

Notice of Determination

To:

Office of Planning and Research
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From:

Department of Fish and Wildlife
Northern Region
601 Locust Street
Redding, CA 96001
Contact: Kate Blanchard
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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: Diversion of Water from Duncan Creek (Lake or Streambed Alteration Agreement No. 1600-2019-0831-R1)

Project Location (Trinity): The project is located at Duncan Creek, tributary to Carr Creek, in the County of Trinity, State of California; 40.578132°N, 123.082292°W, 421 Summit Creek Road in Hayfork, CA; Assessor's Parcel Number 015-270-36-00.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement 1600-2019-0831-R1, pursuant to Fish and Game Code section 1602, to the project Applicant, Valentin Ivanov, representing Corona Project, LLC.

The project is limited to diversion of surface water from Duncan Creek for both commercial cannabis cultivation and domestic purposes. This Agreement allows for surface water diversion from the existing 12-foot wide by 18-foot long cement cistern located within 20 feet of the channel. Water is pumped using a submersible ½-horsepower pump from the bottom of the 10-foot deep cement casing to a 200,000 gallon off-stream storage pond using a 1-inch black poly pipe. Water will be diverted and stored according to Small Irrigation Use Registration #H508536. The seep well may be maintained in its current state, including repairs within the casing structure, but this Agreement does not authorize expanding the capacity by digging it deeper or wider. This Agreement does not authorize any in-channel manipulation.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on January 23, 2024 and has made the following determinations

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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:  Date: 1/23/2024

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

Date Received for filing at OPR: _____