



To: Office of Planning and Research
For U.S. Mail:
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1400 Tenth Street
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From: Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: Greg O'Connell
Phone: 707-441-5790

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: Smith Water Diversion Project; Streambed Alteration Agreement No. 1600-2017-0696-R1)

Project Location (include county): The project to be completed is located within the Klamath River watershed, approximately 2.75 air miles NE of the town of Weitchpec, County of Humboldt, State of California. The project is located in Section 36, T10N, R04E, Humboldt Base and Meridian; in the Weitchpec U.S. Geological Survey (USGS) 7.5-minute quadrangle; Assessor's Parcel Numbers 530-102-004 and 530-101-010; latitude 41.2066 N and longitude -123.6632 W at the point of water diversion.

Project Description: The project is limited to one encroachment. The encroachment is for water diversion from Bair Creek (unnamed on USGS map). Water is diverted for domestic use and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure and associated access trail. The Permittee has also disclosed a ditch relief culvert located at approximately 41.2086, -123.6601. Two other culverts were disclosed that convey storm water from on Highway 96 located at approximately 41.2082, -123.6606 and 41.2079, -123.6607.

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: [Handwritten Signature] Date: 7/31/19
Cheri Sanville, Senior Environmental Scientist Supervisor

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

AUG 01 2019

STATE CLEARINGHOUSE