

Notice of Determination

To:

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

From:

Department of Fish and Wildlife
South Coast Region 5
3883 Ruffin Road
San Diego, CA, 92123
Contact: Jennifer Blackhall
Email: Jennifer.Blackhall@wildlife.ca.gov
Phone: (858) 354-3285



Lead Agency
Orange County Department of Public Works
300 N. Flower Street
Santa Ana, CA, 92702
Contact: Lisa Cibellis
Phone: (714) 834-2089

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

State Clearinghouse Number: 2012111011

Project Title: Carbon Creek Diversion Channel Project (Streambed Alteration Agreement No. EPIMS-ORA-26153-R5)

Project Location: The project is located at the Carbon Canyon Diversion Channel, in the County of Orange, State of California; Latitude 33.860376, -117.854939; Assessor's Parcel #345-061-18.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement ([EPIMS-ORA-26153-R5]), pursuant to Fish and Game Code section 1602, the project Applicant, Orange County Department of Public Works.

The project is limited to the replacement of the earthen banks in the Carbon Canyon Diversion Channel with ungrouted riprap from the northern end just below Orangethorpe Avenue down south to the E. Coronado Street extension bridge. Currently, the diversion channel has earthen banks and an earthen invert and is largely unvegetated except for sparse non-native vegetation. An excavator will excavate both banks from the bank toe to top of the existing channel bank for 3,600 feet. About 1,000 feet of the western bank has sloughing riprap that will be removed and replaced with new ungrouted riprap. The channel invert will remain earthen.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on May 15, 2023 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** prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures **were** made a condition of CDFW's approval of the project.
4. A Mitigation Reporting or Monitoring Plan **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 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 a Responsible Agency is available at CDFW's regional office.

DocuSigned by:

Jennifer Turner

Date: 5/15/2023

Signature: _____

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Jennifer Turner, acting for David Mayer, Environmental Program Manager

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Date Received for filing at OPR: _____