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From:
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Lead Agency (if different from above)
Humboldt County Dept. of Planning and Building
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Eureka, CA 95501
Contact: Steven Lazar
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2015102005

Project Title: Butler Water Diversion and Stream Crossings Project
(Lake or Streambed Alteration Agreement No. 1600-2019-0604-R1)

Project Location (include county): The project to be completed is located within the Mattole River watershed, approximately 10.3 miles SW of the town of Garberville, County of Humboldt, State of California. The project is located in Section 5, T05S, R02E, Humboldt Base and Meridian; in the Briceland U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 215-271-026 latitude 40.0580 N and longitude -123.9627 W at the point of diversion (POD).

Project Description: The project is limited to two encroachments (Table 1). Permittee is requesting water diversion from the Mattole River for Cannabis irrigation under this Agreement. Water is diverted for Cannabis irrigation under Small Irrigation Use Registration No. H50510. Water diverted for domestic use is covered under Small Domestic Use No. 032223 and the Sanctuary Forest Agreement No. 1600-2018-0218-R1. Work for the water diversion will include use and maintenance of the water diversion infrastructure including appropriate fish screening. The one other proposed encroachment is to upgrade failing and undersized culverts. Work for these encroachments will include excavation, removal of the failing culverts, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

Table 1. Covered LSA Project Encroachments with Description

ID	Latitude/Longitude	Description
POD-1	40.0580, -123.9627	Point of diversion domestic (covered under 1600-2018-0218-R1) and agricultural use. Use and maintenance of water diversion infrastructure.
STX 2	40.0573, -123.9640	Install minimum 24" diameter corrugated metal pipe.

Other projects identified as Potential STX 1 and 2, and STX 1 were disclosed as described features in Table 2. No other projects that may be subject to FGC section 1602 were disclosed. This Agreement does not retroactively permit any stream crossings, water diversions or other encroachments not described in Table 1.

Table 2. Described features not covered in this Agreement

ID	Latitude/Longitude	Description
Rain catchment	Not specified	50,000 water gallon rain storage tanks to be topped off from POD 1
Potential STX 1	40.0585, -123.9640	Existing 12-inch diameter corrugated plastic pipe, with 4 cement stackable blocks, outlet drains out cemented driveway with concave human-made channel, adjacent to home and retaining wall. No work is proposed or authorized by this Agreement. Any maintenance, modification or replacement must be covered under separate Notification or Amendment. Minimum 24-diameter culvert is recommended for stream crossings in forested environments. Cement blocks are not permitted in streams.

Potential STX 2	40.0585, -123.9638	Existing 12-inch diameter corrugated plastic pipe. No work is proposed or authorized by this Agreement. Any maintenance, modification or replacement must be covered under separate Notification or Amendment. Minimum 24-diameter culvert is recommended for stream crossings in forested environments.
STX 1	40.0573, -123.9640	Existing 18-inch diameter CMP. No work is proposed or authorized by this Agreement. Any maintenance, modification or replacement must be covered under separate Notification or Amendment. Minimum 24-diameter culvert is recommended for stream crossings in forested environments.

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

Date:

11/6/19

Cheri Sanville, Senior Environmental Scientist Supervisor

Governor's Office of Planning & Research

Date Received for filing at OPR: NOV 06 2019

STATE CLEARINGHOUSE