

## Notice of Determination

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**To:**

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

**From:**

Department of Fish and Wildlife  
Region 1 Inland  
601 Locust Street Redding, CA 96001  
Contact: Dyana Judnick  
Email:  
R1LSARedding@wildlife.ca.gov  
Phone: (530) 225-2300



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: Advanced Crop Production LLC** (Lake or Streambed Alteration Agreement No. 1600-2018-0240-R1)

**Project Location (Trinity):** The project is located at Barker Creek in the County of Trinity, State of California; Latitude 40°35' 9.616772", Longitude -123°6' 54.580156", Section 28, Township 32N, Range 11W, Hayfork U.S. Geological Survey (USGS) quadrangle, Mt. Diablo meridian; Assessor's Parcel Number #015-420-32-00, 331 North Meadow Lane, Hayfork, CA.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (1600-2018-0240-R1), pursuant to Fish and Game Code section 1602, to the project Applicant, **Andrew Akins**.

The proposed project consists of the maintenance and operation of an existing diversion of Barker Creek for the purpose of serving as an immediate-use, emergency fire protection water source. Domestic use and cannabis cultivation occurring on the parcel are supplied separately by an existing deep groundwater well.

The diversion consists of an infiltration "seep"-type well and underground cistern approximately twenty feet in depth situated approximately fifteen feet from the thalweg of Barker Creek. The cistern is comprised of a section of six-foot diameter corrugated steel pipe set into the ground covered with a sheet of plywood. Maintenance of the diversion includes hand removal of grass and shrubby vegetation surrounding the structure for the purpose of maintaining access and a fire break, replacement or repair of water distribution or electrical supply lines and fixtures, and removal of sediment or other materials within the cistern. No water storage facilities are currently in use or proposed for use with this diversion.

**Notice of Determination**

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on June 16, 2023, 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. 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:  Date: 12/21/2023  
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Ali Aghili  
 Acting Environmental Program Manager  
 Habitat Conservation Program (Interior)  
 Northern Region

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