

## **Notice of Determination**

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**To:**

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

**From:**

Department of Fish and Wildlife  
Northern Region  
601 Locust Street  
Redding, CA 96001  
Contact: Kate Blanchard  
Email: [katherine.blanchard@wildlife.ca.gov](mailto:katherine.blanchard@wildlife.ca.gov)  
Phone: (530)225-2300



Lead Agency

Trinity County

P.O. Box 2819, Weaverville, CA 96093

Contact: Drew Plebani

Email:

Phone: (530) 623-1351

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

**State Clearinghouse Number:** 2018122049

**Project Title:** Domestic Diversion and Seep Well Maintenance (Lake or Streambed Alteration Agreement No. EPIMS-TRI-43007-R11)

**Project Location (Trinity):** The project is located at Barker Creek, tributary to Hayfork Creek near the community of Hayfork; 1425 Barker Valley Road, Hayfork, 96041; 40.580877, -123.113058; Assessor's Parcel Number 015-420-015-000.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement EPIMS-TRI-43007-R1, pursuant to Fish and Game Code section 1602, to the project Applicant, Nikolay Veltchev.

An existing seep well is present on the parcel, with the potential to impact flows in Barker Creek if water is diverted in substantial quantities. The project is limited to diversion of water for residential/domestic purposes from an infiltration "seep" well installed on the bank of Barker Creek. The seep well is an existing 11-foot-deep cistern made from concrete culverts dug into the bank of the stream. Water diversion may occur year-round under a riparian basis of claim.

Diversion for commercial cannabis cultivation purposes, either by immediate use or to storage is not authorized under this Agreement.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on January 5, 2024 and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

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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:  
*Adam McKannay*  
 Signature: \_\_\_\_\_ Date: 1/5/2024

Adam McKannay, Acting Environmental Program Manager  
Habitat Conservation Program (Interior)

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