



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: Joshua Gruver
Phone: (707) 441-5790

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: Armstrong Culvert Replacement, Crossing Decommissioning, and Water Diversion Project (Lake or Streambed Alteration Agreement No. EPIMS-HUM-20245-R1C)

Project Location (include county): The project is located within the Minor Creek watershed, approximately 11 miles east of the town of Blue Lake, County of Humboldt, State of California; Section 13, T06N, R03E, Humboldt Base and Meridian, in the Lord Ellis Summit U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 316-086-023-000; latitude 40.9000 N and longitude 123.7808 W at the point of diversion (POD).

Project Description: The project is limited to four (4) encroachments. One (1) encroachment is for water diversion from an unnamed tributary to Windy Creek. Water is diverted for domestic use and irrigation. Work for the water diversion will include the upgrade of diversion infrastructure, use, and maintenance of the water diversion infrastructure. Two (2) other proposed encroachments are to decommission failing crossings located on a defunct section of old highway 299. Work for these encroachments will include excavation, removal of the failing crossings, and removal of asphalt. The stream channel shall be established with 2:1 side slopes and any bare soil areas shall be seeded and mulched to minimize erosion potential. One (1) last encroachment is for the upgrade of an undersized and failing culvert. Work for this encroachment will include excavation, removal of the failing crossing, replacement with new properly sized crossing, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

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:

Angela Liebenberg

Signature:

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Date: 11/22/2021

Angela Liebenberg, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: _____