> Water diversion from spring tributary to South Fork Eel River for domestic use only. Permittee shall implement Seasonal Diversion Minimization: 80% bypass at all times; maximum diversion rate shall be 3 gallons per minute; 300 gallons per day from May 15 – October 31.
Crossing-1	40.0543, -123.8173	Proceed as notified. If stream work damages the existing culvert, or for any other reason, such as Waterboard permitting, then replace with appropriately sized culvert to convey 100-year flood flows and debris.
Crossing-2	40.0560, -123.8163	Proceed as notified. If stream work damages the existing culvert and downspout, or for any other reason, such as Waterboard permitting, then replace with appropriately sized culvert set at grade to convey 100-year flood flows and debris.
Crossing-3	40.5559, -123.8159	Install 24" diameter culvert and restore the stream to its natural flow path. Road fill prisms around the culvert will be rock armored with 6" rock.

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. 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

Cheri Sanville, Senior Environmental Scientist Supervisor

Date:

Date Received for filing at OPR: ~~Governor's Office of Planning & Research~~

**Jul 27 2020**

**STATE CLEARINGHOUSE**