



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

Street Address:  
1400 Tenth Street  
Sacramento, CA 95814

**From:**  
Department of Fish and Wildlife  
Northern Region  
619 Second Street  
Eureka, California 95501  
Contact: Cheri Sanville  
Phone: 707-441-5901

Lead Agency (if different from above)  
Humboldt County Dept. of Planning and Building  
3015 H Street  
Eureka, CA 95501  
Contact: Steven Lazar  
Phone: 707-445-7245

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

**State Clearinghouse Number:** 2015102005

**Project Title:** McMurphy Water Diversion and Onstream Ponds Project (Lake or Streambed Alteration Agreement No. EPIMS-HUM-10528-R1)

**Project Location (include county):** The project is located within the Van Duzen River watershed, approximately 1.3 miles northwest of the town of Dinsmore, County of Humboldt, State of California; Section 5, T1N, R5E, Humboldt Base and Meridian, in the Larabee Valley U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 208-281-032.

**Project Description:** The project is limited to four encroachments: 1) a spring point of diversion (POD) near the residence is diverted to storage tanks for domestic use. 2) This spring feeds an onstream-reservoir ("Pond 1"). Work will include removal of the berm and culvert at the inlet of the reservoir, and restoration of the stream channel near the inlet. 3) Water flows from "Pond 1" into a second onstream reservoir ("Pond 2"). Permittee diverts water from these reservoirs for the purpose of commercial irrigation. 4) A third onstream reservoir ("Pond 3") impounds a spring and seep adjacent to a cultivation area. "Pond 3" appears recently reconstructed. CDFW could find no LSAA for this work, nor any water rights associated with this reservoir. Permittee shall render "Pond 3" incapable of storing water and decommission and remediate the reservoir.

This is to advise that CDFW, acting as  the Lead Agency /  a Responsible Agency approved the above described project 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. A  mitigated negative declaration /  negative declaration was prepared for this project pursuant to the provisions of CEQA.  
CDFW considered the  mitigated negative declaration /  negative declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures  were /  were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan  was /  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 Public Resources Code section 21081, subdivision (a).

The  mitigated negative declaration /  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 related to the Lake or Streambed Alteration Agreement is available to the public for review at CDFW's regional office.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Cheri Sanville, Senior Environmental Scientist Supervisor  
Governor's Office of Planning & Research

Date Received for filing at OPR: **Sep 24 2020**

**STATE CLEARINGHOUSE**