



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: Joshua Gruver  
Phone: (707) 672-2239

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:** Kan Water Diversion (Lake or Streambed Alteration Agreement No. EPIMS-HUM-42233-R1C)


**Project Location (include county):** The Project to be completed is located within the Redwood Creek watershed, approximately 2.2 miles northwest of the town of BriceLand, County of Humboldt, State of California. The Project is located in Section 11, T04S, R02E, Humboldt Base and Meridian; in the Ettersburg U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 220-282-016-000; latitude 40.1278 N and longitude 123.9328 W at the point of diversion (POD).

**Project Description:** The Project is limited to one encroachment. The single encroachment is for water diversion from an unnamed tributary to Miller Creek. Water is diverted for irrigation. Work for the water diversion will include retrofit/modification, 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.

DocuSigned by:  
  
**Signature** \_\_\_\_\_ **Date:** 11/13/2023  
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Rebecca Garwood, Northern Region Coastal Habitat Conservation Program Manager

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