

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: Headwaters to Confluence: Capacity Building and The Removal of All Illegal Public Land Cultivation Sites within Several CDFW Cannabis Priority Watersheds

Project Applicant: United States Forest Service Law Enforcement and Investigations

Project Location: The following watersheds will be assessed, reclaimed, and monitored: Middle South Fork Eel River, Mattole River, San Pedro Creek-Frontal Santa Barbara Channel, Deer Creek, Kelsey Creek-Clear Lake, Lower Van Duzen River, Dry Creek, Bogus Creek-Klamath River, Middle North Yuba River, Waddell Creek-Frontal Ano Nuevo Bay, Rincon Creek-Frontal Pacific Ocean, Seiad Creek-Klamath River, Lower South Yuba River, Lower South Yuba River, Middle Butte Creek, El Toro Creek-Salinas River, Yuba River, Lower North Yuba River, Middle Yuba River, and East Fork Russian River.

Project Description: CDFW's Cannabis Restoration Grant Program awarded United States Forest Service Law Enforcement & Investigations a grant (Agreement #Q2291203) for the Headwaters to Confluence: Capacity Building and The Removal of All Illegal Public Land Cultivation Sites within Several CDFW Cannabis Priority Watersheds (Project). The Project will assess and cleanup illicit cultivation sites and remove associated non-hazardous infrastructure, toxicants that pose environmental and human health threats, and active and passive water thefts on federal lands. The project will occur within 19 watersheds and up to 83 known cultivation sites while building statewide capacity to address cleanup and remediation.

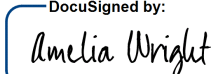
Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying out Project: Dr. Mourad Gabriel, Regional Wildlife Ecologist, United States Forest Service Law Enforcement and Investigations

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

Reasons why project is exempt: This project is limited to the assessment and direct removal of refuse, environmental contaminants, and the dismantling of infrastructure from illicit public land cannabis cultivation within watersheds in Santa Barbara, Mendocino, Humboldt, Santa Cruz, Yuba, Butte, Siskiyou, Nevada, Monterey, Lake and Sierra Counties. The Project will not remove any healthy, mature, or scenic trees.

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

DocuSigned by:

Signature: _____
Amelia Wright, Cannabis Program Director

Date: 2/17/2023

ATTACHMENT TO NOTICE OF EXEMPTION

Re: Headwaters to Confluence: Capacity Building and The Removal of All Illegal Public Land Cultivation Sites within Several CDFW Cannabis Priority Watersheds

The California Department of Fish and Wildlife (CDFW) developed the Cannabis Restoration Grant Program (CRGP) to support the 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 United States Forest Service Law Enforcement and Investigations a grant (Agreement #Q2291203) for the Headwaters to Confluence: Capacity Building and The Removal of All Illegal Public Land Cultivation Sites within several CDFW Cannabis Priority Watersheds (Project). The general purpose of the Project includes the assessment and cleanup of illicit cultivation sites and removal of associated non-hazardous infrastructure, toxicants that pose environmental and human health threats, and active and passive water thefts on federal lands. This project will occur within 19 watersheds and up to 83 known cultivation sites while building statewide capacity to address cleanup and remediation.

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 cleanup illicit cultivation sites and remove associated non-hazardous infrastructure, toxicants that pose environmental and human health threats, and active and passive water thefts on federal 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.

CDFW does not believe reliance on the Class 4 categorical exemption 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, environmental contaminants, and the dismantling of infrastructure from illicit public land cannabis cultivations, 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.