FOR DEPARTMENT USE ONLY				
Date Received	*Amount Received*	*Amount Due*	*Date Complete*	*Notification No.*
	$	$		

STATE OF CALIFORNIA

DEPARTMENT OF FISH AND GAME

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Complete EACH field, unless otherwise indicated, following the enclosed instructions and submit ALL required enclosures. Attach additional pages, if necessary.

1. APPLICANT PROPOSING PROJECT

Name			
Business/Agency			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

2. CONTACT PERSON (*Complete only if different from applicant*)

Name			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

3. PROPERTY OWNER (*Complete only if different from applicant*)

Name			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

4. PROJECT NAME AND AGREEMENT TERM

A. Project Name				
B. Agreement Term Requested	☐ Regular (*5 years or less*) ☐ Long-term (*greater than 5 years)*			
C. Project Term		D. Seasonal Work Period		E. Number of Work Days
Beginning (*year*)	Ending (*year*)	Start Date (*month/day*)	End Date (*month/day*)	

5. AGREEMENT TYPE

Check the applicable box. If box B, C, D, or E is checked, complete the specified attachment.	
A.	☐ Standard *(Most construction projects, excluding the categories listed below)*
B.	☐ Gravel/Sand/Rock Extraction (*Attachment A*) *Mine I.D. Number:* _____
C.	☐ Timber Harvesting (*Attachment B*) THP *Number:* _____
D.	☐ Water Diversion/Extraction/Impoundment (*Attachment C*) *SWRCB Number:* _____
E.	☐ Routine Maintenance (*Attachment D*)
F.	☐ DFG Fisheries Restoration Grant Program (FRGP) *FRGP Contract Number:* _____
G.	☐ Master
H.	☐ Master Timber Harvesting

6. FEES

Please see the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. ***Note: The Department may not process this notification until the correct fee has been received.***

	A. Project	B. Project Cost	C. Project Fee
1			
2			
3			
4			
5			
		D. Base Fee *(if applicable)*	
		E. TOTAL FEE ENCLOSED	

7. PRIOR NOTIFICATION OR ORDER

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, the Department for the project described in this notification?

☐ Yes (*Provide the information below*) ☐ No

Applicant: _____ Notification Number: _____ Date: _____

B. Is this notification being submitted in response to an order, notice, or other directive ("order") by a court or administrative agency (including the Department)?

☐ No ☐ Yes (*Enclose a copy of the order, notice, or other directive. If the directive is not in writing, identify the person who directed the applicant to submit this notification and the agency he or she represents, and describe the circumstances relating to the order.*)

☐ *Continued on additional page(s)*

8. PROJECT LOCATION

A. Address or description of project location.

(*Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway*)

☐ *Continued on additional page(s)*

B. River, stream, or lake affected by the project.	
C. What water body is the river, stream, or lake tributary to?	
D. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?	☐ Yes ☐ No ☐ Unknown
E. County	

F. USGS 7.5 Minute Quad Map Name	G. Township	H. Range	I. Section	J. ¼ Section

☐ *Continued on additional page(s)*

K. Meridian (*check one*)	☐ Humboldt ☐ Mt. Diablo ☐ San Bernardino

L. Assessor's Parcel Number(s)

☐ *Continued on additional page(s)*

M. Coordinates (*If available, provide at least latitude/longitude or UTM coordinates and check appropriate boxes)*

Latitude/Longitude	*Latitude:*	*Longitude:*	
	☐ Degrees/Minutes/Seconds	☐ Decimal Degrees	☐ Decimal Minutes
UTM	*Easting:*	*Northing:*	☐ Zone 10 ☐ Zone 11
Datum used for Latitude/Longitude or UTM	☐ NAD 27	☐ NAD 83 or WGS 84	

