

Notice of Determination

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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

Northern Region

601 Locust Street

Redding, CA 96001

Contact: Helen Bowman

Phone: (530) 485-7889



Lead Agency

Trinity County Planning Department

Cannabis Division

530 Main Street

Weaverville, CA 96093

Contact: Drew Plebani

Phone: (530) 623-1351

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

State Clearinghouse Number: 2018122049

Project Title: Unnamed Tributary to McIntyre Gulch Culvert Project (Lake or Streambed Alteration Agreement No. 1600-2019-0681-R11)

Project Location: The project is located on an unnamed tributary to McIntyre Gulch Creek in Trinity County, CA; T33N, R09W, Section 33, Mt. Diablo Base and Meridian, Weaverville U.S. Geological Survey (USGS) quadrangle, County Assessor's Parcel Number 025-140-36-00, 107 Top of Grade Road, Douglas City.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number 1600-2019-0681-R11, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Xor Xiong.

The project consists of the replacement of one single-culvert stream conveyance on an unnamed ephemeral tributary to McIntyre Gulch Creek. The existing 14-inch diameter corrugated metal pipe (CMP) culvert was determined to be misaligned and insufficient to convey the flow of a 100-year storm event. The existing culvert will be removed and replaced with a 24-inch CMP culvert and armored with two cubic yards of rock slope protection (RSP) placed at the outlet to resist erosion.

This is to advise that CDFW, acting as a Responsible Agency, approved the above-described project on July 11, 2023, and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will / 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 / were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan was / was not adopted by CDFW for this project.
5. A statement of overriding considerations was / was not adopted by CDFW for this project.
6. Findings were / were not made by CDFW pursuant to California Code of Regulations section 15091.

Notice of Determination

The final environmental impact report 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 Responsible Agency is available at CDFW's regional office.

DocuSigned by:
Signature Curt Babcock *Date:* 7/13/2023
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Curt Babcock, Interior Habitat Conservation Program Manager

Date Received for filing at OPR: _____