



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:** Water Diversions and Stream Crossing Project (Lake or Streambed Alteration Agreement No. EPIMS-HUM-46715-R1C)

**Project Location (include county):** The Project to be completed is located within the Butte Creek – South Fork Eel River watershed, approximately 1.5 miles southwest of the town of Phillipsville, County of Humboldt, State of California. The Project is located in Section 23, T03S, R03E, Humboldt Base and Meridian; in the Miranda U.S. Geological Survey 7.5-minute quadrangle; Assessor’s Parcel Number 214-233-006-000; latitude 40.1932 N and longitude 123.8015 W at the point of diversion (POD-1).

**Project Description:** The Project is limited to three encroachments. Two encroachments are for water diversion from an excavated spring and an unnamed tributary to South Fork Eel River. Water is diverted for domestic use only. Work for the water diversions will include use and maintenance of the water diversion infrastructure. POD-1 shall have the current infrastructure removed and replaced with infrastructure that meets the requirements of this Agreement. The third proposed encroachment is to upgrade an unimproved road crossing. Work for this encroachment will include either (a) installation of a rock armored ford crossing or alternatively (b) installation of a new properly sized culvert, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

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:  
*Rebecca Garwood*  
Signature \_\_\_\_\_  
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Date: 5/1/2024 \_\_\_\_\_

Rebecca Garwood, Environmental Program Manager

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