

**Notice of Determination****- 1 -**

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

**From:**  
Department of Fish and Wildlife  
Northern Region Interior  
601 Locust Street  
Redding, CA 96001  
Contact: Helen Bowman  
Phone: (530) 485-7889



Lead Agency  
Trinity County  
Community Development Department  
530 Main Street P.O. Box 2819  
Weaverville, CA 96093  
Contact: Drew Plebani  
Phone: (530) 623-1351

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

**State Clearinghouse Number:** 2018122049

**Project Title:** Hayfork Creek Domestic Diversion and Hayfork Creek Tributary Stream Crossing Improvements (Lake or Streambed Alteration Agreement EPIMS-TRI-11073-R11)

**Project Location:** The projects are located at Hayfork Creek, an anadromous, perennial stream, and at an unnamed ephemeral tributary to Hayfork Creek in Hayfork Valley, Trinity County; 480 Old Haywagon Road and 1505 Hyampom Road, Hayfork, CA, 96041; Assessor's Parcel Numbers (APN) 016-250-009-000 and 016-250-004-000.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement EPIMS-TRI-11073-R11, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Tregity Farms LLC, as represented by Steven Menken.

Project 1 is limited to the decommissioning of a legacy, seasonal onstream impoundment on an ephemeral tributary to Hayfork Creek. An existing 36-inch corrugated metal pipe (CMP) is set approximately 7-feet above the natural grade of upstream channel conditions, within the prism of an earthen embankment, and acts as a culverted spillway at the outlet of the impoundment. A vertical overflow pipe approximately 2-inches in diameter passes limited flows downstream of the impoundment. The existing CMP will be removed, and approximately 75-cubic feet of earthen embankment will be excavated, impacting approximately 210-square feet of bed, bank, and/or channel, and a new 42-inch CMP will be set at proper grade and in alignment with the natural watercourse. Rock armoring will be applied at the inlet and outlet to protect against erosion and dissipate energy during stream flows. One oak tree may be removed over the course of completing project activities.

Project 2 is limited to the replacement of a culverted CMP crossing on an ephemeral tributary to Hayfork Creek. The existing CMP is 24-inches in diameter and undersized to adequately convey the flows of a 100-year storm event. The existing CMP will be replaced with a new 42-inch CMP set at the same grade and alignment as the existing culvert. Approximately 30-cubic feet of fill will be excavated, impacting approximately 200-square feet of bed, bank, and/or channel.

Project 3 is limited to the surface diversion of Hayfork Creek, an anadromous perennial stream, for domestic use only. The point of diversion (POD) is a 12-foot seep well cased with 42-inch concrete pipe set within the floodplain of Hayfork Creek. The diversion, as well as associated water storage and use, will adhere to a valid water right authorized by the State Water Resources Control Board.

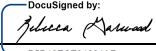
This is to advise that CDFW, acting as a Responsible Agency, approved the above-described project on April 23, 2024 and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

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.

**Notice of Determination**

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 made by CDFW pursuant to California Code of Regulations section 15091.

The final environmental impact report 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 Responsible Agency is available at CDFW's regional office.

Signature  \_\_\_\_\_ Date: 4/23/2024  
DocuSigned by:  
Rebecca Garwood  
B5D12ECE84324AF

Rebecca Garwood, Acting Interior Habitat Conservation Environmental Program Manager

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