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NOTICE OF DETERMINATION

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: California Department of Fish and Game
4665 Lampson Avenue, Suite J
Los Alamitos, CA 90720

SUBJECT: Filing of Notice of Determination in Compliance with Section 21108 of the Public Resources Code.

PROJECT TITLE: Capturing Sierra Nevada Bighorn Sheep Within Portions of the Ansel Adams, Hoover, John Muir, Golden Trout, and South Sierra Wilderness Areas

STATE CLEARINGHOUSE NUMBER: 2011101029

LEAD AGENCY: California Department of Fish and Game ("CDFG")

CONTACT: Alexandra Few, Environmental Scientist, (760) 872-3159

RESPONSIBLE AGENCY: Not Applicable

CONTACT :

PROJECT LOCATION: The project is located on the Inyo National Forest in Inyo and Mono counties.

PROJECT DESCRIPTION: California Department of Fish and Game (CDFG)) in cooperation with the U.S. Forest Service (USFS) is proposing to capture federally endangered Sierra Nevada bighorn sheep (*Ovis canadensis sierra*) on the Inyo National Forest to conduct population monitoring, research, and translocations. These activities are being proposed primarily to facilitate meeting the goals of the Recovery Plan for Sierra Nevada Bighorn Sheep (hereafter, Recovery Plan; USFWS 2007).

The project activities, including helicopter-supported capture of bighorn sheep with net-guns, would be conducted primarily in wilderness areas on the Inyo National Forest. Bighorn sheep would be remotely monitored using Very High Frequency (VHF) radio-transmitters and Geographic Positioning System (GPS) collars. Results from these projects would directly aid in planning and implementing actions identified as necessary to enable the recovery of this endangered species.

This is to advise that CDFG, acting as a lead agency under CEQA, has approved the project described above on 9/14/12, and has made the following determinations regarding the project described above:

1. The project will not have a significant effect on the environment.
2. An Environmental Assessment was prepared for this project in lieu of a mitigated negative declaration pursuant to the provisions of CEQA. Copies of the document have been examined at the lead agency (see above).
3. Mitigation measures were made a condition of the approval of the project.
4. A Statement of Overriding Considerations was not adopted for this project.

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5. No environmental filing fees are being submitted, as the Department of Fish and Game is undertaking the project (Fish and Game Code, Section 711.4).

The final Environmental Assessment and Finding of No Significant Impact with comments and responses and record of project approval is available to the General Public at: <http://www.fs.fed.us/nepa/fs-usda-pop.php/?project=35211> or Inyo National Forest, Supervisor's Office, 351 Pacu Lane, Suite 200, Bishop, CA 93514.

Signature: Kimberly Nail Date: 9/14/12
Title: Regional Manager, Inland Deserts Region, Department of Fish and Game

Date received for filing at OPR:



State of California - The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
1416 9th Street
Sacramento, CA 95814
<http://www.dfg.ca.gov>

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



Notice of Intent to use Environmental Assessment/ Finding of No Significant Impact in lieu of a Mitigated Negative Declaration for the Sierra Nevada Bighorn Sheep Recovery Program

In lieu of preparing its own Mitigated Negative Declaration, the Department of Fish and Game (CDFG), Inland Deserts Region, acting as lead agency under the California Environmental Quality Act (CEQA), intends to use the Environmental Assessment (EA)/Finding of No Significant Impact (FONSI), prepared by the Inyo National Forest, for a project that authorizes CDFG to land a helicopter within wilderness areas to capture endangered Sierra Nevada bighorn sheep for population monitoring, research, and translocations.

Helicopter-supported capture of bighorn sheep with net-guns would be conducted in wilderness areas on the Inyo National Forest to facilitate meeting the goals of the Recovery Plan for Sierra Nevada Bighorn Sheep (USFWS, 2007). All bighorn captured would be fitted with radio-transmitters (VHF) and Geographic Positioning System (GPS) collars. Data collected from these collared bighorn would directly aid in implementing actions to increase the number, expand the range, and enable the recovery of endangered Sierra Nevada bighorn sheep.

Under CEQA, state agencies are encouraged to use a FONSI prepared pursuant to the National Environmental Policy Act (NEPA) rather than preparing a new CEQA document, when the FONSI, prepared before a Mitigated Negative Declaration or EIR, would otherwise be completed for the project; and the FONSI complies with CEQA Guidelines.

CEQA Section 15225(a) states that "where the federal agency circulated the EIS or finding of no significant impact for public review as broadly as state or local law may require and gave notice meeting the standards in Section 15072(a) or 15087(a), the lead agency under CEQA may use the federal document in the place of an EIR or negative declaration without recirculating the federal document for public review. One review and comment period is enough. Prior to using the federal document in this situation, the lead agency shall give notice that it will use the federal document in the place of an EIR or negative declaration and that it believes that the federal document meets the requirement of CEQA."

Public scoping was initiated for the proposal to land helicopters in wilderness to capture Sierra Nevada bighorn sheep on the Inyo National Forest in April 2011. A press release was distributed to area media outlets, and letters with project information requesting public input were mailed to 27 individuals, agencies and organizations, and to 19 tribes or tribal representatives. This letter was also submitted to the State Clearinghouse.

The EA prepared by the Inyo National Forest was available for public review starting October 11, 2011. The 30-day comment period ended on November 11, 2011. A legal notice was published in the Inyo Register (newspaper of record) on October 11, 2011. A Notice of Completion & Environmental Document Transmittal was submitted to the State Clearinghouse on October 11, 2011 (SCH#: 2011101029) with 15 printed copies of the EA.

A press release was sent to media outlets and posted to the Inyo National Forest's internet website. Letters were sent to approximately 20 individuals, interest groups, businesses, and agencies. Twenty letters were also submitted to local tribes or tribal representatives. An electronic version of the EA was broadly available to the public through a posting on the Inyo National Forest's website and comments could be received via the website. The printed version of the EA was available at the Inyo National Forest Supervisor's Office in Bishop, CA, or available through mail upon request.

This Notice is provided by the Inland Deserts Region of CDFG, lead agency under CEQA. CDFG intends to use the EA and FONSI in lieu of preparing its own Mitigated Negative Declaration for the project. The EA and FONSI include a description of the Proposed Action and evaluate potential for adverse environmental impacts. The EA concludes the Proposed Action would have no significant impacts to the environment. CDFG believes that the federal document meets the requirements of CEQA.

Digital versions of the EA and FONSI are available at the Department of Fish and Game website at www.dfg.ca.gov/news/pubnotice. Should you have any questions, please contact Dr. Alexandra Few, by email at AFew@dfg.ca.gov or by mail to:

Department of Fish and Game
Inland Deserts Region
407 West Line Street
Bishop, CA 93514

Attn: Dr. Alexandra Few

DATE: 9/14/12

By: Kimberly Nicol
Kimberly Nicol, Regional Manager
Inland Deserts Region
DEPARTMENT OF FISH AND GAME