



To: Office of Planning and Research
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From: Department of Fish and Wildlife
Northern Region
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Eureka, California 95501
Contact: Cheri Sanville
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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: Deloury Appolo Farms Water Diversion Project (Lake or Streambed Alteration Agreement No. 1600-2019-0329-R1)

Project Location: The project to be completed is located within the Eel River watershed, approximately 1.8 miles North of the town of Briceland, County of Humboldt, State of California. The project is located in Section 7, T04S, R03E, Humboldt Base and Meridian; in the Ettersberg U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel 220-272-025; latitude 40.1338 N and longitude -123.8952 W at the point of diversion (POD).


Project Description: Encroachment is for water diversion from a spring near an unnamed tributary to Redwood Creek. Water is diverted for cannabis irrigation. Work for the water diversion will include use and maintenance of the existing spring box infrastructure. Water diversion is allowed from November 1st to March 31st at a diversion rate not to exceed 5gpm.

No other projects that may be subject to FGC section 1602 were disclosed. This Agreement does not retroactively permit any stream crossings, water diversions or other encroachments not described in.

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: 12/3/19
Cheri Sanville, Senior Environmental Scientist Supervisor
Governor's Office of Planning & Research

Date Received for filing at OPR: DEC 03 2019