



To:
Office of Planning and Research
For U.S. Mail:
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From:
Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: Angela Liebenberg
Phone: 707-964-4830

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: 2015102005

Project Title: Frankenberg Water Diversion, Pond, and Stream Crossing Project (Lake or Streambed Alteration Agreement No. 1600-2017-0554-R1)

Project Location (include county): The project to be completed is located within the Eel River watershed, approximately 5.5 miles northeast of the town of Garberville, County of Humboldt, State of California. The project is located in Section 13, T4S, R4E, Humboldt Base and Meridian; in the Harris U.S. Geological Survey 7.5-minute quadrangle.

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number 1600-2017-0554-R1, pursuant to Section 1602 of the Fish and Game Code to Ms. Jeanette Frankenberg.

The project is limited to four (4) encroachments. Encroachments 1 is for water diversion from a "horizontal well" hydrologically connected to Frenchman Creek. Water is diverted to tanks and a small pond (see Encroachment 2) for domestic use, irrigation, and for livestock. Encroachment 2 is for rock armoring the outlet of a small pond (approximately 15 feet in diameter and 3 feet deep). A buried 8-inch diameter plastic overflow pipe will also be removed. Encroachments 3 and 4 are for removal of culverts and decommissioning of the associated crossing locations, including fill excavation. Crossing decommissioning will not require the removal of trees or shrubs.

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 Scott Bauer Governor's Office of Planning & Research *Date:* 10/5/2020
Scott Bauer, Senior Environmental Scientist Supervisor **Oct 08 2020**

STATE CLEARINGHOUSE