

## Notice of Exemption

**To:**  
Office of Planning and Research  
*For U.S. Mail:*  
P.O. Box 3044  
Sacramento, CA 95812-3044

**From:**  
Department of Fish and Wildlife  
Region 1 - Northern  
601 Locust Street  
Redding, California 96001

*Street Address:*  
1400 Tenth Street  
Sacramento, CA 95814

**Project Title:** Battle Creek Island Ranch Diversion (Lake or Streambed Alteration Agreement No. 1600-2019-0030-R1)

**Project Location (include county):** The project is located at Battle Creek, tributary to the Sacramento River, in the County of Shasta, State of California; Latitude 40.397699N, Longitude 122.153425; Assessor's Parcel Number 057-540-002 and 057-540-006. The site is within the Battle Creek Wildlife Area.

**Project Description:** The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number 1600-2019-0030-R1, pursuant to Section 1602 of the Fish and Game Code to Battle Creek Island Ranch, LLC and Hoy and Son Construction, Inc.

This project is limited to the annual construction of a gravel diversion dam in Battle Creek to divert water pursuant to a legal water right. Specific work includes:

- Stockpiling clean, native spawning gravels on the west bank near the diversion dam site.
- Construction of a gravel dam in Battle Creek using native gravels to divert water
- Construction of a low-flow channel through the gravel dam that does not impede fish movement
- Diversion of water from Battle Creek to the Gover Diversion Ditch pursuant to a legal pre-1914 water right

**Public Agency Approving Project:** CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

**Person or Public Agency Carrying Out Project:** Battle Creek Island Ranch, LLC and Hoy and Son Construction, Inc.

**Exempt Status:**

Statutory Exemption.

Categorical Exemption. Type – **Class 1 and 4; California Code of Regulations, title 14, section 15301 and 15304.** Class 1: Operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Class 4: Minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes.

**Reasons why project is exempt:** This project proposes to seasonally install, operate, and maintain an exiting water diversion facility with no expansion in use or removal of vegetation.

**CDFW Contact Person:** Adam McKannay (530) 225-2124

*Signature:* \_\_\_\_\_

Curt Babcock  
Habitat Conservation Program Manager

*Date:* 7/16/19

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