



**To:**  
Office of Planning and Research  
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**From:**  
Department of Fish and Wildlife  
Northern Region  
619 Second Street  
Eureka, California 95501  
Contact: Cheri Sanville  
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Lead Agency (if different from above)  
County of Mendocino  
860 N. Bush Street  
Ukiah, CA 95482  
Contact: Mary Lynn Hunt  
Phone: 707-234-6650

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

**State Clearinghouse Number:** 2016112028

**Project Title:** Smith Diversion (Lake or Streambed Alteration Agreement No. 1600-2018-0737-R1)

**Project Location (include county):** The project is located on an unnamed tributary to Eel Creek, near Myers Flat, in the County of Humboldt, State of California, Latitude 41.3451, Longitude-123.5335, Assessor Parcel Number (APN) 211-372-003

**Project Description:** The proposed scope of work comprises one project: Project ID 1 consists of a riparian diversion claim which is used for domestic uses only. The diversion is on an unnamed class II tributary to eel Creek.

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: 6/6/19  
Cheri Sanville, Senior Environmental Scientist Supervisor  
Governor's Office of Planning & Research

Date Received for filing at OPR: **JUNE 07 2019**

**STATE CLEARINGHOUSE**