

To:
Office of Planning and Research
For U.S. Mail:
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Sacramento, CA 95812-3044

Street Address:
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Sacramento, CA 95814

From:
Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: Christine Hahn Vertical
Phone: 707-502-8768



Lead Agency
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: Cardoza Well Water Diversion and Stream Restoration Project (Lake or Streambed Alteration Agreement No. 1600-2019-0515-R1)

Project Location (include county): The project is located within the South Fork Eel watershed, approximately 3.1 miles SE of the town of Garberville, County of Humboldt State of California; Assessor's Parcel Number 033-130-004; latitude 40.0603 N and longitude -123.7653 W at the first point of diversion.

Project Description: The project is limited to two encroachments. The first encroachment is for water diversion of a well located in the channel from 2 unnamed tributaries to Fish Creek. Water is diverted for domestic and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure. The second encroachment is to decommission an onstream pond restoring the stream channel to natural conditions. The pond was dry at the time of inspection. Work to decommission will include excavation of fill, recontouring fill for stream realignment, and revegetation with native plants. The Notification states the culverts are in good condition and meeting current performance standards. One of the 2 existing crossings disclosed in the notification was included as a 1602 project with fees and was located off parcel and the other was not considered a stream crossing. Consequently, these two culverts 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 Notification. The Notification discloses the use of a well located at Lat/Long 40.0624, -123.7668 as depicted on the site map and in associated photos but, claimed to be many feet off channel away from the stream bed, bank, and channel within notification one. Upon site inspection, the well is located within the confluence of 2 unnamed tributaries to Fish Creek and is jurisdictional. The revised notification narrative clarifies the wells location within the streambed of two unnamed tributaries to Fish Creek but does not accurately depict its' location on the SD-1 Site Plan. This well is presented as the sole source of water for all needs on the property. Based on the resources, and the site inspection, the well is hydraulically connected to streams and shall be evaluated for potential impacts from commercial cannabis irrigation use through the County's conditional use permit/cannabis cultivation permit (PLN-11704-SP).

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 Sanville, Cheri@Wildlife
Cheri Sanville, Senior Environmental Scientist Supervisor
Date Received for filing at OPR: _____

Digitally signed by Sanville, Cheri@Wildlife
DN: DC=Gov, DC=Ca, DC=CDFW, OU=DFG Divisions, OU=(1)NR, OU=Users, CN=Sanville, Cheri@Wildlife
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