

## Notice of Determination

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**To:**  
Office of Planning and Research  
[CEQA Submit](#)

**From:**  
Department of Fish and Wildlife  
Northern Region  
619 Second Street  
Eureka, CA 95501  
Contact: Erika Winner  
Email: [erika.winner@wildlife.ca.gov](mailto:erika.winner@wildlife.ca.gov)  
Phone: 707-798-7380



Lead Agency  
Humboldt County  
Planning and Building Department  
3015 H St, Eureka, CA 95501  
Contact: Joshua Dorris  
Phone: 707-445-7541

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

**State Clearinghouse Number:** 2015102005

**Project Title:** Mercer Water Diversion and Stream Restoration Project (Lake or Streambed Alteration Agreement No. EPIMS-HUM-28565-R1)

**Project Location:** The project to be completed is located within the Eel River watershed, approximately 4.6 miles east of the town of Weott, County of Humboldt, State of California. The project is located in Sections 33 & 34, T1S, R3E, Humboldt Base and Meridian; in the Myers Flat U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 40.3299; latitude 40.3312 N and longitude 123.8349 W at the first point of diversion (POD-1).

**Project Description:** The project is limited to five encroachments. Four encroachments are for water diversion from unnamed tributaries to and underflow of the Eel River. Water is diverted for domestic use and irrigation. Work for two surface water diversions will include the full decommissioning of all water diversion infrastructure and removal of all irrigation lines and other debris. Work for two water diversions from the underflow of the Eel River will involve the installation of water meters at wells and real time water monitoring. One encroachment is to upgrade a drainage channel that intercepts several streams above the cultivation area and reroutes the stream to the northwest. Work shall include clearing and upgrading the channel so that it functions properly, removal of invasive species and restoration of native riparian vegetation.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above 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. CDFW considered the Mitigated Negative Declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures were made a condition of CDFW's approval of the project.
4. A Mitigation Reporting or Monitoring Plan was adopted by CDFW for this project.
5. A Statement of Overriding Considerations was not adopted by CDFW for this project.

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6. Findings were not made by CDFW pursuant to California Code of Regulations section 15091.

The Mitigated 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 of project approval as a Responsible Agency is available at CDFW's regional office.

Signature: Scott Bauer Date: 4/17/2023

Dave Manthorne, Senior Environmental Scientist Supervisor

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