

## Notice of Exemption

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

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



*Street Address:*  
1400 Tenth Street  
Sacramento, CA 95814

**Project Title:** South Fork of the Trinity River Watershed Cannabis Reclamation on Public Lands Project

**Project Applicant:** The Watershed Research and Training Center (WRTC)

**Project Location:** The project includes eight sites occurring within the Shasta-Trinity National Forest (USFS) managed lands in the biologically diverse South Fork of the Trinity River Watershed. The centroid point of each site are as follows: 40.40578, -123.23338; 40.44904, -123.21782; 40.43552, -123.25738; 40.39448, -123.24930; 40.43898, -123.22033; 40.45205, -123.202745; 40.46646, -123.20282; and 40.46655, -123.18553 in Trinity County, California.

**Project Description:** CDFW's Cannabis Restoration Grant Program awarded WTRC a grant (Agreement #Q2291204) for the South Fork of the Trinity River Watershed Cannabis Reclamation on Public Lands Project (Project). The Project will clean up waste associated with cannabis cultivation that has been illegally dumped within Shasta-Trinity National Forest (USFS) managed lands in the biologically diverse South Fork of the Trinity River Watershed. Priority sites for cleanup have been identified within the Trinity Pines Subdivision in the Post Mountain area near Hayfork, CA. WRTC staff will be trained in procedures to identify, test, and properly contain hazardous materials in compliance with applicable laws and regulations. Any hazardous materials identified will be assessed, tested, and removed by certified Hazardous Materials subcontractors. The project will also include community outreach and education activities and coordination with project partners and stakeholders.

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

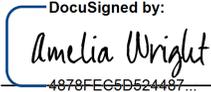
**Person or Public Agency Carrying out Project:** Josh Smith, Watershed Program Director, Watershed Research and Training Center

**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, and environmental contaminants from illicit cannabis activities in the South Fork of the Trinity River Watershed within Trinity County. 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

**Signature:**  \_\_\_\_\_ **Date:** 2/8/2023  
Amelia Wright, Cannabis Program Director

## **ATTACHMENT TO NOTICE OF EXEMPTION**

### **Re: South Fork of the Trinity River Watershed Cannabis Reclamation on Public Lands Project**

**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 The Watershed Research and Training Center (WRTC) a grant (Agreement #Q2291204) for the South Fork of the Trinity River Watershed Cannabis Reclamation on Public Lands Project (Project) for the implementation of Reclaiming our California Wildernesses. The project will clean up waste associated with cannabis cultivation that has been illegally dumped on Shasta-Trinity National Forest (USFS) managed lands in the biologically diverse South Fork of the Trinity River Watershed. Priority sites for cleanup have been identified within the Trinity Pines Subdivision in the Post Mountain area near Hayfork, CA. WRTC staff will be trained in procedures to identify, test, and properly contain hazardous materials in compliance with applicable laws and regulations. Any hazardous materials identified will be assessed, tested, and removed by certified Hazardous Materials subcontractors. The project also includes community outreach and education activities and coordination with project partners and stakeholders.

#### **Categorical Exemptions for Minor Alterations to Land**

CDFW concluded 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 clean up waste associated with cannabis cultivation that has been illegally dumped in Shasta-Trinity National Forest (USFS) managed lands. 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 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

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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 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.