

Notice of Exemption

To:
Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

From:
Department of Fish and Wildlife
Region 1 – Northern
619 Second Street
Eureka, CA 95501



Street Address:
1400 Tenth Street
Sacramento, CA 95814

State Clearinghouse Number: N/A

Project Title: Zimmerman Reservoir Removal and Spring Restoration Project (Lake or Streambed Alteration Agreement No. EPIMS-05514-R1)

Project Location: The project to be completed is located within the Jacoby Creek watershed, approximately 10.7 miles east of the town of Eureka, County of Humboldt, State of California. The project is located in Section 4, T04N, R02E, Humboldt Base and Meridian; in the Korbel U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 314-131-033; latitude/longitude: 40.7635, -123.9582 at the spring and water impoundment.

Project Description: The project is limited to one encroachment for the removal of a water impoundment and restoration of a spring and the flow to Jacoby Creek. Permittee excavated a spring and created a reservoir without permits. Water from the spring and reservoir was then diverted for cannabis cultivation on the parcel. Subsequently, a water well that was drilled in 2016 has taken the place of the surface water diversion from the spring/reservoir, and the well provides all water needs for the property. The reservoir showed signs of potential leakage during a CDFW site inspection on August 7, 2019, with saturated conditions observed on the dam wall and extending downslope where runoff was intercepted by an old skid trail on its course to Jacoby Creek. The Permittee has chosen to remove the reservoir and restore the site.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Entity Carrying Out Project: Brian Zimmerman, representing Emerald Coast Genetics, Inc.

Exempt Status:

☒ Categorical Exemption. Type – Class 33 Small Habitat Restoration Projects; California Code of Regulations, Title 14, Section 15333

Reasons why project is exempt: The project is small habitat restoration, the primary purpose of which is to restore a spring and improve habitat for fish and wildlife. There would be no significant adverse impact on endangered, threatened, or rare species or their habitat pursuant to §15065. There are no hazardous materials at or around the project site that may be disturbed or removed. The project will not result in impacts that are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

CDFW Contact Person: Cheri Sanville, Senior Environmental Scientist Supervisor (707) 441-5901

Signature: 
Cheri Sanville, Senior Environmental Scientist Supervisor

Governor's Office of Planning & Research

Date: 2/5/2020

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STATE CLEARINGHOUSE