



To: Office of Planning and Research  
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From: Department of Fish and Wildlife  
Northern Region  
619 Second Street  
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Lead Agency  
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:** Mussey Water Diversion, Remediation, and Stream Crossings Project (Lake or Streambed Alteration Agreement (LSAA) No. EPIMS-HUM-30188-R1C)

**Project Location:** The project is located approximately three miles southeast of the town of Benbow; affecting unnamed tributaries to Horse Pasture Creek in the County of Humboldt, State of California; Section 8, Township 5S, Range 4E; Humboldt Base and Meridian, in the Harris, Calif. 7.5-minute quadrangle, U.S. Geological Survey (USGS) map; Assessor's Parcel Number: 033-170-013.

**Project Description:** The California Department of Fish and Wildlife has executed LSAA No. EPIMS-HUM-30188-R1C, pursuant to Section 1602 of the Fish and Game Code to Chad Mussey. The Project consists of four encroachment(s): One encroachment is for spring water diversion for domestic use. One encroachment is to upgrade a culvert stream crossing to a rocked ford, one encroachment is to decommission a culvert steam crossing and restore the stream, and one encroachment is to partially backfill an excavated stream pool with rock, install a rocked ford, and restock approximately 0.33 acres of impacted land area surrounding the spring and reservoir. Work for these encroachments will include disposal of cannabis waste, downed tree relocation, excavation/removal of culverts (as applicable), backfilling/compaction, channel recontouring, rock armoring, revegetation, and monitoring.

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:  
*Scott Bauer*  
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Signature

3/1/2023

Date:

Scott Bauer, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: \_\_\_\_\_