

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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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2015102005

Project Title: Fiallo Water Diversion, Reservoirs and Stream Crossings Project (Streambed Alteration Agreement No. 1600-2019-0793-R1)

Project Location: The project is located within the Salmon Creek watershed, approximately 7.3 miles west of the town of Miranda, County of Humboldt, State of California; Section 9, T3S, R2E, Humboldt Base and Meridian, in the Ettersburg U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 221-061-001; latitude 40.2239 N and longitude 123.9636 W at the point of diversion (POD).

Project Description: The project is limited to 7 encroachment(s) (Table 1). One encroachment is for water diversion from a spring tributary to Salmon Creek. Water is diverted for domestic use. Work for the water diversion will include use and maintenance of the water diversion infrastructure. Two encroachments are for spillways from reservoirs that are connected to streams. The Permittee shall implement any recommendations by the licensed Geologist as stated in the Notification materials and the reservoirs shall be inspected by Regional Water Board and CDFW staff to determine if additional work is necessary. Four encroachments are to upgrade failing and undersized 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	40.0187, -123.8443	Domestic Use Water diversion for domestic use year-round. Permittee shall implement Seasonal Diversion Minimization: 300 gallons per day from May 15 – October 31, 80% bypass at all times.
Reservoir-1	40.2219, -123.9644	Monitor the reservoir and implement any recommendations by the licensed Geologist as stated in the Notification. This reservoir shall be inspected by Regional Water Board and CDFW staff to determine if additional work is necessary.
Reservoir-2	40.2219, -123.9642	Monitor the reservoir and implement any recommendations by the licensed Geologist as stated in the Notification. This reservoir shall be inspected by Regional Water Board and CDFW staff to determine if additional work is necessary.
Crossing-1 (Notification Map point 5)	40.2223, -123.9648	Replace existing culvert with minimum 42-inch diameter culvert.

ID	Latitude/Longitude	Description
Crossing-2 (Notification Map point 9)	40.2223, -123.9653	Replace existing culvert with minimum 42-inch diameter culvert.
Crossing-3 (Notification Map point 11)	40.2224, -123.9657	Replace existing culvert with minimum 42-inch diameter culvert.
Crossing-4 (Notification Map point 19)	40.2221, -123.9673	Install minimum 24-inch diameter culvert

Permittee disclosed an existing 30-inch culvert (Map Point 20) and the Notification states this stream crossings 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.

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: _____