

Notice of Determination

To:

Office of Land Use and Climate Innovation
[CEQA Submit](#)

From:

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



Lead Agency
City of Mission Viejo
200 Civic Center
Mission Viejo, CA 92691
Contact: Elaine Lister
Email: elister@cityofmissionviejo.org
Phone: (949) 470-3053

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

State Clearinghouse Number: 2020080147

Project Title: Lower Curtis Park Project (Streambed Alteration Agreement No. EPIMS-ORA-17307-R5)

Project Location (Orange County): The Lower Curtis Park Project (Project) is located east and south of Robert A. Curtis Park at two unnamed tributaries to Trabuco Creek, in Orange County, California; latitude 33.604739, longitude -117.631879, Assessor's Parcel Number 768-601-01. The mitigation site is located at approximately latitude 33.551362, longitude -117.660108 on the western edge of Trabuco Creek, north of the Arroyo Trabuco Golf Course, east of College Drive East, and south of Center Drive. The additional mitigation site, as required by the Regional Water Quality Control Board, is located at approximately latitude 33.622965, longitude -117.648854 within the Oso Creek Golf Course, north of Casta Del Sol, south of Alicia Parkway, east of Coso street, and west of St. Andrews street.

Project Description: The California Department of Fish and Wildlife (CDFW) has amended Streambed Alteration Agreement (EPIMS-ORA-17307-R5), pursuant to Fish and Game Code section 1602, the Project Applicant, the City of Mission Viejo, as represented by Mark Chagnon.

The major amendment to the Project include a revision of the compensatory measures to include Regional Water Quality Control Board (RWQCB) additional mitigation pursuant to RWQCB Notice of Violation R9-2025-0056 related to Clean Water Act section 401 Water Quality Certification No. R9-2023-0152. The RWQCB is requiring an additional minimum of 2.26 acres of mitigation and has proposed a mitigation plan that includes 2.44 acres of mitigation.

Notice of Determination

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on June 4, 2026, 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 not** 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.

Signature:  DocuSigned by:
Melanie Burlaza

Date: 6/4/2026

Melanie Burlaza, Acting for
Glen M. Lubcke, Environmental Program Manager

Date Received for filing at LCI: