

Notice of Determination

To:

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

From:

Department of Fish and Wildlife
Inland Deserts Region
3602 Inland Empire Blvd. Suite C-220
Ontario, CA 91764
Contact: Breanna Machuca
Email: breanna.machuca@wildlife.ca.gov
Phone: (760) 636-3487



Lead Agency
City of Lake Elsinore
130 S. Main Street
Lake Elsinore, CA 92530
Contact: Kirt A. Coury
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Phone: (951) 674-3124

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

State Clearinghouse Number: 2005071134

Project Title: Running Deer Estates Project (Lake or Streambed Alteration Agreement No. EPIMS-RIV-25206-R6)

Project Location (County of Riverside): The Running Deer Estates Project (Project) is located west of Lake Street, and north of the terminus of Lincoln Street, southwest of Interstate 15, and northwest of State Route 74, in the City of Lake Elsinore, County of Riverside, State of California; Latitude 33.70050, Longitude -117.40030; Assessor's Parcel Number 394-120-014.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-RIV-25206-R6), pursuant to Fish and Game Code section 1602, the project Applicant, Richmond American Homes as represented by Brent Ball.

The Project is in response to a Notice of Violation (NOV) issued by the California Department of Fish and Wildlife (CDFW) on October 25, 2021. The NOV was issued for grading and ground disturbance activities within fish and wildlife resource areas subject to Fish and Game Code 1600 et seq. The violation areas included:

- unauthorized grading, ground disturbance and vegetation removal within Rice Canyon Creek (33.7018805556, -117.401519444)
- evidence of fill and other construction activities in an unnamed stream of a dirt road used to access the development site (33.701358333, -117.402466667)
- evidence of fill and other construction activities in Rice Canyon Creek of a dirt road used to access the development site (33.7008150288, -117.401897477)
- grading of the streambed slope that resulted in the filling of Rice Canyon creek (33.7029027778, -117.00016667)

These unauthorized activities resulted in 1.17 acres of unauthorized impacts within the stream and associated riparian habitat. The Project includes restoration of the 1.17 acres of violation areas to pre-impact conditions.

The Project also includes the construction of a storm drain outlet. The detention basin flows will discharge to the streambed through a 36-inch reinforced concrete pipe and headwall in the northwestern corner of the Project site onto a riprap pad, which will result in 0.01 acre of impacts to the streambed habitat.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on November 20, 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.

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- 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** 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:
Kim Freeburn
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Signature: _____ Date: 11/20/2023

Kim Freeburn, Environmental Program Manager

Date Received for filing at OPR: _____