



**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 Diversion, Stream Crossings and Remediation Project Project (Lake or Streambed Alteration Agreement No. EPIMS-TRI-21787-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 022-200-023; latitude 39.982551 N and longitude -123.495157 W at the parcel center.

**Project Description:** The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number EPIMS-TRI-21787-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 12 encroachments on Raff Creek and unnamed tributaries. Eight encroachments are to upgrade or decommission existing stream crossings. Work for these encroachments will include some or all of the following: excavation, culvert removal, culvert replacement, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. The other encroachments are for water diversion from unnamed tributaries to Raff Creek and removal of water diversion infrastructure. Water will be diverted for domestic use or irrigation. Work for the water diversion will include installation, use and maintenance of the water diversion infrastructure in compliance with measures of this agreement.

**Public Agency Approving Project:** CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

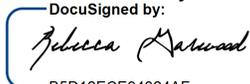
**Person or Public Agency Carrying Out Project:** Ms. Miriam Hernandez

**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.

**Signature:**  **Date:** 1/18/2022  
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Rebecca Garwood, Environmental Program Manager

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