

## Notice of Determination

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**To:**

Office of Planning and Research  
[CEQA Submit](#)

**From:**

Department of Fish and Wildlife  
Region 1 – Northern  
601 Locust Street, Redding, CA 96001  
Contact: Janae Scruggs  
Email: [Janae.scruggs@wildlife.ca.gov](mailto:Janae.scruggs@wildlife.ca.gov)  
Phone: (530) 945-9458



**Lead Agency**

Callahan Water District  
PO Box 1524, Callahan, CA 96014  
Contact: Shirley Gilmore  
Email: N/A  
Phone: (530) 467-3620

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

**State Clearinghouse Number:** 2021060006

**Project Title:** Water System Improvements Project (Lake or Streambed Alteration Agreement No. EPIMS-SIS-44441-R1)

**Project Location (Siskiyou):** The project is located at multiple locations on unnamed tributaries of Boulder Creek and Boulder Creek, tributary of East Fork Scott River, in the County of Siskiyou, State of California. The primary project is located on Boulder Creek, tributary of East Fork Scott River; Latitude 41.260600 decimal degrees, Longitude -122.821924 decimal degrees. Additionally, 17 culvert crossings at unnamed tributaries of Boulder Creek.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-SIS-44441-R1), pursuant to Fish and Game Code section 1602, the project Applicant, Callahan Water District. The project is limited to activities associated with 1) the diversion of water from Boulder Creek at a single point of diversion, 2) maintenance and operation of this diversion, and 3) immediate water improvements in the first year of the project (anticipated 2024).

The Permittee diverts water from Boulder Creek pursuant to Decree #30662 of the Superior Court of the State of California (Decree) in and for the County of Siskiyou judgement for Scott River and/or riparian claimed water right to the State Water Resources Control Board (SWRCB) Division of Water Rights. The Permittee operates the point of diversion including the water right for storage to provide municipal water services for their community. Permittee has a measuring device to properly measure a maximum total of 0.098 cubic feet per second (cfs) of water year around for municipal water use by the town of Callahan.

Operation and maintenance of the diversion may include the repair of the passive fish screen intake, and/or removal of sediment or vegetation in the vicinity of the diversion which may impact water being diverted. Vegetation on the banks shall be minimally disturbed as needed to maintain the diversion. Permittee may remove debris and excess sediments from the immediate vicinity of the point of diversion by hand as specified herein. At no time will heavy equipment be operated in the active stream channel. Any work requiring manipulation of the bed, bank, or channel and/or use of heavy equipment will be done with a work plan approved, in writing, by CDFW prior to work commencing. The Permittee is responsible for any modifications instream to assist in the conveyance of water towards the diversion and protection of fish and wildlife species.

Immediate water improvements are anticipated to be conducted in Summer and Fall 2024 to 1) modify the fish screen and 2) replace approximately 2.75 miles of water pipe. The existing infiltration gallery pipe will have an additional passive fish screen intake attached to increase the efficiency of the water diversion from Boulder Creek. The new piping will be buried in the channel. The work site will be dewatered with a temporary rock berm and sump pump to allow for the heavy equipment to work. A sediment containment pond will be created to allow water to percolate into the soil and sediments to settle out. Upon completion of the intake diversion structure, the stream and nearby area will be restored to the original contours including the sediment containment pond area. In addition, the

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new water supply pipeline will be relocated to the roadside ditch of McKeen Road. This pipeline will require directional boring and/or open trenching to bury the line and will have 17 crossings of tributaries of Boulder Creek (Exhibit A). Work will be conducted in dry and/or low flow conditions and minimal disturbance will occur to nearby vegetation. Work specific to this improvement is allowed under the first work season and any future work will require coordination with CDFW.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on 04/05/2024 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. CDFW considered the **Mitigated Negative Declaration** prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures **were** made a condition of CDFW’s approval of the project.
4. A Mitigation Reporting or Monitoring Plan **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 California Code of Regulations section 15091.

The Mitigated 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 of project approval as a Responsible Agency is available at CDFW’s regional office:

Signature: Michael Harris Date: 4/5/2024

Michael Harris, Environmental Program Manager

Date Received for filing at OPR: \_\_\_\_\_