

**Notice of Exemption**

**To:**  
Office of Planning and Research  
*For U.S. Mail:*  
P.O. Box 3044  
Sacramento, CA 95812-3044

**From:**  
Department of Fish and Wildlife  
Region 1 - Northern  
601 Locust Street  
Redding, California 96001



*Street Address:*  
1400 Tenth Street  
Sacramento, CA 95814

**Project Title:** Unnamed Tributary Impoundment Breach Project (Lake or Streambed Alteration Agreement No. EPIMS-TEH-23603-R1)

**Project Location (include county):** The project is located on four unnamed ephemeral tributaries to Black Butte Lake at T23N/R05W sections 27 and 28 in Tehama County, and T22N/R05W section 5 and T22N/R06W section 13 in Glenn County; Mt. Diablo Base and Meridian, Sehorn Creek U.S. Geological Survey (USGS) quadrangle.

**Project Description:** The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number EPIMS-TEH-23603-R1, pursuant to Section 1602 of the Fish and Game Code to Dennis Barkley.

On August 3, 2021, the State Water Resources Control Board adopted emergency regulations in response to ongoing drought conditions and associated water supply shortages in the Sacramento-San Joaquin Delta watershed. On August 20, 2021, the Division of Water Rights issued a curtailment order affecting facilities owned by the Permittee which requires immediate cessation of surface water diversion to four storage reservoirs on ephemeral tributaries to Black Butte Lake. This Project is limited to the breaching of the earthen berms impounding water to comply with the order.

**Public Agency Approving Project:** CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

**Person or Public Agency Carrying Out Project:** Dennis Barkley

**Exempt Status:**

- Statutory Exemption.
- Categorical Exemption. Type – **Class 1**; California Code of Regulations, title 14, section 15301, Operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.

**Reasons why project is exempt:** The proposed project consists of the minor alteration of existing private facilities with no expansion of use.

**CDFW Contact Person:** Matthew Mitchell, Environmental Scientist, (530) 782-2942

DocuSigned by:  
  
*Adam McKannay*  
 Signature: BE359DC694B14AE Date: 10/14/2021

Adam McKannay, Interior Cannabis and Conservation Planning Supervisor

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