

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
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
Contact: Jennifer Turner
Phone: (858) 467-2717



Lead Agency:

Orange County Public Works
601 N. Ross Street
Santa Ana, CA 92701
Contact: James Volz
Phone: 714-647-3904

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

State Clearinghouse Number: 2011091024

Project Title: Six Foothill Retarding Basins (Streambed Alteration Agreement No. 1600-2011-0326-R5, Major Amendment ORA-013353)

Project Location: Bee Canyon Retarding Basin can be found on the U.S. Geographical Survey (USGS) 7.5-minute series El Toro topographic quadrangle and is located in Section 27, Township 5 south, Range 8 west. It is located on the northeast side of the 241 toll road at Latitude 33°42'21.67"N, Longitude 117°42'40.19"W.

Hicks Canyon Retarding Basin can be found on the U.S. Geological Survey (USGS) 7.5-minute series El Toro topographic quadrangle and is located in Section 16, Township 5 south, Range 8 west. It is located on the northeast side of the 241 toll road at Latitude 33°44'07"N, Longitude 117°42'56.68"W.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed a Major Amendment to the existing Streambed Alteration Agreement 1600-2011-0326-R5, pursuant to section 1602 of the Fish and Game Code to the project Permittee, Orange County Public Works.

Permittee will implement a rotational vegetation and sediment management strategy: maintenance of specific segments of Bee Canyon Retarding Basin and Hicks Canyon Retarding Basin will be conducted on a rotating basis every two years in order to allow for use of the vegetation by sensitive species while meeting the maintenance needs of the basins. The rotational vegetation management will be monitored during the least Bell's vireo nesting season. Finally, Permittee will adopt a Catastrophic Event Sediment Protocol.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on 12/14/2020 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 [mitigated negative declaration / negative declaration] prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
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 not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to California Code of Regulations section 15091.

The [mitigated negative declaration / negative declaration] 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.

Notice of Determination

DocuSigned by:

Erinn Wilson-Olgin
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12/17/2020

Signature

Date:

Erinn Wilson-Olgin, Environmental Program Manager

Date Received for filing at OPR: _____