

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

From:
 Department of Fish and Wildlife
 Northern Region
 619 Second Street
 Eureka, California 95501



Street Address:
 1400 Tenth Street
 Sacramento, CA 95814

Project Title: McIntyre Water Diversion, Stream Crossings and Stream Restoration Project (Lake or Streambed Alteration Agreement No. 1600-2018-0786-R1)

Project Location: The project is located within the Trinity River watershed, approximately 3 miles south of the town of Willow Creek, County of Humboldt, State of California. The project is located in Section 17, T06N, R05E, Humboldt Base and Meridian; in the Willow Creek U.S. Geological Survey 7.5-minute quadrangle; Assessor’s Parcel Number 524-072-008; latitude/longitude: 40.8974, -123.6327 at the one point of diversion (POD-1).

Project Description: The project is limited to six (6) encroachments (Table 1). Two (2) encroachments are for water diversion from springs to unnamed tributaries to the Trinity River. Water is diverted for domestic use and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure. Three (3) other proposed encroachments are to upgrade failing and undersized stream crossings, and/or to remove failed crossings and restore the stream. Work for these encroachments will include excavation, removal of the failing crossings, and: A) decommissioning and stream restoration, or B) replacement with new properly sized crossings, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. One project is to restore an extensive area of wetlands, springs and intersecting streams covering approximately one acre that has been illegally graded, cleared of forest and utilized for unpermitted cannabis cultivation. A detailed restoration and revegetation plan will be submitted as part of this Agreement.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
POD-1	40.8974, -123.6327	Point of Diversion (POD) diverts water from a spring and stream with a shallow concrete well.
POD-2	40.8971, -123.6344	Point of Diversion (POD) diverts water from a spring with a shallow concrete well.
Crossing-1	40.8969, -123.6321	Failed crossing. Decommission crossing and road. Alternatively, install minimum 42” diameter culvert, and address road impacts in Restoration Plan.
Crossing-2	40.8967, -123.6328	Failed crossing. Decommission crossing and road. Alternatively, install minimum 42” diameter culvert, and address road impacts in Restoration Plan.
Crossing-3	40.8963, -123.6345	Replace existing culvert with minimum 36” diameter culvert.
Crossing Removal, Building Removal and Stream Restoration	40.8964, -123.6322	An extensive area of wetlands, springs and intersecting streams covering approximately one acre has been illegally graded, cleared of forest and utilized for unpermitted cannabis cultivation. A metal building has been erected on the stream. Permittee shall submit a Stream Restoration Plan and Revegetation Plan to CDFW by May 31, 2020.

The Notification discloses the use of a well located at Lat/Long: 40.8971, -123.6344. CDFW did not evaluate hydraulic connection of the well to surface water, nor was a hydrogeologic evaluation prepared by a licensed geologist provided for CDFW review.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: Chris McIntyre

Exempt Status:

- Categorical Exemption. Type – Class 1 & 33; California Code of Regulations, title 14, section 15301 & 15333. Existing Facilities & Small Habitat Restoration Projects

Reasons why project is exempt: The project operates existing water diversion infrastructure for domestic use, with conditions that limits diversion amounts. The project replaces failing culverts or decommissions stream crossings in accordance with published guidelines of the Department of Fish and Wildlife, the primary purpose of which is to improve habitat or reduce sedimentation. The project implements stream and riparian revegetation, the primary purpose of which is to improve habitat for amphibians or native fish. There would be no significant adverse impact on endangered, rare or threatened species or their habitat pursuant to section 15065. There are no hazardous materials at or around the project site that may be disturbed or removed. The project will not result in impacts that are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. The project would not constitute an expansion of use.

CDFW Contact Person: Andrew Orahoske, Environmental Scientist, (707) 441-5827

Signature: _____ Date: _____

Cheri Sanville, Senior Environmental Scientist Supervisor

Date received for filing at OPR: _____
 Governor’s Office of Planning & Research

JUN 02 2020

STATE CLEARINGHOUSE