

## 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: John Dempsey  
Email: John.Dempsey@wildlife.ca.gov



Adam Rush  
City of Banning  
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**SUBJECT:** Filing of Notice of Determination pursuant to Public Resources Code section 21108

**State Clearinghouse Number:** 2007091149

**Project Title:** Phases III-VIII Atwell/Butterfield Specific Plan Project (Lake or Streambed Alteration Agreement No. EPIMS-RIV-13698-R6)

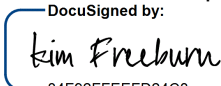
**Project Location:** The Phases III-VIII Atwell/Butterfield Specific Plan Project (Project) is located to the north of Wilson Street, west of Highland Home Road, and east of Highland Springs Avenue, in the City of Banning, County of Riverside, State of California; Latitude 33.934110°, Longitude -116.935555°; on the U.S. Geological Survey (USGS) Beaumont 7.5-minute series quadrangle topographic map.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has issued Streambed Alteration Agreement EPIMS RIV-13896-R6, pursuant to Fish and Game Code section 1602, to the project Applicant, Tri Pointe Homes IE-SD Inc. The Project will construct the balance of the residential units within the Specific Plan, roads, parks, potentially a school site, as well as the developed open space, and the 161-acre Smith Creek Corridor. The Smith Creek Corridor will consist of the North Basin (Basin A) at the northern end, a main stem channel through the entire Project site, an east and west branch that are tributary to Smith Creek, and a trail system to serve the residential community. The Project will limit development on 110-130 acres of the total 180-acre restrictive covenant area located on the northern portions of the Atwell Specific Plan to allow for passive use recreation and associated infrastructure for the Specific Plan

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on May 21, 2024, 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 environmental impact report 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** made by CDFW pursuant to California Code of Regulations section 15091.

The Final EIR 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:  
  
Signature: \_\_\_\_\_ Date: 5/21/2024  
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Kim Freeburn, Environmental Program Manager

Date Received for filing at OPR: \_\_\_\_\_