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

State Clearinghouse Number: 2015102005

Project Title: Creighton Smelhoff Stream Crossing, Water Diversion and Stream Restoration Project
(Streambed Alteration Agreement No. 1600-2018-0699-R1)

Project Location: The project to be completed is located within the Redwood Creek watershed, approximately 11.8 miles east southeast of the town of Blue Lake, County of Humboldt, State of California. The project is located in Section 6, T05N, 04E, Humboldt Base and Meridian; in the Maple Creek U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 316-191-016; latitude 40.8390 N and longitude -123.7713 W at one point of diversion (POD-1).

Project Description: This Agreement relies on the Notification materials and a CDFW site inspection by Environmental Scientist Andrew Orahoske on March 12, 2019. The project is limited to seven encroachments (Table 1). Two encroachments are for water diversion from Redwood Creek and an unnamed tributary. Water is diverted for domestic use and irrigation of commercial cannabis. Work for the water diversion will include use and maintenance of the water diversion infrastructure. Four proposed encroachments are to upgrade stream crossings. Work for these encroachments will include excavation, removal of the failing crossings, replacement with new properly sized crossings, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. One encroachment is for stream restoration for an area impacted by commercial cannabis water storage facilities, decommission a failed crossing and restore the stream channel. The Permittee shall submit a Stream Restoration Plan for CDFW review and approval.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
POD-1	40.8390, -123.7713	Water diversion from mainstem Redwood Creek for domestic use and irrigation from storage. Cannabis Irrigation SWRCB application ID: H500621 Permittee shall follow SWRCB Cannabis Policy; diversion to storage for cannabis irrigation from November 1 – March 31 when flows are sufficient at the appropriate reference gauge, maximum 3 gallons per minute diversion rate, minimum 90% bypass at all times. Domestic Use Water diversion for domestic use year-round. Permittee shall implement Seasonal Diversion Minimization: maximum 200 gallons per day from May 15 – October 31, minimum 90% bypass at all times.

ID	Latitude/Longitude	Description
POD-2	40.8418, -123.7704	Proposed alternate water diversion for cannabis irrigation from unnamed tributary to Redwood Creek. No water right is on file. If approved by Division of Water Rights, Permittee shall comply with SWRCB Cannabis Policy; season of diversion is November 1 – March 31 when flows are sufficient at the appropriate reference gauge, maximum 3 gallons per minute, minimum 90% bypass at all times.
Crossing-1	40.8412, -123.7701	Install rocked ford or appropriately sized culvert to convey 100-year storm flow and debris. If rocked ford, road use shall be limited to dry season only.
Crossing-2	40.8406, -123.7708	Install rocked ford or appropriately sized culvert to convey 100-year storm flow and debris. If rocked ford, road use shall be limited to dry season only.
Crossing-3	40.8398, -123.7712	Install rocked ford or appropriately sized culvert to convey 100-year storm flow and debris. If rocked ford, road use shall be limited to dry season only.
Crossing-4	40.8394, -123.7714	Install rocked ford or appropriately sized culvert to convey 100-year storm flow and debris. If rocked ford, road use shall be limited to dry season only.
Stream Restoration	40.8416, -123.7713	Restoration for an area impacted by commercial cannabis water storage facilities, decommission a failed crossing and restore the stream channel. Permittee shall submit a Stream Restoration Plan for CDFW approval by August 1, 2020.

Determination: 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

Date Received for filing at OPR: _____