

**To:**  
Office of Planning and Research

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**From:**  
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Lead Agency (if different from above)  
Humboldt County Dept. of Planning and Building  
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Eureka, CA 95501  
Contact: Steven Lazar  
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**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108**

**State Clearinghouse Number:** 2015102005

**Project Title:** Cogswell Water Diversion and Stream Crossings Project (Lake or Streambed Alteration Agreement No. 1600-2017-0874-R1)

**Project Location:** The project to be completed is located within the South Fork Eel River watershed, approximately 0.7 miles southeast of the town of Redway, County of Humboldt, State of California. The project is located in Section 14, T04S, R03E, Humboldt Base and Meridian; in the Garberville U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 222-151-010; latitude 40.1138 N and longitude 123.8133 W at one point of diversion (POD).

**Project Description:** The project is limited to four (4) encroachments (Table 1). Two encroachments are for water diversion and extraction from the South Fork Eel River. Water is diverted for domestic use and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure. The two other encroachments are to cover stream crossings that have been installed without the benefit of a permit. Permittee maintains that the culverts are appropriately sized, and not in need of instream work at this time.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
POD-1	40.1138, -123.8133	Shallow well located in the South Fork Eel River. Permittee intends to divert water for domestic use. Permittee shall bypass 90% of stream flow. Rate of diversion shall be no more than 3 gallon per minute. Permittee shall implement seasonal diversion minimization and limit total daily diversion to 200 gallons per day from May 15 – October 31.
POD-2	40.1130, -123.8112	Hydraulically connected water well extraction. Permittee intends to extract water for irrigation use. Permittee shall bypass 90% of stream flow. Rate of diversion shall be no more than 3 gallon per minute. Permittee shall implement seasonal diversion minimization and limit total daily diversion to 200 gallons per day from May 15 – October 31.
Crossing-1	40.1112, -123.8111	Maintain 36" diameter culvert. Repair, reconstruction or replacement will require amendment or separate notification.
Crossing-2	40.1114, -123.8117	Maintain 36" diameter culvert. Repair, reconstruction or replacement will require amendment or separate notification.

The Notification also disclosed an existing 12-inch diameter CMP stream crossing located at 40.111416, -123.811729 that is located on the neighbor's property. This crossing is likely undersized and will need replacement. This Agreement does not authorize any work on that crossing and separate notification is necessary prior to conducting any maintenance, repair or replacement. No other projects that may be subject to FGC section 1602 were disclosed. This Agreement does not retroactively permit any constructed ponds, stream crossings, water diversions, reductions in riparian buffers as required by other entities 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: \_\_\_\_\_