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Office of Planning and Research

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From:
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Lead Agency (if different from above)
Humboldt County Dept. of Planning and Building
3015 H Street
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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: Digiallorenzo Water Diversion Infrastructure Removal and Stream Restoration Project (Streambed Alteration Agreement No. 1600-2019-0127-R1)

Project Location: The project to be completed is located within the South Fork Eel River watershed, approximately 3.6 miles NE of the town of Garberville, County of Humboldt, State of California. The project is located in Section 21, T04S, R04E, Humboldt Base and Meridian; in the Harris U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 223-072-001; latitude 40.1048 N and longitude -123.7292 W at the stream restoration project.

Project Description: The project is limited to three encroachments (Table 1). Two encroachments are for removing water diversion infrastructure from points of diversion (POD) on unnamed tributaries to Buck Mountain Creek. No water diversion is authorized by this Agreement. The other proposed encroachment is for stream restoration and revegetation. Work includes removing an in-board ditch that delivers sediment to the stream, out-sloping the road and installing cross drains to prevent sediment delivery. Revegetation will involve replanting native vegetation in the riparian zone lost to unpermitted cannabis cultivation and poorly planned site development.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
POD-1 Removal	40.1051, -123.7291 40.1050, -123.7294	Remove all water diversion infrastructure for two instream PODs that are located in close proximity. No water diversion is authorized.
POD-2 Removal	40.1067, -123.7300	Remove all water diversion infrastructure from spring and wetland area. No water diversion is authorized.
Stream Restoration	40.1048, -123.7292 40.1045, -123.7305	Stream restoration and revegetation with native plants. Remove in-board ditch that delivers sediment to the stream; out-slope road and install cross drains. Replant oak trees in riparian zone lost to unpermitted cannabis cultivation expansion. Permittee shall submit a detailed Stream Restoration Plan and Revegetation Plan by May 31, 2020 to CDFW for approval.

The Permittee has disclosed and initially notified for two stream crossings on the driveway easement that accesses the Permittee's parcel. The stream crossings are located on APN 223-015-005, and a site inspection conducted by CDFW on January 22, 2019 revealed that the crossings were failing and not in compliance with FGC. The June 21, 2019 revision of the Notification excluded these crossings and indicated the property owner of APN 223-015-005 would notify CDFW for work on these crossings. As of January 29, 2020, CDFW has not received a notification for these crossings, nor has CDFW received an update on their condition.

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

Cheri Sanville, Senior Environmental Scientist Supervisor

Date:

3/4/2020

Date Received for filing at OPR: _____

Governor's Office of Planning & Research

MAR 05 2020

STATE CLEARINGHOUSE