

Notice of Determination

TO: Office of Planning and Research **FROM:** Department of Fish and Wildlife

For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Northern Region
619 Second Street
Eureka, California 95501
Contact: Cheri Sanville
Phone: (707) 441-5901

Street Address:
1400 Tenth Street
Sacramento, CA 95814

LEAD AGENCY (if different from above):

Humboldt County
3015 H Street
Eureka, CA 95501
Contact: Steve Lazar
Phone: (707) 445-7541

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

State Clearinghouse Number: 2017042022

Project Title: Forner Water Diversions Project (Lake or Streambed Alteration Agreement No. 1600-2019-0082-R1)

Project Location: The project is located within the Salmon Creek watershed, approximately 5.2 miles southwest of the town of Phillipsville, County of Humboldt, State of California; Section 29, T03S, R03E, Humboldt Base and Meridian, in the Miranda U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 212-012-008; latitude 40.1693 N and longitude --123.8717 W at the point of diversion (POD).

Project Description: The project is limited to 2 encroachments (Table 1). Both encroachments are for water diversion from unnamed tributaries of Tostin Creek. Water is diverted for domestic use only, all cannabis cultivation irrigation water is obtained through a roof rain catchment system. Work for the water diversion will include use and maintenance of the water diversion infrastructure.

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

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).
 6. Compliance with the environmental filing fee requirement at Fish and Game 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 the Department is attached to this notice.
- 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 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.

Signed: _____

Cheri Sanville
Senior Environmental Scientist Supervisor
Northern Region

Date: _____

Date Received for filing at OPR: