



To:
Office of Planning and Research
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From:
Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: David Manthorne
Phone: 707-441-5900

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: May Water Diversion, Pond, Stream Restoration, and Stream Crossings Project (Lake or Streambed Alteration Agreement No.1600-2017-0662-R1)

Project Location (include county): The project to be completed is located within the Dean Creek and South Fork Eel River watershed, approximately 4.5 miles east of the town of Garberville, County of Humboldt, State of California. The project is located in Section 10, T4S, R4E, Humboldt Base and Meridian; in the Fort Seward U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 223-111-004; latitude 40.1290 N and longitude -123.7155 W at the Parcel Centroid.

Project Description: The project is limited to eight (8) encroachments. One encroachment is for water diversion from an unnamed tributary to Dean Creek. Water is diverted for domestic use. Work for the water diversion will include facility retrofit, use, and maintenance of the water diversion infrastructure. Seven additional encroachments are proposed to improve flow conveyance, remove infrastructure from stream areas, and minimize erosion. Two road/stream crossings will be armored with appropriately sized rock at the outflow to minimize erosion. Two projects will redirect diverted flow more directly into existing stream channels. Three projects will remove infrastructure and debris from stream riparian areas. All projects shall incorporate erosion control best management practices (BMP's). All refuse placed in or where it may pass into a stream, including but not limited to tires and polypipe, shall be removed and disposed of at a designated waste management facility.

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 *Date:* 1/22/2021
Scott Bauer, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: _____