



To: Office of Planning and Research
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From: Department of Fish and Wildlife
Northern Region
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Eureka, California 95501
Contact: Christine Hahn Vertical
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Lead Agency
County of Humboldt
Humboldt County Planning & Building Department
3015 H Street, Eureka, CA 95503
Contact: Steven Lazar

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

State Clearinghouse Number: 2015102005

Project Title: Finley Cal Fin Organics Water Diversion, Stream Crossings, and Pond Spillway Project
(Lake or Streambed Alteration Agreement No. (1600-2019-0853-R1)

Project Location (include county): The project is located within the Eel River watershed, approximately 5.5 miles Southeast of the town of Harris, County of Humboldt, State of California; Assessor's Parcel Numbers 218-071-004; latitude 40.0295, N and longitude -123.6052W at the point of diversion (POD).

Project Description: The project is limited to 6 encroachments. One encroachment is for water diversion from a pond located within the Eel River Watershed. Water is diverted for irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure and improvement of the pond's spillway. The second encroachment includes work to disconnect surface flows to the pond and disconnect the pond's spillway from the stream. The 4 other proposed encroachments are to upgrade failing and undersized culverts. Encroachment 6, a stream crossing, is the existing spillway for point of diversion 2. Work for these encroachments will include excavation, removal of the existing culverts, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

This is to advise that CDFW, acting as [] the Lead Agency / [X] 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 [X] mitigated negative declaration / [] negative declaration was prepared for this project pursuant to the provisions of CEQA.
CDFW considered the [X] 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 [X] were / [] were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan [] was / [X] 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 [X] 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:
Rebecca Garwood
Signature

Date: 04/19/2022

Rebecca Garwood, Environmental Program Manager

Date Received for filing at OPR: _____