

Notice of Determination

To:

Office of Planning and Research
[CEQA Submit](#)

From:

Department of Fish and Wildlife
Region 1 Inland
601 Locust Street Redding, CA 96001
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Lead Agency
Trinity County
PO Box 2819 Weaverville, CA 96093
Contact: Drew Plebani
Email: N/A
Phone: (530) 623-1353

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

State Clearinghouse Number: 2018122049

Project Title: **Barker Valley Farms LLC** (Lake or Streambed Alteration Agreement No. EPIMS-TRI-38434-R1)

Project Location (Trinity): The project is located on Barker Creek a tributary to Hayfork Creek, in an unincorporated area of Trinity County, California; Latitude 40.565855, Longitude - 123.11294; Section 4, Township 31N, Range 11W, Mt. Diablo and Meridian; in the Hayfork Summit U.S. Geological Survey (USGS) 7.5-minute quadrangle; Assessor's Parcel Numbers 017-440-18-00 and 017-440-19-00.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-TRI-38434-R1), pursuant to Fish and Game Code section 1602, to the project Applicant, **Brett Sandberg**.

The project is limited to diversion of water and maintenance of diversion facilities for year-round domestic and other beneficial uses and remediation of a catchment pond that is located in the riparian setback of Barker Creek. Water is diverted from a cistern in a 36-inch corrugated metal pipe. The pipe is embedded in the gravel bar of Barker Creek. This is an existing point of diversion (POD) that diverts water at 14-gallons per minute and operates under a riparian basis of claim (S010757). Maintenance consists of removing debris accumulated in the diversion infrastructure. Pond will naturally dewater, and the area restored to native habitat. (Project) Water from the diversion is not used for commercial cannabis irrigation. Water for commercial cannabis irrigation is provided by the groundwater wells shown in the notification.

This is to advise that CDFW, acting as a Responsible Agency, approved the project per parcel as described above on June 9, 2023, and December 8, 2023, and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

Notice of Determination

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. CDFW considered the environmental impact report prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures **were** made a condition of CDFW's approval of the project.
4. A Mitigation Reporting or Monitoring Plan **was** adopted by CDFW for this project.
5. A Statement of Overriding Considerations **was not** adopted by CDFW for this project.
6. Findings **were** made by CDFW pursuant to California Code of Regulations section 15091.

The Final EIR prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as a Responsible Agency is available at CDFW's regional office.

DocuSigned by:
 Signature: Janae Scruggs Date: 3/18/2024
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Janae Scruggs
 Acting Environmental Program Manager
 Habitat Conservation Program (Interior)
 Northern Region

Date Received for filing at OPR: _____