

Notice of Determination

To:
Office of Planning and Research
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From:
Department of Fish and Wildlife
Inland Deserts Region
3602 Inland Empire Blvd Suite C-220
Ontario, CA 91764
Contact: Jacob Skaggs
Email: jacob.skaggs@wildlife.ca.gov



Lead Agency
Coachella Valley Association of Governments
73-710 Fred Waring Drive, Suite 200
Contact: Martin Magaña
Email: mmagana@cvag.gov

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2013111050

Project Title: CV Link Project (Lake or Streambed Alteration Agreement No. 1600-2016-0248-R6)

Project Location (Riverside County): The Project is located at up to 31 locations along Tahquitz Creek, tributary to the Whitewater River, and along the Whitewater River (Whitewater River Stormwater Channel and Coachella Valley Stormwater Channel), within the Cities of Palm Springs, Cathedral City, Palm Desert, La Quinta, Indio, Coachella, portions of the Reservations for three Native American tribes (Agua Caliente Band of Cahuilla Indians, Cabazon Band of Mission Indians and Twenty-Nine Palms Band of Mission Indians), and unincorporated areas of Riverside County, State of California. If the Cities of Rancho Mirage and Indian Wells participate in the project, then this Agreement applies also to work within those cities.

Project Description: The California Department of Fish and Wildlife (CDFW) has amended Streambed Alteration Agreement 1600-2016-0248-R6, pursuant to Fish and Game Code section 1602, to the project Applicant, Martin Magaña of the Coachella Valley Association of Governments. The amendment updates Measure 2.3 allowing for the exclusion of burrowing owl during the non-breeding season while following specific avoidance and minimization measures. The amendment does not allow additional impacts to Fish and Game Code Section 1602 resources.

This is to advise that CDFW, acting as a Responsible Agency, amended the project described above on January 19, 2023 and has made the following determinations 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.

DocuSigned by:

Signature: 84F92FFEEFD24C8... Date: 1/19/2023

Kim Freeburn, Environmental Program Manager

Date Received for filing at OPR: _____