

Notice of Determination

To:

Office of Planning and Research
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From:

Department of Fish and Wildlife
Region 1 Inland
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Trinity County
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2018122049

Project Title: American Cannabis Partners LLC (Lake or Streambed Alteration Agreement No. 1600-2019-0443-R1)

Project Location (Trinity): The project is located on an unnamed tributary Drinkwater Gulch Creek in Trinity County, CA; T31N, R12W, Section 5, Mt. Diablo Base and Meridian, U.S. Geological Survey (USGS) Hayfork quadrangle, County Assessor's Parcel Number 016-220-02-00, 241 Drinkwater Gulch Road, Hayfork.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (1600-2019-0443-R1), pursuant to Fish and Game Code section 1602, to the project Applicant, **Stephen Jordan**.

This Agreement is limited to two Projects: 1) the decommissioning of a diversion on an ephemeral stream and realignment of the stream channel, and 2) the operation and use of a diversion to storage of Drinkwater Gulch Creek.


1. Stream Diversion Decommission: A single twelve-inch diameter corrugated metal pipe (CMP) culvert currently diverts the majority of flow from an ephemeral tributary of Drinkwater Gulch Creek into an off-channel storage pond. The CMP will be removed, severing the connection from stream to pond, and allowing full stream flow to be conveyed within an existing channel which outlets into Drinkwater Gulch Creek.
2. Drinkwater Gulch Diversion: An existing diversion (application ID A022023, license ID 010574, permit ID 014776) will be used and maintained to fill an off-stream pond for wildlife habitat and aesthetic purposes. The diverted water is gravity fed to the pond from March 31 to November 1 of each year, and in accordance with the existing water right will be diverted at a total yearly cumulative rate of up to 37 acre-feet per year.

Notice of Determination

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on June 16, 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.

DocuSigned by:

 Signature: _____ Date: 12/8/2023

Ali Aghili,
 Acting Environmental Program Manager
 Habitat Conservation Program (Interior)
 Northern Region

Date Received for filing at OPR: _____