

Notice of Exemption

To:

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

From:

Department of Fish and Wildlife
Region 1 - Northern
601 Locust Street
Redding, California 96001



Street Address:

1400 Tenth Street
Sacramento, CA 95814

Project Title: Water Diversion 55 From Boles Creek (Streambed Alteration Agreement Number EPIMS-SIS-42677-R1)

Project Location (include county): The project is located on Boles Creek, tributary of Shasta River, in the County of Siskiyou, State of California.

Project Description: The California Department of Fish and Wildlife has executed Streambed Alteration Agreement number EPIMS-SIS-42677-R1, pursuant to Section 1602 of the Fish and Game Code to Sharon Butcher.

The project is limited to activities associated with 1) the diversion of water from Boles Creek at a single point of diversion, and 2) maintenance, specifically vegetation removal, near the gravity-fed diversion. The Permittee diverts water from Boles Creek pursuant to Decree #7035 of the Superior Court of the State of California (Decree) in and for the County of Siskiyou judgement for Shasta River. The Permittee has an adjudicated water right at Diversion 55 (Decree paragraph number 67, Map 16) of up to 0.20 cfs beginning on March 1 and ending on November 1 of each year for irrigation and stock water use. The Scott Valley & Shasta Valley Watermaster District (SSWD) currently manages the diversion in compliance with the SWRCB Division of Water Rights and maintains a flow below the diversion. Permittee does not adjust the headgate or maintain the diversion structure. Maintenance of the diversion is specific to vegetation removal of dead or dying material (i.e. leaves, branches) in the vicinity of the diversion that can be removed by hand tools. Permittee will coordinate with other diverters on Diversion 55 to ensure all activities conducted are compliant with each diverter's respective agreements with CDFW. 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 in accordance with a work plan approved, in writing, by CDFW prior to work commencing.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: Sharon Butcher

Exempt Status:

Statutory Exemption.

Categorical Exemption. Type – **Class 1; California Code of Regulations, title 14, section 15301**, Operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Reasons why project is exempt: The Project is limited to operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features with negligible or no expansion. The diversion facilities are currently in good working order.

CDFW Contact Person: Janae R. Scruggs, Senior Environmental Scientist (Specialist) (530) 945-9458

DocuSigned by:
Signature: Michael Harris *Date:* 2/21/2024
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Michael R. Harris
Klamath Watershed Program Manager

Date received for filing at OPR: _____