

Notice of Determination

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

Street Address:
1400 Tenth Street
Sacramento, CA 95814

From:
Department of Fish and Wildlife
Inland Desert Region
3602 Inland Empire Boulevard, Suite C-220
Contact: Arturo Delgado
Phone: (760) 200-9186



Lead Agency
California Natural Resources Agency
1416 9th Street, Suite 1311
Sacramento, CA 95814
Contact: Heather Baugh
Phone: (916) 653 - 5656

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108 or 21152

State Clearinghouse Number: 2010061062

Project Title: Salton Sea Species Conservation Habitat Project (CESA MOU ID: 2081a-2019-002-R6)

Project Location (include county): The Salton Sea Species Conservation Habitat Project is located in Imperial County towards the southern end of the Salton Sea at the mouth of the New River about 9 miles west of the City of Calipatria, Imperial County, State of California.

Project Description: The project consists of the construction of a series of gravity-fed ponds with islands and areas of varying water depths that will serve as fish and avian habitat, the development of associated water delivery systems, and associated electrical power infrastructure development to provide power for the water pumps. These ponds will impound saline water at a shallow depth within the project site to create piscivorous bird habitat within an area of currently exposed and dry playa area. This will be done to offset the loss of habitat of this type that is occurring as the Salton Sea recedes and becomes increasingly saline.

The SCH project will involve the construction of ponds to the east and west of the New River. These ponds will cover 3,770 acres and will also be associated with water delivery and electrical power supply infrastructure.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on July 5th, 2019 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 permitting jurisdiction as a Responsible Agency.
2. CDFW considered the Environmental Impact Report prepared by the Lead Agency for this project pursuant to the provisions of 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 California Code of Regulations section 15091.

The final environmental impact report 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 Responsible Agency is available at CDFW's regional office.

Signature

A handwritten signature in blue ink that reads "Arturo Delgado".

Date:

7/12/19

Arturo Delgado, Salton Sea Program Manager

Governor's Office of Planning & Research

Date Received for filing at OPR: JULY 12 2019

STATE CLEARINGHOUSE

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
CALIFORNIA ENDANGERED SPECIES ACT MEMORANDUM OF UNDERSTANDING
REGARDING PROPOSED CESA 2081(a) MOU
NO: 2081a-2019-002-R6**

**Salton Sea Species Conservation Habitat (SCH) Project
California Department of Water Resources
County of Imperial, CA**

CEQA FINDINGS

INTRODUCTION:

The California Environmental Quality Act ("CEQA"; Public Resources Code §21000, *et seq.*), and the State CEQA Guidelines ("Guidelines"; 14 Cal. Code Regs. 15000, *et seq.*) require that prior to reaching a decision on a project, a Responsible Agency must consider the environmental effects of the project as shown in the document prepared by the Lead Agency.

As the lead agency for the Species Conservation Habitat Project, the California Natural Resources Agency adopted an Environmental Impact Report on August 5, 2013.

The California Department of Fish and Wildlife is issuing a California Endangered Species Act (CESA) Memorandum of Understanding (MOU) authorizing take by Permittee of desert pupfish (*Cyprinodon macularius*) resulting from the effects of the Species Conservation Habitat (SCH) project on up to 48.5 acres of desert pupfish habitat for management and scientific purposes pursuant to Fish and Game Code (FGC) Section 2081(a). The SCH project will involve the construction of ponds to the east and west of the New River. These ponds will cover 3,770 acres and will also be associated with water delivery and electrical power supply infrastructure. The project consists of the construction of a series of gravity-fed ponds with islands and areas of varying water depths that will serve as fish and avian habitat, the development of associated water delivery systems, and associated electrical power infrastructure development to provide power for the water pumps. These ponds will impound saline water at a shallow depth within the project site to create piscivorous bird habitat within an area of currently exposed and dry playa area. This will be done to offset the loss of habitat of this type that is occurring as the Salton Sea recedes and becomes increasingly saline.

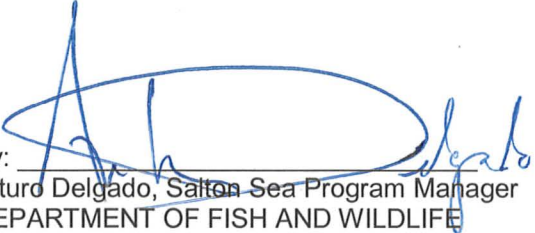
The California Department of Fish and Wildlife ("CDFW") is a Responsible Agency under CEQA for the purpose of authorizing incidental take. As a CEQA Responsible Agency, CDFW is required by Guidelines §15096 to review the environment document certified by the Lead Agency approving the project and to make certain findings concerning the project's potential to cause significant, adverse environmental effects. However, when considering alternatives and mitigation measures approved by the Lead Agency, a Responsible Agency is more limited than the Lead Agency. CDFW has responsibility for mitigating or avoiding only the direct or indirect environmental effects of the CESA MOU that it approves.

FINDING:

CDFW has considered the Environmental Impact Report prepared by the Lead Agency. CDFW has independently concluded that the CESA MOU should be issued under the terms and conditions specified therein. CDFW finds that with the mitigation measures incorporated into the CESA MOU, there will be no significant effects from the proposed project.

The Project is Approved.

DATE: July 12th, 2019

By: 
Arturo Delgado, Salton Sea Program Manager
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region

Governor's Office of Planning & Research

JULY 12 2019

STATE CLEARINGHOUSE