



To: Office of Planning and Research
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1400 Tenth Street
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From: Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: Joshua Gruver
Phone: (707) 672-2239

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: Pomerantz Water Diversions and Stream Crossings Project (Lake or Streambed Alteration Agreement No. EPIMS-HUM-35600-R1C)

Project Location (include county): The Project to be completed is located within the Chamise Creek watershed, approximately 12.25 miles southeast of the town of Garberville, County of Humboldt, State of California. The Project is located in Section 11, T05S, R05E, Humboldt Base and Meridian; in the Jewett Rock U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 218-091-008-000; latitude 40.0389 N and longitude 123.5784 W at one of the points of diversion (POD-1).

Project Description: The Project is limited to six (6) encroachments. Three (3) encroachments are for water diversion. Water is diverted for domestic use and irrigation. POD-1 serves as the main domestic water source. POD-2 diverts water into a swimming basin and returns the water into a channel downstream for non-consumptive use. POD-3 is the main source of irrigation water. Work for the water diversions will include use and maintenance of the water diversion infrastructure. POD-2 will be modified to allow excess surface water from the swimming hole outlet to infiltrate into groundwater, rather than placing warmed water back into a channel. The three (3) other proposed encroachments are to upgrade existing culverts. One culvert will receive rock armoring at the outlet. The other two 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: 10/12/2023

Rebecca Garwood, Northern Region Coastal Habitat Conservation Program Manager

Date Received for filing at OPR: _____