

Notice of Exemption

To:

Office of Planning and Research
[CEQA Submit](#)

From:

Department of Fish and Wildlife
South Coast Region
3883 Ruffin Road
San Diego, CA 92123



Project Title: Big Canyon Coastal Habitat Restoration and Resiliency Project (Restoration Management Permit No. RMP-2023-0001-R5)

Project Location: The project is located within the Big Canyon Nature Park in the City of Newport Beach situated in United States Geological Survey (USGS) 7.5' series Newport Beach Quadrangle. The physical address of the Project is 1950 Back Bay Dr., Newport Beach, CA 92660. The Project is in the County of Orange, State of California; Latitude 33.630890 and Longitude -117.880724.

Project Description: The California Department of Fish and Wildlife (CDFW) has issued this Restoration Management Permit (RMP) pursuant to section 2081(a) of the Fish and Game Code to the Newport Bay Conservancy. This Project will restore approximately 14.3 acres of salt marsh and transitional wetland habitats through grading, invasive plant removal and revegetation with native species. The Project is expected to benefit salt marsh bird's beak (*Chloropyron maritimum ssp. maritimum*) and light-footed Ridgway's rail (*Rallus obsoletus levipes*), referred to as the Covered Species. The Project is estimated to take 300 salt marsh bird's beak individuals of the Covered Species in the form of catch, capture, and relocation; the Project may also result in take of 300 salt marsh bird's beak individuals and 1 light-footed Ridgway's rail individual in the form of incidental mortality of the Covered Species during construction of the Project. Permittee is authorized to relocate the Covered Species out of harm's way. CDFW has determined and expects that the Project will benefit, aid in the conservation of, and assist in the recovery of the Covered Species. This notice is to advise that CDFW issued the above-described RMP on the date signed below.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: City of Newport Beach

Exempt Status:

- Statutory Exemption. Public Resources Code Section 21080.56 (Statutory Exemption for Restoration Projects)
- Categorical Exemption.

Reasons why project is exempt: See attachment.

CDFW Contact Person: Christian Romberger, Senior Environmental Scientist (Specialist),
Christian.romberger@wildlife.ca.gov

DocuSigned by:

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7/10/2023

Signature: _____ Date: _____

Victoria Tang, Acting Regional Manager
South Coast Region

Date received for filing at OPR: _____



DEPARTMENT OF FISH AND WILDLIFE

ATTACHMENT TO NOTICE OF EXEMPTION

Big Canyon Coastal Habitat Restoration and Resiliency Project (Restoration Management Permit No. RMP-2023-0001-R5)

The California Department of Fish and Wildlife (CDFW) has issued Restoration Management Permit (RMP) Number RMP-2023-0001-R5 pursuant to Fish and Game Code § 2081 (a), for City of Newport Beach's Big Canyon Coastal Habitat Restoration and Resiliency Project (Project). The Project will occur within the Big Canyon Nature Park in the City of Newport Beach, physical address 1950 Back Bay Dr, Newport Beach, CA 92660, in the County of Orange. This Project will restore approximately 14.3 acres of salt marsh and transitional wetland habitats through grading, invasive plant removal, and revegetation with native species. The Project is expected to benefit salt marsh bird's beak (*Chloropyron maritimum ssp. maritimum*) and light-footed Ridgway's rail (*Rallus obsoletus levipes*).

CDFW Approved the RMP relying on the California Environmental Quality Act (CEQA) Statutory Exemption for Restoration Projects (SERP) (Cal. Pub. Res. Code § 21080.56). The Project falls within the SERP because the Project meets all of the following conditions: (1) the Project is exclusively to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or is exclusively to restore or provide habitat for California native fish and wildlife; (2) the Project may have public benefits incidental to the Project's functional purpose; (3) the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and includes procedures and ongoing management for the protection of the environment; and (4) Project construction activities are solely related to habitat restoration.

The CDFW CEQA SERP Concurrence Number 21080.56-2022-003-R5 for the Project provides more detailed information on the Project's SERP eligibility; that concurrence is available at the following CDFW webpage (<https://wildlife.ca.gov/Notices/CEQA>)