

**Notice of Determination**

**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:** California Department of Fish and Wildlife  
1455 Sandy Prairie Ct, Suite J  
Fortuna, CA 95540  
Contact: Scott Monday  
Phone: (707) 499-1101

**LEAD AGENCY (if different from above):**  
California Department of Fish and Wildlife  
830 S Street  
Sacramento, CA 95814-7023  
Contact: Dylan Inskeep  
Phone: (916) 327-8658

**SUBJECT:** *Filing of Notice of Determination pursuant to § 21108 of the Public Resources Code*

State Clearinghouse Number: **2018092067**

Project Title: **Lake and Streambed Alteration Agreement No. 1600-2019-0459-R1 Panther Creek Barrier Removal Project.**

Project Location: **Located at Panther Creek, in the County of Humboldt, State of California: 40.089/-123.908.**

Project Description: **The project is limited to removing the remains of an abandoned road crossing and gauging station, including four channel-spanning sill logs, log abutments, and approximately 1,500 cubic yards of unstable fill that is perched above the barrier site, and to improve instream habitat conditions by installing four fish habitat structures consisting of 12 pieces of large wood in Panther Creek.**

This is to advise that the Department of Fish and Wildlife (CDFW), acting as  **the lead agency** /  **a responsible agency** approved the above-described project on the date signed below and has made the following determinations regarding the above described project:

1. The project  **will** /  **will not** have a significant effect on the environment. (This determination is limited to effects within CDFW's jurisdiction when CDFW acts as a responsible agency.)
2.  **An environmental impact report** /  **A negative declaration** /  **A timber harvesting plan** was prepared for this project pursuant to CEQA.
3. Mitigation measures  **were** /  **were not** made a condition of CDFW's approval of the project.
4. A Statement of Overriding Considerations  **was** /  **was not** adopted by CDFW for this project.
5. Findings  **were** /  **were not** made by CDFW pursuant to Public Resources Code § 21081(a). CDFW did, however, adopt findings to document its compliance with CEQA.
6. Compliance with the environmental filing fee requirement at Fish and Wildlife Code § 711.4 (check one):
  - Payment is submitted with this notice.
  - A copy of a receipt showing prior payment is on file with CDFW.
  - A copy of the CEQA Filing Fee No Effect Determination Form signed by CDFW is attached to this notice.
  - Payment is not required when CDFW is Lead Agency.

**Lead Agency certification:** CDFW, as Lead Agency, has made the final EIR with comments and responses and record of project approval, or the Negative Declaration, available to the General Public at the CDFW office identified above.

**Responsible Agency statement:** The final EIR, Negative Declaration, or THP that was prepared by the Lead Agency for this project is available to the General Public at the office location listed above for the Lead Agency. CDFW's record of decision is available at the CDFW office identified above.

*Signed:*   
Trevor Tollefson  
Senior Environmental Scientist (Supervisor)  
Date Received for filing at OPR:

*Date:* 7/10/19  
Governor's Office of Planning & Research

**JULY 10 2019**

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE  
**CEQA FINDINGS FOR THE**  
AGREEMENT REGARDING PROPOSED LAKE OR STREAMBED  
ALTERATION NO. 1600-2019-0459-R1

**Introduction**

The California Environmental Quality Act (**CEQA**) (Public Resources Code section 21000, *et seq.*) and the State CEQA Guidelines (**Guidelines**) (Section 15000, *et seq.*, Title 14, California Code of Regulations) require that no public agency shall approve or carry out a project for which a mitigated negative declaration (MND) has been completed that identifies one or more significant effects, unless such an agency makes the following finding as to each significant effect:

Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

As the lead agency for the project, the California Department of Fish and Wildlife (CDFW) adopted the MND for the Project on **November 28, 2018**. CDFW found that the Project will not result in significant environmental effects with the mitigation measures required in, or incorporated into the Project.

CDFW is issuing a Lake or Streambed Alteration Agreement (Agreement) to the project applicant, **Mr. Mich Farro representing Pacific Coast Fish, Wildlife and Wetlands Restoration Association. The project is located at Panther Creek, tributary to Redwood Creek, in the County of Humboldt, State of California; Section 14; Township 08 North, Range 02 East, of the Panther Creek 7.5 Minute U.S. Geological Survey (USGS) Quadrangle Map.**

**Findings**

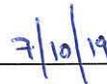
CDFW has considered the MND adopted for the project and has concluded that the Agreement should be issued under the terms and conditions specified therein. On the basis of the record before CDFW, there is no substantial evidence that the project will have a significant effect on the environment. CDFW finds that the MND reflects CDFW's independent judgment and analysis. In this regard, CDFW hereby adopts the findings set forth in the MND insofar as they pertain to the Project's impacts on biological resources.

Signed: \_\_\_\_\_



Trevor Tollefson  
Senior Environmental Scientist (Supervisor)  
California Department Fish and Wildlife

Date: \_\_\_\_\_



Governor's Office of Planning & Research

**JULY 10 2019**

**STATE CLEARINGHOUSE**