



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: Christine Hahn Vertical
Phone: 707-502-8768

Lead Agency (if different from above)
County of Humboldt
Humboldt County Planning & Building Department
3015 H Street, Eureka, CA
Contact: Steven Lazar

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

State Clearinghouse Number: 2015102005

Project Title: Bertain Water Diversion (Lake or Streambed Alteration Agreement No. EPIMS-14262-R1)

Project Location (include county): The project is located within the South Fork Eel River watershed, approximately 2.5 miles north east of the town of Myers Flat, County of Humboldt, State of California; Assessor's Parcel Numbers (APN)s 211-301-026 and 211-301-027; latitude 40.2865 N and longitude -123.8287 W at the point of diversion (POD) located on APN 211-301-026.

Project Description This Agreement relies on the Notification materials a desk review without a CDFW site inspection. The project is limited to an encroachment. The encroachment is for water diversion from an unnamed spring located at the top of unnamed tributaries to Elk Creek. Water is diverted for domestic use. Work for the water diversion will include use and maintenance of the water diversion infrastructure.

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: _____