

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
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: Hoang Water Diversion, Onstream Reservoir Removal and Stream Crossings Project (Streambed Alteration Agreement No. EPIMS-HUM-13648-R1C)

Project Location: The project is located within the Supply Creek watershed, approximately 5.9 miles northwest of the town of Willow Creek, County of Humboldt, State of California; Section 21, T7N, R4E, Humboldt Base and Meridian, in the Willow Creek U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 522-024-002 & 522-025-003; latitude 40.9746 N and longitude 123.7383 W at the point of diversion (POD).

Project Description: This Agreement relies on the Notification materials and a desk review without a CDFW site inspection. The project is limited to six encroachment(s) (Table 1). One encroachment is for water diversion from an unnamed tributary to Supply Creek. Water is diverted for domestic use only. Work for the water diversion will include use and maintenance of the water diversion infrastructure. One encroachment is to authorize work that the Permittee has elected to pursue to remove an unpermitted onstream reservoir. Work for the reservoir removal will involve dewatering, use of a coffer dam, removal of a culvert and decommissioning of a stream crossing. The Permittee will proceed as notified in coordination with CDFW for project timing. Four encroachments are to upgrade 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, and rock armoring as necessary to minimize erosion.

Table 1. Project Encroachments Covered by this Agreement with Description

ID	Latitude/Longitude	Description
POD-1	40.9746, -123.7383	Water diversion from for domestic use. Domestic Use Water diversion for domestic use year-round. Permittee shall implement Seasonal Diversion Minimization: 200 gallons per day from May 15 – October 31, 80% bypass at all times.
Onstream Reservoir Removal	40.9762, -123.7282	Permittee has elected to remove an unpermitted onstream reservoir. This work shall proceed as notified in coordination with CDFW for project timing.
Crossing-1	40.9754, -123.7283	Replace existing culvert with minimum 24-inch diameter culvert.
Crossing-2	40.9757, -123.7290	Replace existing culvert with minimum 24-inch diameter culvert.
Crossing-3	40.9747, -123.7385	Replace existing culvert with minimum 42-inch diameter culvert.
Crossing-4	40.9745, -123.7396	Replace existing culvert with minimum 42-inch diameter culvert.

The Notification also discloses the use of a well located at Lat/Long 40.9746, -123.7237. This well is presented as the sole source of water for all cannabis cultivation on the properties. CDFW did not 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, the well may be hydraulically connected to streams and/or springs and shall be evaluated for potential impacts from commercial cannabis irrigation use through the County's conditional use permit/cannabis cultivation permit (PLN-11978 & PLN-11980).

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 _____ Date: _____
Cheri Sanville, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: _____