

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
Northern Region
619 Second Street
Contact: Daniel Harrington
Phone: 707-456-0335

Lead Agency
California State Lands Commission
100 Howe Ave, Suite 100-South
Sacramento, CA 95825-8202
Contact: Al Franzoia
Phone: 916-574-1900

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

State Clearinghouse Number: 2019049159

Project Title: Transpacific Installation of Fiberoptic Cable (Lake or Streambed Alteration Agreement No. 1600-2019-0809-R1)

Project Location (include county): The project affects five creek crossings of State Route 1 (SR1) in a 3.5-mile section between Irish Beach and the Garcia River, in the County of Mendocino, State of California; Sections 1 and 12, Township 13N, Range 17W; Section 18, Township 13N, Range 16W; Section 24 and 25, Township 13N, Range 17W; Mt. Diablo Base and Meridian, in the Mallo Pass Creek, and Point Arena, Calif. U.S. Geological Survey 7.5-minute quadrangles.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number 1600-2019-0809-R1, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Chris Brungardt, representing RTI Infrastructure, Inc.

The project is limited to five encroachments. Each encroachment is a crossing of a watercourse using horizontal directional drilling (HDD). In four cases, the drill bore will pass beneath the bed of a waterway, and in one case the drill bore will pass above a culvert within the road fill prism. Mitigations and best management practices will avoid or minimize potential impacts to bed, bank, channel, and bore pits will be located outside of the riparian area of each crossing. Mitigations and best management practices will avoid or minimize potential impacts to wildlife, including the Point Arena mountain beaver and steelhead trout.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on December 10, 2019 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.

Signature Scott Bane for **Date:** 1/21/2020
Gordon Leppig, Senior Environmental Scientist Supervisor

Governor's Office of Planning & Research

Date Received for filing at OPR: JAN 22 2020

STATE CLEARINGHOUSE