



To:
Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
Sacramento, CA 95814

From:
Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: Cheri Sanville
Phone: 707-441-5901

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: Rathman Water Diversion and Stream Crossing Project (Lake or Streambed Alteration Agreement No. 1600-2018-0037-R1)

Project Location: The project to be completed is located within the Mattole River watershed, approximately 8 miles north and west of the Whitethorn, County of Humboldt, and State of California. The project is located in Section 33, T3RE, R1E, Humboldt Base and Meridian; in the Honeydew U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 108-024-003; latitude 40.1537 N and longitude -124.0067 W at the first point of diversion (POD).

Project Description: The project is limited to 6 encroachments. One encroachment is a water diversion for cannabis cultivation use. Water is diverted through a single 1 inch poly-pipe from a 1.5 ft. by 1.5 ft. wooden spring box in a class II watercourse to storage for use. A second encroachment is a water diversion for cannabis cultivation use. Water is diverted through a 1 inch poly-pipe from a 1.5 ft. by 1.5 ft. wooden spring box in a class II watercourse to storage for use. A third encroachment is to improve and operate a water diversion for domestic household and cannabis cultivation use. Water is diverted from a spring through a single 1 inch and several other smaller poly-pipes to a 9.5 ft. by 7 ft. by 8 ft. concrete cistern that has been constructed below the spring. Water is temporarily settled and stored and then diverted to additional storage for use. This structure will be removed and replaced with an appropriately engineered diversion structure that allows for adequate bypass as prescribed in a Diversion Infrastructure Plan to be approved by CDFW. A fourth encroachment is to maintain an existing 18 inch culvert and install critical dips. A fifth encroachment is to remove an undersized nonfunctioning 12 inch culvert and restore an open stream channel. A sixth encroachment is to replace an undersized and failing 18 inch culvert with a minimum 24 inch culvert.

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 _____ Date: _____

Cheri Sanville, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: _____