



California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
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EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director



Governor's Office of Planning & Research

February 13, 2018

FEB 11 2020

STATE CLEARINGHOUSE

Robert Scharringhausen
Amalgamated Growers Inc.
1137 Columbus Way, Vista, CA 92081

Subject: Suspension of Notification of Lake or Streambed Alteration, Notification No. 1600-2017-0848-R1, Trinity County APN #024-090-18-00

Dear Mr. Scharringhausen:

The purpose of this letter is to inform you that the California Department of Fish and Wildlife (Department) is suspending its processing of the above-referenced notification pursuant to Fish and Game Code section 1613.

On December 15, 2017, Department received your notification to cultivate cannabis on the subject property. Department has determined that the project as currently described violates code sections 1602 and 5650. These violations were observed during a site visit by Department staff conducted on January 29, 2018 and include the substantial diversion of a stream, placement of deleterious material (sediment) in a stream, and substantial alteration of a stream. See summary and directions for remediation below:

- One violation of Section 5650 for placement of deleterious material (sediment) within a stream for diversion access (labeled as "Stream Alteration 2" on Exhibit 1).
 - Deleterious material within the channel must be removed. Channel connectivity must be reestablished and streambed matched to natural grade.
- Three violations of Section 1602 for substantial alteration of a stream and obstruction of flow by constructing stream crossings at three locations (labeled as "Stream Alterations 1, 3, & 4" on Exhibit 1).
 - Any obstruction to flow within the streams must be removed. Channel connectivity must be reestablished and streambed matched to natural grade. If continued use of the crossings is proposed, each must be designed to pass 100-year flow events.

- Two violations of Section 5650 for placement of deleterious material (sediment) in a stream resulting from unculverted stream crossings at two locations (Stream Alterations 3 & 4 on Exhibit 1).
 - Deleterious material within the stream must be removed. Channel connectivity must be reestablished and streambed matched to natural grade.
- One violation of Section 5650 for placement of deleterious material (sediment) in a stream originating as discharge from a cannabis cultivation site and road capture (labeled as “Cultivation and Road Capture Discharge” on Exhibit 1).
 - Roadway and disturbed soil surfaces must incorporate designs that minimize or eliminate erosion and the transport of sediment into waters of the state. Design should adhere to methods specified in the most recent edition of the Handbook for Forest, Ranch, and Rural Roads.
- One violation of Section 5650 for placement of deleterious material (sediment) in a stream resulting from substandard road construction and leading to potential road failure (labeled as “Failing Road Segment” on Exhibit 1).
 - The failing segment of roadway is readily identifiable by soil separation running parallel to the road shoulder. This road segment requires stabilization and should be designed to eliminate any potential future failure that may result in deposit of sediment into waters of the state.
- The existing stream diversion is not in compliance with Section 1602 (labeled as “Point of Diversion” on Exhibit 1).
 - If the intent is to use water from a groundwater well or municipal sources for irrigation, all pipes, hoses, and other diversion materials must be removed from the stream.
- The existing stream diversion infrastructure is not in compliance with Section 1602 (same location as “Point of Diversion” on Exhibit 1).
 - If the intent is to use water from a groundwater well or municipal sources for irrigation, all structures must be removed and the streambed must be recontoured to match upstream and downstream conditions and natural grade.

Hence, pursuant to Fish and Game Code section 1613, the Department will not process the notification for your project until a remediation plan to remedy the violations, prepared by a qualified licensed professional, has been received and approved by the Department.

If you intend to implement the remediation plan as part of your project, the project description in the notification will need to be modified prior to beginning work and additional project fees in excess of the \$561.00 submitted with the original application may be required. Please refer to the attached fee schedule in order to determine any additional amount due. Additionally, remediation fees will apply. Please refer to Attachment E, Section V, in order to determine the amount due.

If you have questions regarding this letter, please contact Matt Mitchell, Environmental Scientist, at (530) 225-2103 or by email at matthew.mitchell@wildlife.ca.gov.

Sincerely,



Adam McKannay
Interior Cannabis and LSA Permitting Supervisor

Enclosures (1)

Ec: Leslie Hubbard, Trinity County Planning Department

Exhibit 1
Scharringhausen Cannabis Cultivation
Fish and Game Code Violations
Trinity County APN #024-090-18-00

