

Notice of Determination

To:
Office of Planning and Research
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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 Planning Department
PO Box 2819 Weaverville, CA 96093
Contact: Kim Hunter
Email: N/A
Phone: (530) 623-1351

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

State Clearinghouse Number: 2021040649

Project Title: Herron Family Farms Cannabis Cultivation Onstream Reservoir (Lake or Streambed Alteration Agreement No. EPIMS-TRI-33364-R1)

Project Location (Trinity): Latitude 40.57452, Longitude -123.081786; section 2, Township 31N, Range 11W, Mount Diablo Base and Meridian; in the Hayfork U.S. Geological Survey (USGS) 7.5-minute quadrangle; Assessor's Parcel Number 017-010-80-000.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-TRI-33364-R1), pursuant to Fish and Game Code section 1602, to the project Applicant, Frog Pond Legacy, LLC; DBA Herron Family Farms.

An unnamed tributary to Duncan Creek is impounded by an earthen dam. Water is diverted from the impoundment for commercial irrigation, and domestic use. Project activities are limited to two encroachments, Onstream Reservoir 1 and 2 where water is diverted to and stored. The reservoir spillways consist of corrugated metal pipes at each outlet with rip-rap energy dissipation and slope protection at the outlets of each reservoir. Specific Project activities includes upgrades to water diversion infrastructure, maintenance of the diversion structures, and erosion control and revegetation of all exposed soil at the earthen dam outlets with native seed mix.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on December 1, 2022 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 **Mitigated Negative Declaration** 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 not** made by CDFW pursuant to California Code of Regulations section 15091.

The Mitigated Negative Declaration 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: Debra Hawk Date: 12/2/2022
Debra Hawk, Interior Conservation Planning Supervisor

Date Received for filing at OPR: _____