

Notice of Determination

To:

Office of Planning and Research
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From:

Department of Fish and Wildlife
Northern Region
601 Locust Street
Redding, CA 96001
Contact: Kate Blanchard
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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 from Barker Creek (Lake or Streambed Alteration Agreement No. 1600-2020-0155-R1).

Project Location (Trinity): The project is located on Barker Creek, tributary to Hayfork Creek in Trinity County; 40.591762, -123.116167; 741 North Meadow Lane outside of the community of Hayfork; Assessor's Parcel Number 015-420-38-00.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement 1600-2020-0155-R1, pursuant to Fish and Game Code section 1602, to the project Applicant, Brett Sandberg.

The project is limited to diversion of surface water from Barker Creek for domestic purposes only and the replacement of an existing unpermitted plastic culvert with an 18-inch corrugated metal pipe within a small tributary. This Agreement allows for diversion from an existing cement seep well on the streambank of the property. The seep well is comprised of a submersible ½-horsepower pump in the bottom of a 6-foot deep, 36-inch diameter cement casing and is capable of pumping 10 gallons per minute. This Agreement does not authorize diverted surface water to be used or stored for commercial cannabis irrigation.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on January 24, 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.

Signature:  Date: 1/24/2024

BE359DC694B14AF

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

Date Received for filing at OPR: _____