



To:
Office of Planning and Research
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From:
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Contact: Cheri Sanville
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Lead Agency (if different from above)
Humboldt County Dept. of Planning and Building
3015 H Street
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: Benson Water Diversion and Stream Crossing Project (Lake or Streambed Alteration Agreement No. 1600-2019-0725-R1)

Project Location: The project to be completed is located within the South Fork Eel River watershed, approximately 8.8 miles NW of the town of Redway, County of Humboldt, State of California. The project is located in Section 14, T03S, R02E, Humboldt Base and Meridian; in the Ettersburg U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 221-081-001 latitude 40.2065 N and longitude -123.9278 W at the point of diversion (POD).

Project Description: The project is limited to two encroachments. One encroachment is for water diversion from unnamed tributaries to South Fork Salmon Creek. Water is diverted for domestic use only. Work for the water diversion will include use and maintenance of the water diversion infrastructure. The one other proposed encroachment is use and maintenance of a rocked ford stream crossing. Work for this encroachment will include rock armoring as necessary to minimize erosion and to comply with the terms of this Agreement.

This notification also disclosed two ponds described as off-stream rain catchment ponds with no liners and no bullfrogs. These ponds were not included as projects in the Notification and thus no modification or diversion is authorized by this Agreement. Both ponds are noted on the map provided and the Lat/Long for one is 40.2066, -123.9271 and the other location was not defined. One of the ponds is presented as the sole source of cannabis irrigation water and the other is used for recreation. The Permittee shall ensure the ponds do not pose an entrapment risk to wildlife and may need to construct exit ramps and implement an Invasive Species Management Plan, consistent with this Agreement. CDFW shall determine whether the reservoirs are subject to FGC 1602 during a coordinated site-visit conducted during the term of this Agreement. Findings from the site-visit may form the basis of an amendment to this agreement or require separate notification.

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:* 1/14/2020
Cheri Sanville, Senior Environmental Scientist Supervisor
Date Received for filing at OPR: _____ Governor's Office of Planning & Research

JAN 16 2020