

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
Email: R1LSARedding@wildlife.ca.gov
Phone: 530-225-2300



Lead Agency
Trinity County
P.O. Box 2819, Weaverville, CA 96093
Contact: Skylar Fisher
Email: sfisher@trinitycounty.org
Phone: 530-623-1351

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

State Clearinghouse Number: 2022030761

Project Title: Kahan Active Points of Diversion for Vital Green Future Cannabis License (Lake or Streambed Alteration Agreement No. EPIMS-TRI-22558-R1I)

Project Location (Trinity): The project is located on an unnamed Class II tributary to the South Fork Trinity River, approximately 3 miles south/southeast of the community of Salyer. The parcel is located in Section 36, Township 6N, Range 5E, Humboldt Base and Meridian; in the Hennessy Peak USGS 7.5-minute quadrangle, APN 008-080-032-000

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement EPIMS-TRI-22558-R1I, pursuant to Fish and Game Code section 1602, to the project Applicant, Patrick Kahan.

The project is limited to the ongoing use of two separate points of diversion on an unnamed Class II tributary for both cannabis irrigation and domestic purposes. Water from each point is diverted by gravity using a screened vaulted intake installed into the substrate of the channel. Water is diverted into storage in off-stream storage ponds or tanks for cannabis irrigation. Diversion is allowed year-round from the second diversion for domestic purposes but must be separated from cannabis irrigation water.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on October 14, 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 not** 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: 10/14/2022
Debra Hawk, Interior Conservation Planning Supervisor

Date Received for filing at OPR: _____