

# Notice of Determination

<b>To:</b> Office of Planning and Research U.S. Mail: P.O. Box 3044 Sacramento, CA 95812-3044  Street Address: 1400 Tenth Street, Room 113 Sacramento, CA 95814	<b>From:</b> Public Agency: Department of Fish and Wildlife (CDFW) Address: 3883 Ruffin Road San Diego, CA 92123  Contact: Jennifer Turner Phone: 858-467-2717  <b>Lead Agency (if different from above):</b> Name: City of Irvine Address: 1 Civic Center Plaza P.O. Box 19575 Irvine, CA 92623-9575  Contact: Attn: City Clerk Phone: 949-724-6188
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**SUBJECT:** *Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.*

**State Clearinghouse Number:** (if submitted to State Clearinghouse): 2005081099

**Project Title:** Planning Area 39 Phase II

**Project Applicant:** The Irvine Company

**Project Location (include county):** The project is located in the bed, channel, and bank of an unnamed tributary to San Diego Creek and San Diego Creek, approximately one-quarter mile northwest of the intersection of Bake Parkway and Lake Forest Drive, in the City of Irvine, County of Orange.

**Project Description:**

CDFW is intending to execute a Lake and Streambed Alteration Agreement pursuant to Section 1602 of the Fish and Game Code (#1600-2019-0230-R5) to the project applicant, The Irvine Company. The project proposes to permanently impact 0.26 acre (0.03 acre within Limited Use Area B) of unvegetated streambed and 0.30 acre (0.24 acre within Limited Use Area B) of mulefat scrub; 0.19 acres of unvegetated streambed in San Diego Creek; and the remaining 0.07 acre of permanent impacts to unvegetated streambed and all of the 0.30 acre of permanent impacts to sycamore riparian woodland occur in the unnamed tributary, for a total of 0.56 acre of permanent impacts

This is to advise that the CDFW acting as a ( Lead Agency /  Responsible Agency) approved the above described project on 2/9/2021 and has made the following determinations regarding the above described project:

1. The project [ will /  will not] have a significant effect on the environment.
2.  An Environmental Impact Report (EIR) was prepared for this project pursuant to CEQA.
3. Mitigation measures [ were /  were not] made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan [ was /  was not] adopted by CDFW for this project.
5. A Statement of Overriding Considerations [ was /  was not] adopted by CDFW for this project.
6. Findings [ were /  were not] made by CDFW pursuant to the provisions of CEQA.
7. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):
  - Payment is submitted with this notice.
  - A copy of a receipt showing prior payment is on file with the CDFW.

This is to certify that the final EIR with comments, responses, and record of project approval is available to the General Public at the office location listed above for the Lead Agency. CDFW's record of decision is available at the CDFW office above.

Signature (Public Agency): Erinn Wilson-Olgin  
 Erinn Wilson-Olgin  
 Environmental Program Manager  
 2/9/2021

Date: \_\_\_\_\_

Date Received for Filing at OPR: \_\_\_\_\_

Authority cited: Sections 21083, Public Resources Code.  
Reference Section 21000-21174, Public Resources Code.