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Office of Planning and Research

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Lead Agency (if different from above)
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SUBJECT: *Filing of Notice of Determination pursuant to Public Resources Code section 21108*

State Clearinghouse Number: 2015102005

Project Title: Peak Water Diversion and Stream Crossings Project (Streambed Alteration Agreement No. 1600-2019-0159-R1)

Project Location: The project to be completed is located within the Redwood Creek watershed, approximately 11.8 miles east southeast of the town of Blue Lake, County of Humboldt, State of California. The project is located in Section 6, T05N, 04E, Humboldt Base and Meridian; in the Maple Creek U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 316-191-016; latitude 40.8390 N and longitude -123.7713 W at one point of diversion (POD-1).

Project Description: The project is limited to 15 encroachments (Table 1). One encroachment is for water diversion from an unnamed tributary to Rancheria Creek. Water is diverted for domestic use. Work for the water diversion will include use and maintenance of the water diversion infrastructure. The 14 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.

Table 1. Project Encroachments Covered by this Agreement with Description

ID	Latitude/Longitude	Description
POD-1	40.0836, -123.6774	Water diversion
Crossing-2	40.0830, -123.6761	Replace existing culvert with properly sized culvert that will pass 100-year storm flow and debris.
Crossing-4	40.0817, -123.6759	Replace existing culvert with minimum 30" diameter culvert.
Crossing-8	40.0786, -123.6733	Replace existing culvert with minimum 24" diameter culvert.
Crossing-11	40.0784, -123.6744	Replace existing culvert with minimum 30" diameter culvert.
Crossing-13	40.0781, -123.6787	Replenish existing rocked ford crossing to prevent erosion.
Crossings-14 & 15	40.0773, -123.6801	Install rocked ford crossings to realign streams into native channels.
Crossing-16	40.0779, -123.6813	Maintain existing culvert and install rock armoring at the outlet as notified.
Crossing-20	40.0814, -123.6853	Upgrade existing dirt ford crossing to a rocked ford crossing as notified.
Crossing-21	40.0816, -123.6856	Replace existing culvert with a rocked ford crossing.

ID	Latitude/Longitude	Description
Crossing-22	40.0826, -123.6863	Replace existing culvert with a rocked ford crossing. Alternatively, replace existing culvert with minimum 84" diameter culvert.
Crossing-26	40.0842, -123.6826	Maintain existing crossing.
Crossing-27	40.0836, -123.6785	Upgrade crossing as notified with downspout.
Map Point 28	40.0836, -123.6781	Install minimum 18" diameter culvert to realign stream to native channel.
Crossing-34	40.0830, -123.6728	Upgrade existing dirt ford to minimum 18" diameter culvert.

Permittee disclosed an additional 20 stream crossings, and the Notification states that these stream crossings are in good condition and meeting current performance standards. Existing stream crossings disclosed in the Notification, but not included as 1602 projects with fees, are not covered under this Agreement. If maintenance (such as armoring) and/or replacement becomes necessary, that work must be covered by a major amendment or a separate Notification.

The Notification also discloses the use of two water wells located at:

Well #1: 40.0815, -123.6763; and Well#2: 40.0832, -123.6804. CDFW did not evaluate hydraulic connection of the well to surface water, nor was a hydrogeologic evaluation prepared by a licensed geologist provided for CDFW review. Based on the available resources, and the site inspection, 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-11506-SP).

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: _____