



**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: Cheri Sanville  
Phone: 707-441-5901

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:** Roy Stream Crossings Project (Lake or Streambed Alteration Agreement No. 1600-2019-0822-R1)

**Project Location (include county):** The project to be completed is located within the Mattole River watershed, approximately 13.6 miles SW of the town of Redcrest, County of Humboldt, State of California. The project is located in Section 31, T02S, R01E, Humboldt Base and Meridian; in the Bull Creek U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 107-054-005 latitude 40.2576 N and longitude -124.1038 W at the first stream crossing.

**Project Description:** This Agreement relies on the Notification materials and a desk review without a CDFW site inspection. The project is limited to two (2) encroachments (Table 1) to upgrade failing stream crossings. Work for these encroachments will include excavation, removal of a failing culvert and ford, replacement with new properly constructed rock fords, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. Crossing #2 also involves the restoration of a stream channel as prescribed by the geologist's report.

Table 1. Project Encroachments with Description

| ID         | Latitude/Longitude | Description  |
|------------|--------------------|--|
| Crossing-2 | 40.2568, -124.1028 | Replace failing 18" diameter culvert with a rock ford. Restore stream channel as described in the notification, including the geologist's report. Culvert is within a failed on-stream pond. |
| Crossing-3 | 40.2558, -124.1033 | Upgrade existing rock ford   |

The Notification discloses the use of a well located at Lat./Long.: 40.2580, -124.1032. This well is presented as the sole source of water for all needs on the property. CDFW did not evaluate hydraulic connection of the well to surface water, nor was a hydrogeologic evaluation prepared by a licensed geologist provided for CDFW review. The well may be hydraulically connected to surface water based on the following factors: relatively shallow water level, screening at a depth of 40 feet, and a surface water spring located downslope.

The Notification discloses a stream crossing (Crossing-#1) located at Lat./Long.: 40.2575, -124.1037. The Notification states this stream crossing is in good condition and meeting current performance standards. Existing stream crossings that were disclosed in the Notification, but not included as FGC § 1602 projects with fees, are not covered under this Agreement. If maintenance (such as armoring) and/or replacement becomes necessary, that work must be covered under by a major amendment or a separate Agreement. These projects do not meet the definition of an emergency per California Public Resource Code § 21060.3 and cannot be authorized by FGC section 1610 (a) (1).

The Notification discloses existing spring diversion infrastructure consisting of a 24-inch diameter by 10-foot deep concrete cistern within a spring (Map Point A) located at Lat./Long.: 40.2569, -124.1027. No work is proposed, and no water diversion is authorized. This site shall be subject to CDFW site inspection to determine if work is needed to decommission the diversion infrastructure.

No other projects that may be subject to FGC § 1602 were disclosed. This Agreement does not retroactively permit any constructed reservoirs (including "ponds"), stream crossings, water diversions, reductions in modifications to riparian buffers (as required by other entities), or other encroachments not described in Table 1.

**Determination:** 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: 2/5/2020

Cheri Sanville, Senior Environmental Scientist Supervisor  
Governor's Office of Planning & Research

Date Received for filing at OPR: **FEB 05 2020**

**STATE CLEARINGHOUSE**