



California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
REGION 1 – NORTHERN REGION
619 Second Street
Eureka, CA 95501
www.wildlife.ca.gov

GAVIN C. NEWSOM, Governor
CHARLTON H. BONHAM, Director



October 12, 2020

Dejan Petrushevski
Mayers Flat Farm
Po Box 2114
Redway, CA 95560
deyanrim@gmail.com

Subject: **Notification of Lake or Streambed Alteration No. 1600-2018-0695-R1
County Assessor's Parcel Number 211-372-006.**

Dear Dejan Petrushevski:

On November 14, 2018, the California Department of Fish and Wildlife (CDFW) received your Notification of Lake or Streambed Alteration (Notification). Additional information was received on September 18, 2019. On October 18, 2019 your Notification was deemed complete due to the passage of 30 days with no action taken by CDFW to incomplete your Notification.

The Department is required to submit a draft Lake or Streambed Alteration Agreement (Agreement) to you within 60 calendar days from the date the Notification is complete. Therefore, the Department had until December 17, 2019 to issue you a draft Agreement or inform you that an Agreement is not required. Due to current staffing limitations, the Department did not meet that date. As a result, by law, you may now complete the **project described in your notification** without an Agreement.

Please note that pursuant to Fish and Game Code (FGC) section 1602, subdivision (a)(4)(D), if you proceed with this project, **it must be the same as described and conducted in the same manner as specified in the notification and any modifications to that Notification received by CDFW in writing prior to the date of this letter.** This includes completing the project within the proposed term and seasonal work period and implementing all avoidance and mitigation measures to protect fish and wildlife resources specified in the notification. If the term proposed in your notification has expired, you will need to re-notify CDFW before you may begin your project. Beginning or completing a project that differs in any way from the one described in the notification may constitute a violation of FGC section 1602.

This letter does not retroactively permit any stream crossings, water diversions or other encroachments not described and included as projects within the notification received. Any additional projects would require the submittal of a new Notification.

Also note that while you are entitled to complete the project without an Agreement, you are still responsible for complying with other applicable local, state, and federal laws.

Conserving California's Wildlife Since 1870

Dejan Petrushevski

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These include FGC sections 5650 and 5652 which make it unlawful to pollute waters of the state. FGC section 5650 makes it unlawful to deposit in, permit to pass into, or place where it can pass into waters of the state any substance or material deleterious to fish, plant life, mammals, or bird life, including, but not limited to gasoline and oil, as well as sediment. FGC section 5652 makes it unlawful to deposit in, permit to pass into, or place where it can pass into waters of the state, or to abandon, dispose of, or throw away, within 150 feet of the high water mark of the waters of the state, any garbage, refuse, or waste, among other materials. A person who violates FGC sections 1602, 5650, and 5652 in conjunction with the cultivation or production of cannabis is subject to significant penalties or fines. Specifically, CDFW may impose civil penalties administratively against any person found by CDFW to have violated these FGC sections in connection with the production or cultivation of cannabis following a complaint and, if requested, a hearing.

Other statutes in the FGC that might apply to your activity, include, but not limited to the following sections: 2080 et seq. (species listed as threatened or endangered, or a candidate for listing under the California Endangered Species Act); 1908 (rare native plants); 3511, 4700, 5050, and 5515 (fully protected species); 3503 (bird nests and eggs); 3503.5 (birds of prey); 5901 (fish passage); 5937 (sufficient water for fish); and 5948 (obstruction of stream).

Finally, if you decide to proceed with your project without an Agreement, you must have a copy of this letter and your notification with all attachments available at all times at the work site. Please note this letter is only valid until **December 17, 2024** which is 5 years from the date the Department was required to provide a Draft Agreement.

If you have any questions regarding this letter, please contact Andrew Orahoske, Environmental Scientist at Andrew.orahoske@wildlife.ca.gov.

Sincerely,



Cheri Sanville
Senior Environmental Scientist Supervisor

ec: Chris Carroll
Timber Resource Consultants carroll@timberlandresource.com

Andrew Orahoske
California Department of Fish and Wildlife, andrew.orahoske@wildlife.ca.gov