

## Notice of Determination

**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:** Mohr Stream Crossings and Water Impoundment Project (Streambed Alteration Agreement No.1600-2020-0394-R1)

**Project Location:** The project is located within the Pipe Creek watershed, approximately 11.9 miles east southeast of the town of Garberville, County of Humboldt, State of California; Section 1, T05S, R05E, Humboldt Base and Meridian, in the Jewett Rock U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 218-011-005; latitude 40.0586 N and longitude 123.5746 W at Crossing-1.

**Project Description:** This Agreement relies on the Notification materials and a desk review without a CDFW site inspection. The project is limited to four encroachments (Table 1). Three encroachments are to upgrade stream crossings. Work for these encroachment(s) 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. One encroachment is upgrade the outlet of a reservoir that is hydrologically connected to a stream.

Table 1. Project Encroachments Covered by this Agreement with Description

ID	Latitude/Longitude	Description
Crossing-1	40.0586, -123.5746	Replace existing culvert with a minimum 30" diameter culvert, set at grade.
Crossing-3	40.0596, -123,5752	Replace existing culvert with a minimum 36" diameter culvert, set at grade.
Crossing-4	40.0605, -123.5737	Replace existing culvert with a minimum 24" diameter culvert, set at grade.
Reservoir-1	40.0577, -123.5730	Reservoir is hydrologically connected to the stream. Permittee shall upgrade the outlet of the reservoir as notified. This reservoir will need to be inspected by CDFW to determine if additional work is necessary. No water diversion is authorized by this Agreement.

Permittee disclosed:

- Crossing-2 (40.0600 -123.5737): existing 24" diameter culvert.
- Reservoir-2 (40.0597, -123. 5735): reservoir needs CDFW inspection.
- Reservoir-3 (40.0609, -123.5723): reservoir needs CDFW inspection.

The Notification states the stream crossing is 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 become necessary, that work must be covered by a major amendment or a separate Notification. The Notification states that Reservoirs 2 & 3 are off-stream, and CDFW will conduct a site inspection to determine if any additional work is necessary.

The Notification discloses the use of a water well located at: 40.0583, -123.5758. CDFW did not fully 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

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inspection, the well 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 permit (PLN-13279-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.

DocuSigned by:

*Kursten Sheridan*

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Signature: \_\_\_\_\_ Date: 8/12/2021  
Kursten Sheridan, Senior Environmental Scientist Supervisor