

To:  
Office of Planning and Research  
For U.S. Mail:  
P.O. Box 3044  
Sacramento, CA 95812-3044

Street Address:  
1400 Tenth Street  
Sacramento, CA 95814

From:  
Department of Fish and Wildlife  
Northern Region  
619 Second Street  
Eureka, California 95501  
Contact: Angela Liebenberg  
Phone: 707-964-4830



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:** Owen Water Diversion, Pond Spillway and Stream Crossing Project (Lake or Streambed Alteration Agreement No. 1600-2017-0377-R1)

**Project Location (include county):** The project to be completed is located within the Eel River watershed, approximately 13 miles southeast of the town of Garberville, County of Humboldt, State of California. The project is located in Section 6, T5S, R6E, Humboldt Base and Meridian; in the Jewett Rock U.S. Geological Survey 7.5-minute quadrangle.

**Project Description:** The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number 1600-2017-0377-R1, pursuant to Section 1602 of the Fish and Game Code to Mr. Kamaal Owen.

The project is limited to six (6) encroachments. Four (4) encroachments are for water diversion from unnamed tributaries to Chamise Creek. Water is diverted for domestic use and irrigation. Work for the water diversions will include use and maintenance of the water diversion infrastructure. Two (2) proposed encroachments are to upgrade a pond spillway, and to replace a stream crossing culvert. Work for these encroachments will include excavation, removal of materials (including fill, old culverts, etc.); replacement with new, properly sized crossings, 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.

Signature

*Scott Bauer*

Scott Bauer, Senior Environmental Scientist Supervisor

Date:

4/11/19

Governor's Office of Planning & Research

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

APR 15 2019

STATE CLEARINGHOUSE