

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: Hernandez Water Diversions, Stream Crossings and Remediation Project (Lake or Streambed Alteration Agreement No. EPIMS-TRI-21783-R1)

Project Location (include county): The project to be completed is located within the Raff Creek watershed, approximately 2.7 miles south of the town of Island Mountain, County of Trinity, State of California. The project is located in Section 34, T5S, R6E, Humboldt Base and Meridian; in the Updegraff Ridge U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 022-200-022; latitude 39.986332 N and longitude 123.490548 W at the parcel center.

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number EPIMS-TRI-21783-R1, pursuant to Section 1602 of the Fish and Game Code to Ms. Miriam Hernandez, and in settlement and satisfaction of the Department's Administrative Civil Liability Complaint, filed before the Office of Administrative Hearings (Case No. 2021060408).

The project is limited to five encroachments. Two encroachments are for water diversion from unnamed tributaries to Raff Creek. Water is diverted for domestic use and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure. One encroachment is to remediate 4 unpermitted water diversions by removal of infrastructure. Two encroachments are to decommission existing ford stream crossings. Work for these encroachments will include excavation, abandoning road approaches, revegetation, and erosion control

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: Ms. Miriam Hernandez

Exempt Status:

- Statutory Exemption. State code number
- Categorical Exemption. Type – Class 1, Class 4, and Class 21; California Code of Regulations, title 14, sections 15301, 15304 and 15321, respectively

Reasons why project is exempt: The project will permit remediation of existing stream crossings and water diversion activities and minor alteration of land for upgrading and decommissioning work. The authorized work is required to settle and close the administrative case mentioned above, and the agreement is a term of the settlement and stipulation as endorsed by the Administrative Law Judge. Prior work was conducted without a Streambed Alteration Agreement (Fish & Game Code [FGC] Section 1602) before August 25, 2020. 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. By complying with measure in the Agreement, 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.

CDFW Contact Person: Ryan Bourque, Senior Environmental Scientist Specialist, (707) 441-2064.

DocuSigned by:
Rebecca Garwood

Signature: _____

Date: 1/18/2022

Rebecca Garwood, Environmental Program Manager

Date received for filing at OPR: _____