

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:

California Department of Fish and Wildlife (CDFW)
 Inland Deserts Region
 3602 Inland Empire Blvd., Suite C-220
 Ontario, CA 91764
 Contact: Kim Romich
 Phone: (760) 937-1380

Lead Agency

San Bernardino County Flood Control District
 825 E. Third St., Room 123
 San Bernardino, CA 92415
 Contact: Nancy Sansonetti
 Phone: 909-387-8109

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

State Clearinghouse Number: 2015051070

Project Title Rimforest Storm Drain Project (California Endangered Species Act Incidental Take Permit No. 2081-2021-002-06 (ITP))

Project Location (include county): The Rimforest Storm Drain Project (Project) is located immediately north of the San Bernardino National Forest, in the unincorporated community of Rimforest, in the County of San Bernardino, State of California; with each corner generally located at latitude 34.228954 N, longitude -117.230477 W; latitude 34.230342 N, longitude -117.230342 W; latitude 34.233029 N, longitude -117.217895 W; latitude 34.23307 N, longitude -117.216528 W; and latitude 34.229726 N, longitude -117.219125 W; in Section 30, Township 2 North, Range 3 West, USGS Harrison Mountain Quadrangle 7.5 minute topographical map.

Project Description: This proposed project involves restoring runoff from its current flow-path through the community of Rimforest and outlet at the landslide area in southern Rimforest, into a new flow-path comprised of channels and pipeline to the north of SR-18, with an outlet into Little Bear Creek. In re-directing this runoff, the proposed project would result in runoff flowing into the Mojave River Watershed instead of the Santa Ana River Watershed.

The Project will result in impacts to 9.89 acres of southern rubber boa (*Charina umbratica*) habitat, including 1.23 acres that are developed, the permanent loss of 4.49 acres of habitat, and the temporary loss of 4.17 acres of habitat. The project is expected to result in incidental take of southern rubber boa, which is/are designated as a threatened species under the California Endangered Species Act. The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation.

This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on December 28, 2021 and made the following determinations regarding the above described project:

1. The project [will / 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. [An environmental impact report / A negative declaration] was prepared by the lead agency for the original project.
 3. Additional 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 / was not] adopted by CDFW for this project.
 6. Findings [were / were not] made by CDFW pursuant to Public Resources Code § 21081(a)
 7. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):
 - Payment is submitted with this notice.
 - A copy of a receipt showing prior payment was submitted to CDFW.
- Responsible Agency statement: The EIR prepared by the lead agency for the Project is available to the general public at the office location listed above for the lead agency. CDFW's administrative record of proceedings related to the incidental take permit is available to the public for review at CDFW's regional office.

Notice of Determination

- 2 -

DocuSigned by:
Leslie MacNair
AFEAC2ED7268408...

Signature _____ *Date:* 12/28/2021 _____

Leslie MacNair
Regional Manager

Date Received for filing at OPR: _____