

## **Notice of Determination**

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**To:**

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

**From:**

Department of Fish and Wildlife  
Northern Region  
601 Locust Street  
Redding, CA 96001  
Contact: Kate Blanchard  
Email: [katherine.blanchard@wildlife.ca.gov](mailto:katherine.blanchard@wildlife.ca.gov)  
Phone: (530)225-2300



Lead Agency

Trinity County

P.O. Box 2819, Weaverville, CA 96093

Contact: Drew Plebani

Email:

Phone: (530) 623-1351

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

**State Clearinghouse Number:** 2018122049

**Project Title:** Commercial Cannabis Culvert Maintenance and Pond Spillway Improvement (Lake or Streambed Alteration Agreement No. 1600-2020-0140-R1)

**Project Location (Trinity):** The project is located on an unnamed tributary to Carter Gulch, as well as Carter Gulch which is itself a tributary to Hayfork Creek, in Trinity County; Section 36, Township 32N, Range 12W, U.S. Geological Survey (USGS) map Hayfork, Mount Diablo Base and Meridian; 136 Carter Gulch Road in the community of Hayfork; Assessor's Parcel Number 011-410-34-00.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement 1600-2020-0140-R1, pursuant to Fish and Game Code section 1602, to the project Applicant, Devin Proud.

The project is limited to maintaining existing culverts on a private driveway used to access commercial cannabis premises, as well as improvements to an existing on-stream pond. The pond is an existing feature, but new work includes armoring an existing spillway, and constructing an auxiliary spillway to protect the dam from scour and accommodate the peak 100-year storm event. When filled, the pond is 60-feet long, 50-feet wide and 10-feet deep.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on June 18, 2024 and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

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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:  BE359DC694B14AE \_\_\_\_\_ Date: 6/18/2024 \_\_\_\_\_

Adam McKannay, Environmental Program Manager  
Habitat Conservation Program (Interior)

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