

**Notice of Determination****- 1 -****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 Blackhall

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**Lead Agency**

Orange County Public Works

601 North Ross Street

Santa Ana, CA, 92701

Contact: James Volz

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

**State Clearinghouse Number:** 2011091024

**Project Title:** Six Foothill Retarding Basins Project (Streambed Alteration Agreement No. 1600-2011-0326-R5)

**Project Location (include county):** The project site includes six retarding basins located in the foothills of the Santa Ana Mountains. All sites are located in the County of Orange, California. A detailed description indicating the exact location of each basin follows:

Bee 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 27, Township 5 south, Range 8 west. Bee Canyon Retarding Basin is located on the northeast side of the 241 toll road at Latitude 33°42'21.67"N, Longitude 117°42'40.19"W.

East Hicks Canyon Retarding Basin can be found on the USGS 7.5-minute series El Toro topographic quadrangle and is located in Section 21, Township 5 south, Range 8 west. East Hicks Canyon Retarding Basin is located on the northeast side of the 241 toll road at 33°43'19.33"N, Longitude 117°43'07.03"W.

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

Orchard Estates Retarding basin can be found on the USGS 7.5-minute series El Toro topographic quadrangle and is located in Section 16, Township 5 south, Range 8 west. Orchard Estates Retarding Basin is located northeast of Orchard Hills Road which can be reached from Portola Parkway by turning north. The basin is located at Latitude 33°44'18.16"N, Longitude 117°42'56.68"W.

Round Canyon Retarding Basin can be found on the USGS 7.5-minute series El Toro topographic quadrangle and is located in Section 34, Township 5 south, Range 8 west. Round Canyon Retarding Basin is located on the northeast side of the 241 toll road at Latitude 33°42'00.63"N, Longitude 117°41'53.29"W.

Trabuco Retarding Basin can be found on the USGS 7.5-minute series Tustin topographic quadrangle is located in Section 31, Township 5 south, Range 8 west. Trabuco Retarding Basin is located at the corner of Jeffrey and Trabuco Roads and is located due east of this intersection at Latitude 33°41'47.38"N, Longitude 117°45'31.37"W.

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

The Major Amendment includes an updated Catastrophic Event Protocol (updated from a clause) dated May 28, 2021. The updated Catastrophic Event Protocol includes more information pertaining to post-emergency maintenance restoration.

**Notice of Determination**

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on December 7, 2021, 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.

DocuSigned by:  
*Signature* David Mayer *Date:* 12/7/2021  
D700B4520375406  
 David Mayer, Environmental Program Manager

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