

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
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Lead Agency
Trinity County
PO Box 2819 Weaverville, CA 96093
Contact: Drew Plebani
Email: Cannabis_CEQA@trinitycounty.org
Phone: (530) 623-1353

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

State Clearinghouse Number: 2018122049

Project Title: Wellington Brothers Lake or Streambed Alteration Agreement No. EPIMS-TRI-51309-R1

Project Location (Trinity): The project is located on the New River, tributary to Trinity River, in an unincorporated area of Trinity County, California; Latitude 40.88195, Longitude -123.43601; Section 19, Township 06N, Range 07E, Humboldt Base and Meridian; in the Denny U.S. Geological Survey (USGS) 7.5-minute quadrangle; Assessor's Parcel Number 008-120-003-000.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-TRI-51309-R1), pursuant to Fish and Game Code section 1602, to the project Applicant, **Wellington Brothers**.

The project is limited to diversion of water and maintenance of diversion facilities for year-round domestic and other beneficial uses. Water is diverted by a solar pump through a 1-inch line and supplies water to pressure tanks above the diversion, to the property. This is an existing point of diversion (POD) that diverts water at 10-gallons per minute and operates under a riparian basis of claim (S026285). Maintenance consists of removing debris accumulated in the diversion infrastructure. Water from the diversion is not used for commercial cannabis irrigation. Water for commercial cannabis irrigation is provided by an off-channel rain catchment pond.

Notice of Determination

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on September 9, 2024, 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.

DocuSigned by:
Adam McKannay
 Signature: _____ Date: 9/9/2024
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Adam McKannay
 Environmental Program Manager
 Habitat Conservation Program (Interior)
 Northern Region

Date Received for filing at OPR: _____