

To:
Office of Planning and Research

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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: 2015102005

Project Title: Goforth Water Diversion, Stream Crossings and Restoration Project (Streambed Alteration Agreement No. 1600-2018-0841-R1)

Project Location: The project is located within the Mattole River watershed, approximately 4.7 miles southeast of the town of Petrolia, County of Humboldt, State of California; Section 30, T02S, R01W, Humboldt Base and Meridian, in the Buckeye Mountain U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 104-321-010 & 104-112-004; latitude 40.2711 N and longitude 124.2135 W at the spring point of diversion (POD-1).

Project Description: The project is limited to four encroachments (Table 1). One encroachment is for water diversion from a spring that is tributary to the Mattole River. Water is diverted for domestic use. Work for the water diversion will include the installation of water diversion infrastructure in accordance with the conditions of this Agreement. The three other proposed encroachments are to upgrade or decommission 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, rock armoring as necessary to minimize erosion, and restoration for decommissioned crossings. Commercial cannabis cultivation areas located in wetlands adjacent to the streams (as determined from a wetland delineation) shall be restored and revegetated according to a CDFW approved Restoration and Revegetation Plan to be submitted by May 31, 2021.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
POD-1	40.2711, -124.2135	Water diversion from spring. Domestic Use SWRCB Application ID: S026715 Permittee shall implement Seasonal Diversion Minimization: 200 gallons per day from May 15 – October 31, 80% bypass at all times. Permittee shall submit Diversion Infrastructure Plan by May 31, 2021 that demonstrates compliance with the terms of this Agreement and provides suitable habitat for native amphibians and other native species at the spring and downstream.
Crossing-1	40.2706, -124.2160	Replace existing culvert with vented ford or culvert (minimum 36-inch diameter) to convey 100-year storm flow and debris.
Crossing-2 and Stream Restoration	40.2713, -124.2153	Existing 24-inch diameter culvert to be maintained. Permittee shall implement restoration plan to address impacts caused by cannabis cultivation and development in wetlands adjacent to streams.
Crossing-3 and Stream Restoration	40.2714, -124.2150	Decommission crossing. Permittee shall implement restoration plan to address impacts caused by cannabis cultivation and development in wetlands adjacent to streams.

Permittee disclosed:

- An existing shallow reservoir located within wetlands; no water diversion or work at this site is authorized by this Agreement (location: 40.2708 -124.2158). CDFW site inspection determined that this is a stable feature, there are currently no concerns for invasive species due to the limited holding capacity.
- Two abandoned fords that will no longer be used for motor vehicle access; no work is required at these abandoned fords (location: 40.2718, -124.2160).

The Notification discloses the use of two wells for irrigation:

- Well #1: location 40.2716, -124.2187
- Well #2: SWRCB application ID: S026707; location: 40.2708, -124.2146

The wells are presented as the sole source of water for all irrigation needs on the property. CDFW did not fully 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 and the site inspection, the wells may be hydraulically connected to streams or springs and shall be evaluated for potential impacts from commercial cannabis irrigation use through the Humboldt County cannabis cultivation permits (PLN-14191-SP & PLN-11787-CUP).

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: _____