

To:
Office of Planning and Research

For U.S. Mail:
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Street Address:
1400 Tenth Street
Sacramento, CA 95814

From:
Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: Cheri Sanville
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 1989013110

Project Title: Seasonal Breaching of Sandbar Separating Lake Talawa and Lake Earl from the Pacific Ocean (Lake or Streambed Alteration Agreement No. EPIMS-DEL-15939-R1)

Project Location: The project is located on the sandbar separating Lakes Talawa and Earl from the Pacific Ocean, approximately 5.4 miles north northwest of the town of Crescent City, County of Del Norte, State of California; Section 31, T17N, R01W, Humboldt Base and Meridian, in the Crescent City U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 106-010-034; latitude 41.8274 N, longitude 124.2260 W.

Project Description: The project will allow for seasonal breaching of the sandbar separating Lakes Talawa and Earl from the Pacific Ocean. Del Norte County proposes to mechanically breach the sandbar with a bulldozer when the lake surface elevation is between +8' mean sea level (MSL) and +10' MSL during the wet season period from September 1 to February 15. A breach will occur on or about February 15th if lake levels are at +5' MSL or greater to prevent flooding conditions from occurring during the late winter and springtime. The Permittee will ensure adequate water within the lakes for aquatic and wetland habitat are sustained throughout the dry summer period. The Permittee shall coordinate with CDFW to implement protective measures and mitigations set forth in the Lake Earl Wildlife Area Management Plan and Final Environmental Impact Report.

Determination: This is to advise that CDFW, acting as the Lead Agency / a Responsible Agency approved the above described project and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will / will not have a significant effect on the environment. (This determination is limited to effects within CDFW's jurisdiction when CDFW acts as a responsible agency.)
 2. A final environmental impact report / A negative declaration / A timber harvesting plan 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 Statement of Overriding Considerations was / was not adopted by CDFW for this project.
 5. Findings were / were not made by CDFW pursuant to Public Resources Code § 21081(a). CDFW did, however, adopt findings to document its compliance with CEQA.
 6. 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 CDFW.
 - A copy of the CEQA Filing Fee No Effect Determination Form signed by the Department is attached to this notice.
- Lead Agency certification: CDFW, as Lead Agency, has made the final PEIR with comments and responses and record of project approval, or the Negative Declaration, available to the General Public at the CDFW office identified above.

Signature _____ *Date:* _____
Cheri Sanville, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: _____