

## 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:** Marshall Ranch Cannabis Trash Cleanup

**Project Applicant:** Eel River Watershed Improvement Group (ERWIG)

**Project Location:** The project will occur on approximately 2,942 acres of privately-owned land with cleanup sites located at the following coordinates: 40.08550, -123.85687, 40.08244, -123.84797, and 40.10553, -123.89887, in Humboldt County, California.

**Project Description:** CDFW's Cannabis Restoration Grant Program awarded ERWIG a grant (Agreement #Q2291205) for the Marshall Ranch Cannabis Trash Cleanup project (Project). The Project will remove trespass grow related garbage from the 2,942-acre Marshall Ranch. Three grow sites in the Sproul Creek watershed and Little Sproul Creek watershed have been identified on the ranch. ERWIG will develop a cleanup plan, which will include a Hazardous Materials Assessment plan, and remove all non-hazardous waste as well as any identified consumer grade hazardous waste.

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

**Person or Public Agency Carrying out Project:** Isaac Mikus, Executive Director, Eel River Watershed Improvement Group

**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 trespass grow related garbage at three sites on private land in Humboldt 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

DocuSigned by:  
*Amelia Wright*

Signature: \_\_\_\_\_  
Amelia Wright, Cannabis Program Director

Date: 2/8/2023

## **ATTACHMENT TO NOTICE OF EXEMPTION**

### **Re: Marshall Ranch Cannabis Trash Cleanup**

The California Department of Fish and Wildlife (CDFW) developed the Cannabis Restoration Grant Program (CRGP) to support the cleanup, 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 Eel River Watershed Improvement Group (ERWIG) a grant (Agreement #Q2291205) for the implementation of the Marshall Ranch Cannabis Trash Cleanup (Project). The general purpose of the Project includes the removal of trespass grow related garbage from the 2,942-acre Marshall Ranch. Three grow sites in the Sproul Creek watershed and Little Sproul Creek watershed have been identified on the ranch. ERWIG will develop a cleanup plan, which will include a Hazardous Materials Assessment plan, and remove all non-hazardous waste as well as any identified consumer grade hazardous waste.

### **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 remove trespass grow related garbage. 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 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 removing non-hazardous waste as well as any identified consumer grade hazardous waste from two highly protected and ecologically sensitive wilderness areas.

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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 is 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.