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Office of Planning and Research

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Lead Agency (if different from above)
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2015102005

Project Title: Roscoe Water Diversion and Stream Crossings Project (Lake or Streambed Alteration Agreement No. 1600-2019-0537-R1)

Project Location: The project to be completed is located within the Mattole River watershed, approximately 6.68 miles SE of the town of Petrolia, County of Humboldt, State of California. The project is located in Section 34, T02S, R01W, Humboldt Base and Meridian; in the Buckeye Mountain U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 107-321-002; latitude 40.2544 N and longitude -124.1730 W at the well point of diversion.

Project Description: The project is limited to four encroachment(s) (Table 1). One encroachment is for water diversion from a shallow well connected to underflow of the Mattole River. Water is diverted for domestic use, livestock watering and commercial cannabis irrigation. Permittee shall forbear from diverting water from the shallow well for commercial cannabis irrigation from April 1 until October 31 annually, consistent with the State Water Resources Control Board (SWRCB) Cannabis Policy. Work for the water diversion will include use and maintenance of the water diversion infrastructure, a shallow well located on the banks of the Mattole River. The three other proposed encroachments are to upgrade failing and undersized stream crossings. Work for this/these encroachment(s) will include excavation, removal of the failing crossings, replacement with new properly sized crossings, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
POD-1	40.2544, -124.1730	SWRCB application ID: H507399 & S027420 Shallow well on banks of Mattole River. Permittee diverts water for domestic use, livestock watering and commercial cannabis irrigation. Permittee shall forbear from diverting water for commercial cannabis irrigation from April 1 until October 31 annually, consistent with the SWRCB Cannabis Policy.
Crossing-1	40.2530, -124.1704	Replace existing undersized culvert with minimum 24" diameter culvert.
Crossing-2	40.2551, -124.1643 40.2553, -124.1642	Existing fill crossing and 24" diameter culvert on seasonal stream and low-use ranch road. Treat as single project, install rocked crossing or appropriate sized culvert and limit wet season usage.
Crossing-3	40.2549, -124.1627	Existing 18" diameter culvert placed high in the fill of a low-use ranch road, but properly sized. Replace with new 18" culvert set

	at grade or retain culvert and add 18" diameter, 20' long downspout and rock inlet and outlet for energy dissipation. Minimum 24" diameter recommended in forested settings and/or where there is potential for sediment delivery under high flows.
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The Permittee disclosed several additional stream crossings:

- STX 2 & 4 - lat/long: 40.2552, -124.1724: Unarmored ford that is used for cattle ranching activities when the channel is dry; not used for accessing commercial cannabis facilities.
- STX 5 – lat/long: 40.2551, -124.1712: Unarmored ford that is used for cattle ranching activities when the channel is dry; not used for accessing commercial cannabis facilities.

The Notification states these stream crossing(s) is/are in good condition and meeting current performance standards. Existing stream crossings disclosed in the Notification, but not included as 1602 projects with fees, are not covered under this Agreement. If maintenance (such as armoring) and/or replacement become necessary, that work must be covered by a major amendment or a separate Agreement.

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

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:

Date Received for filing at OPR: Governor's Office of Planning & Research

MAY 11 2020

STATE CLEARINGHOUSE