

Notice of Exemption

To:

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

Street Address:
1400 Tenth Street
Sacramento, CA 95814

From:

Department of Fish and Wildlife
715 P St., 17th Floor
Sacramento, CA 95814



Project Title: Reclaiming our California Wildernesses from the Damage of Illegal Cannabis Cultivation

Project Applicant: Integral Ecology Research Center (IERC)

Project Location: Trinity Alps and Ventana wildernesses in Trinity and Monterey Counties, respectively

Project Description: CDFW's Cannabis Restoration Grant Program awarded IERC a grant (Agreement #Q2191202) for the Reclaiming our California Wildernesses from the Damage of Illegal Cannabis Cultivation Project (Project). The Project will improve upland and riparian habitats by removing hazardous materials, non-hazardous refuse, and infrastructure. At least 45 sites within the Trinity Alps and Ventana wildernesses in Trinity and Monterey County, respectively, will be assessed. Of these, the 30 most impactful sites will be reclaimed by removing refuse, hazardous chemicals, environmental contaminants, and the dismantling of infrastructure from illicit cultivation sites. As a complementary component, the project will identify interested organizations and develop their capacity to implement IERC-developed reclamation and safety protocols.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying out Project: Greta Wengert, Executive Director, Integral Ecology Research Center

Exempt Status:

- Categorical Exemption. State type and section number: Class 4 and Class 30 (California Code of Regulations, title 14, sections 15304 and 15330)

Reasons why project is exempt: This project is limited to the assessment and direct removal of refuse, hazardous chemicals, environmental contaminants, and the dismantling of infrastructure from illicit public land cannabis cultivation complexes within Trinity Alps and Ventana wildernesses. The Project will not remove any healthy, mature, or scenic trees and cleanup actions will prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance which are small or medium removal actions costing \$1 million or less.

CDFW Contact Person: Margaret Romo, Senior Environmental Scientist (Specialist), (916) 542-3840

DocuSigned by:
Jeremy Valverde
Signature: _____ Date: 1/14/2022
Jeremy Valverde, Cannabis Program Director

ATTACHMENT TO NOTICE OF EXEMPTION

Re: Reclaiming our California Wildernesses from the Damage of Illegal Cannabis Cultivation

The California Department of Fish and Wildlife (CDFW) developed the Cannabis Restoration Grant Program (CRGP) to support clean up, remediation, and restoration efforts in watersheds affected by cannabis cultivation pursuant to Revenue and Taxation Code Section 34019(f)(2).

Pursuant to Fish and Game Code Section 1501.5(b), CDFW awarded Integral Ecology Research Center (IERC) a grant (Agreement #Q2191202) for the implementation of Reclaiming our California Wildernesses from the Damage of Illegal Cannabis Cultivation (Project). The general purpose of the Project includes the assessment and direct removal of refuse, hazardous chemicals, environmental contaminants, and the dismantling of infrastructure from illicit public land cannabis cultivation complexes within Monterey and Trinity County. As a complementary component, the project will identify interested organizations and develop their capacity to implement IERC-developed reclamation and safety protocols.

Categorical Exemptions for Minor Alterations to Land

CDFW concluded that the Project meets the criteria of the categorical exemption contained in CEQA Guidelines Sections 15304 (Minor Alterations to Land). Therefore, the Project is exempt from the provisions of CEQA under the Class 4 exemption.

The Class 4 exemption applies to 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. The general purpose of the Project is to remove 97% of all refuse, toxicants, and infrastructure. It will include upland refuse and infrastructure removal and will extend to include removal of refuse and stream diversions within riparian areas. The Project will not remove any healthy, mature, or scenic trees. In addition, the Project's reclamation activities that include alterations to land, water, or vegetation will occur on existing officially designated wildlife management areas and will result in improvement of habitat for fish and wildlife resources.

Categorical Exemption for Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances.

CDFW concluded that the Project falls within the Class 30 categorical exemption, Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of

Release of Hazardous Waste or Hazardous Substances, pursuant to CEQA Guidelines Section 15330. The exemption applies to any minor cleanup actions taken to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance which are small or medium removal actions costing \$1 million or less. The Project, a small removal action costing less than \$1 million, will help prevent accidental injury/death to wildlife by completely removing all discovered herbicides, pesticides, rodenticides, and other chemical hazards from two highly protected and ecologically sensitive wilderness areas.

CDFW does not believe reliance on the Class 4 and Class 30 categorical exemptions to fund the Project under CEQA is precluded by the exceptions set forth in CEQA Guidelines section 15300.2. CDFW's review and determination was guided by the California Supreme Court's 2015 decision in *Berkeley Hillside Preservation v. City of Berkeley*. CDFW reviewed all of the available information in its possession relevant to the issue and does not believe the Project poses any unusual circumstances that would constitute an exception to the cited categorical exemptions. No potentially significant effects on either a project-specific or cumulative basis are expected from this Project. In the direct removal of refuse, hazardous chemicals, environmental contaminants, and the dismantling of infrastructure from illicit public land cannabis cultivation complexes, the Project is expected to provide benefits to existing environmental resources. Lastly, other location-based exceptions including scenic highways, hazardous waste sites, and proximity to historical resources are not relevant to this Project.