



To:
 Office of Planning and Research
 For U.S. Mail:
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From:
 Department of Fish and Wildlife
 Northern Region
 619 Second Street
 Eureka, California 95501
 Contact: Angela Liebenberg
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Street Address:
 1400 Tenth Street
 Sacramento, CA 95814

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: Harte Water Diversion, Pond and Stream Crossings Project (Lake or Streambed Alteration Agreement No. 1600-2017-0420-R1)

Project Location (include county): The project to be completed is located within the Mattole River watershed, approximately 11 miles southwest of the town of Phillipsville, County of Humboldt, State of California. The project is located in Section 19, T3S, R2E, Humboldt Base and Meridian; in the Ettersburg 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 1600-2017-0420-R1, pursuant to Section 1602 of the Fish and Game Code to Mr. Brian Harte.

The project is limited to four (4) encroachments. Two (2) encroachments are for water diversion from unnamed tributaries to the Mattole River. Water is diverted for domestic use and irrigation. Work for the water diversions will include use and maintenance of the water diversion infrastructure, and work required to meet the terms of the Agreement. Work for POD 2 will include replacement of the existing pond outlet.

The two (2) other proposed encroachments are to upgrade stream crossing culverts. 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 / 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 Date: 8/27/19
 Scott Bauer, Senior Environmental Scientist Supervisor

Governor's Office of Planning & Research

Date Received for filing at OPR: AUG 28 2019