

Notice of Determination

To:
Office of Planning and Research
[CEQA Submit](#)

From:
Department of Fish and Wildlife
Region 1 Inland
601 Locust Street Redding, CA 96001
Contact: Dyana Judnick
Email: R1LSARedding@wildlife.ca.gov
Phone: (530) 225-2300



Lead Agency
Trinity County
PO Box 2819 Weaverville, CA 96093
Contact: Drew Plebani
Email: N/A
Phone: (530) 623-1353

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

State Clearinghouse Number: 2018122049

Project Title: Emerald Acreage, Trevor Allen (Lake or Streambed Alteration Agreement No. 1600-2019-0837-R1)

Project Location (Trinity): The project is located at unnamed Class III tributaries to Yew Wood Creek, in the County of Trinity, State of California; Section 22, Township 03S, Range 06E, U.S. Geological Survey (USGS) map Zenia, Humboldt Base and Meridian; 2281 Burgess Ranch Road; Assessor's Parcel Number 020-190-53-00.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (1600-2019-0837-R1), pursuant to Fish and Game Code section 1602, to the project Applicant, **Emerald Acreage, Trevor Allen**.

The project is limited to the replacement of existing undersized culverts on a private road, as well as maintenance of an existing on-stream pond. The pond is an existing feature that will not have additional work associated with the impoundment. When filled, the pond is 40-feet long, 40-feet wide and 10-feet deep with an approximate capacity of 0.40 acre-feet. The dam and spillway have been assessed by a Professional Engineer and determined to be structurally sound. This Agreement does not authorize any water storage until a water right is approved. There is a 160-foot-deep groundwater well located at 40.190378°N, 123.480538°W that will supply all cannabis irrigation water. CDFW did not evaluate the hydrologic connection of this well to other nearby surface waters. A County maintained roadway passes through the parcel, and existing culverts identified at locations 2,4,5,9, and 10 were determined to be under the County's responsibility to maintain and replace. Culvert locations identified as 6,7, and 8 were used to access a former cultivation site and shall be upgraded or removed. Culvert 3 contains the pond outlet. Culvert 1 was analyzed to be appropriately sized but was not included as a project in the Notification.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on June 28, 2023 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 environmental impact report 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** adopted by CDFW for this project.
5. A Statement of Overriding Considerations **was not** adopted by CDFW for this project.
6. Findings **were** made by CDFW pursuant to California Code of Regulations section 15091.

The Final EIR 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.

Signature: Curt Babcock Date: 6/28/2023
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Curt Babcock, Environmental Program Manager

Notice of Determination

Date Received for filing at OPR: _____