

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
Northern Region
601 Locust Street
Redding, CA 96001



Street Address:
1400 Tenth Street
Sacramento, CA 95814

Project Title: Ka Xiong Culvert Replacement (Lake or Streambed Alteration Agreement No. EPIMS-TRI-22038-R11)

Project Location (include county): The project is located at an unnamed tributary to Philpot Creek at 151 Philpot Court in the Trinity Pines/Post Mountain subdivision near Hayfork, in the County of Trinity, State of California; 40.433660, -123.235175; Assessor's Parcel Number 019-600-005-000.

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number EPIMS-TRI-22038-R11, pursuant to Section 1602 of the Fish and Game Code to Ka Xiong. This project has been proposed to remediate violations connected to cannabis cultivation.

The project is limited to direct replacement of a misaligned 24-inch culvert that was initially built without authorization approximately 6 years ago. The crossing was adequately sized for the drainage, but the pipe was not at grade or aligned with the channel at the outlet. The current alignment of the existing pipe is off-set from the bottom of the channel by more than 10 feet at the outlet. The new culvert will align as close as possible to the existing stream gradient and shall extend beyond fill slope at the inlet and outlet. Additional length may be necessary to achieve these goals.

This culvert replacement and road remediation will be performed in accordance with the Handbook for Forest, Ranch & Rural Roads (Road Handbook) published by Pacific Watershed Associates.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: Ka Xiong, represented by Brian Young

Exempt Status:

- Statutory Exemption.
- Categorical Exemption. Types:

Class 2; California Code of Regulations, title 14, section 15302 (c), Replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. (c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

Class 8; California Code of Regulations, title 14, section 15308, Actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.

Reasons why project is exempt: The project is necessary to protect the environment by eliminating the present and potential adverse impacts to the stream and fish and wildlife resources.

CDFW Contact Person: Kate Blanchard, Senior Environmental Scientist, Specialist (530) 225-2239

DocuSigned by:
Signature: Adam McKannay *Date:* 10/21/2021
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Adam McKannay
Interior Cannabis and Conservation Planning Supervisor
Date received for filing at OPR: _____