



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



To:
Office of Land Use and Climate Innovation
[CEQA Submit](#)

NOTICE OF EXEMPTION

Project Title: Atwood's Merrill Creek Water Diversion Project (Notification of Lake or Streambed Alteration, No. EPIMS-SIS-57465-R1)

Project Location (Siskiyou): The project is located at Merrill Creek, tributary to Salmon River in the County of Siskiyou, State of California; Section 3, Township 11N, Range 6E; USGS map Somes Bar, Humboldt Base and Meridian; Latitude 41.38084, Longitude - 123.47338 Decimal Degrees; APN: 033-130-270-000.

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement EPIMS Notification No. EPIMS-SIS-57465-R1, pursuant to Section 1602 of the Fish and Game Code to David Atwood.

The project is limited to activities associated with 1) the diversion of water from Merrill Creek at a single point of diversion, and 2) maintenance of the on-stream seep well pumping facility that impacts pumping of water. The Permittee submits Statements of Water Diversion and Use annually to the SWRCB - Division of Water Rights and maintains a flow below the diversion. The Permittee is exercising a riparian water right for domestic, irrigation, and stockwater uses of approximately 10 gallons per minute (SWRCB# S015148).

The diversion facility is a seep well structure which includes a corrugated metal culvert partially submerged into the streambed and a screened foot valve inside of the sump which the Permittee maintains and operates. Maintenance of the diversion may include repair of the pumping facility (screen, pump, etc.) and/or removal of material in the vicinity of the diversion which may impact water being pumped. Repairs to the outside of the seep well structure shall be done at low flow stream conditions and prevent contact with the stream until cured. At no time will the diversion be actively pumping during repairs. All removed material will be placed in a location where it will not have access to waters of the state of California. No heavy equipment be operated in the active stream channel. Any work requiring manipulation of the bed, bank, or channel and/or use of heavy equipment will be done with a work plan approved, in writing, by CDFW prior to work commencing.

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EPIMS-SIS-57465-R1
May 22, 2025

Permittee notified for another riparian water right on an unnamed stream, a tributary to Merrill Creek for domestic, irrigation and stockwater uses of approximately 12 gallons per minute year around (SWRCB# S023912). An agreement is not necessary at this time.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: David Atwood

Exempt Status:

Statutory Exemption.

Categorical Exemption. Type – Class 1; California Code of Regulations, title 14, section 15301

Reasons why project is exempt: The project is limited to operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features with negligible or no expansion. The diversion facilities are currently in good working order.

CDFW Contact Person: Janae Scruggs, Senior Environmental Scientist (Specialist), (530) 945-9458, Janae.Scruggs@wildlife.ca.gov

Signature: Michael Harris Date: 5/27/2025

Michael R. Harris, Klamath Watershed Program Manager

Date received for filing at LCI: