

## 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:** Remediation of APN 042-170-014-000 (Streambed Alteration Agreement No. EPIMS-SHA-22835-R1)

**Project Location (include county):** The projects are located on Assessor's Parcel Number (APN) 042-170-014-000, residing on Cottonwood Creek Road within the Trinity Alps Preserve, and are on an unnamed tributary to Martin Gulch, including Martin Gulch; tributary to Middle Fork Cottonwood Creek, tributary to Cottonwood Creek, thence the Sacramento River in the County of Shasta, State of California.

**Project Description:** The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement No. EPIMS-SHA-22835-R1, pursuant to Section 1602 of the Fish and Game Code to Mr. Paul Finke.

This project has been proposed to remediate violations connected to cannabis cultivation as documented by CDFW. The Streambed Alteration Agreement includes three separate project sites which includes two stream crossings, and one (1) diversion (well) covered for future use.

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

**Person or Public Agency Carrying Out Project:** Mr. Paul Finke

**Exempt Status:**

Statutory Exemption.

Categorical Exemptions. 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 the result of a Notice of Violation Letter sent on May 19, 2021 and is necessary to protect the environment by addressing the documented adverse impacts to the stream and fish and wildlife resources. The projects proposed includes the replacement of culverts at two stream crossings and repairs to an existing diversion (well) with measures for future use.

**CDFW Contact Person:** Tobi Freeny, Acting Senior Environmental Scientist (Supervisor) (530) 945-9688

DocuSigned by:  
*Tobi Freeny*  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
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Tobi Freeny  
Acting Senior Environmental Scientist (Supervisor)  
Cannabis Enforcement Program

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