9. PROJECT CATEGORY AND WORK TYPE *(Check each box that applies)*

PROJECT CATEGORY	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR/MAINTAIN EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	☐	☐	☐
Bank stabilization – rip-rap/retaining wall/gabion	☐	☐	☐
Boat dock/pier	☐	☐	☐
Boat ramp	☐	☐	☐
Bridge	☐	☐	☐
Channel clearing/vegetation management	☐	☐	☐
Culvert	☐	☐	☐
Debris basin	☐	☐	☐
Dam	☐	☐	☐
Diversion structure – weir or pump intake	☐	☐	☐
Filling of wetland, river, stream, or lake	☐	☐	☐
Geotechnical survey	☐	☐	☐
Habitat enhancement – revegetation/mitigation	☐	☐	☐
Levee	☐	☐	☐
Low water crossing	☐	☐	☐
Road/trail	☐	☐	☐
Sediment removal – pond, stream, or marina	☐	☐	☐
Storm drain outfall structure	☐	☐	☐
Temporary stream crossing	☐	☐	☐
Utility crossing : Horizontal Directional Drilling	☐	☐	☐
Jack/bore	☐	☐	☐
Open trench	☐	☐	☐
Other *(specify)*:	☐	☐	☐

10. PROJECT DESCRIPTION

A. Describe the project in detail. Photographs of the project location and immediate surrounding area should be included.

- Include any structures (e.g., rip-rap, culverts, or channel clearing) that will be placed, built, or completed in or near the stream, river, or lake.
- Specify the type and volume of materials that will be used.
- If water will be diverted or drafted, specify the purpose or use.

Enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; the dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; an overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, and where the equipment/machinery will enter and exit the project area.

☐ *Continued on additional page(s)*

B. Specify the equipment and machinery that will be used to complete the project.

☐ *Continued on additional page(s)*

C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B).	☐ Yes ☐ No (*Skip to box 11*)
D. Will the proposed project require work in the wetted portion of the channel?	☐ Yes (*Enclose a plan to divert water around work site*) ☐ No

11. PROJECT IMPACTS

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

☐ *Continued on additional page(s)*

B. Will the project affect any vegetation? ☐ Yes (*Complete the tables below*) ☐ No

Vegetation Type	Temporary Impact	Permanent Impact
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)

☐ *Continued on additional page(s)*

C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?

☐ Yes *(List each species and/or describe the habitat below)* ☐ No ☐ Unknown

☐ *Continued on additional page(s)*

D. Identify the source(s) of information that supports a “yes” or “no” answer above in Box 11.C.

☐ *Continued on additional page(s)*

E. Has a biological study been completed for the project site?

☐ Yes (*Enclose the biological study*) ☐ No

Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.

F. Has a hydrological study been completed for the project or project site?

☐ Yes (*Enclose the hydrological study*) ☐ No

Note: A hydrological study or other information on site hydraulics (e.g., flows, channel characteristics, and/or flood recurrence intervals) may be required to evaluate potential project impacts on hydrology.

12. MEASURES TO PROTECT FISH, WILDIFE, AND PLANT RESOURCES

A. Describe the techniques that will be used to prevent sediment from entering watercourses during and after construction.

☐ *Continued on additional page(s)*

B. Describe project avoidance and/or minimization measures to protect fish, wildlife, and plant resources.

☐ *Continued on additional page(s)*

C. Describe any project mitigation and/or compensation measures to protect fish, wildlife, and plant resources.

☐ *Continued on additional page(s)*

13. PERMITS

List any local, state, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

A. _____ ☐ Applied ☐ Issued

B. _____ ☐ Applied ☐ Issued

C. _____ ☐ Applied ☐ Issued

D. Unknown whether ☐ local, ☐ state, or ☐ federal permit is needed for the project. (*Check each box that applies*)

☐ *Continued on additional page(s)*

14. ENVIRONMENTAL REVIEW

A. Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA), National Environmental Protection Act (NEPA), California Endangered Species Act (CESA) and/or federal Endangered Species Act (ESA)?

☐ Yes (*Check the box for each CEQA, NEPA, CESA, and ESA document that has been prepared and enclose a copy of each*)

☐ No (*Check the box for each CEQA, NEPA, CESA, and ESA document listed below that will be or is being prepared*)

☐ Notice of Exemption	☐ Mitigated Negative Declaration	☐ NEPA document (*type*): _____
☐ Initial Study	☐ Environmental Impact Report	☐ CESA document (*type*): _____
☐ Negative Declaration	☐ Notice of Determination *(Enclose)*	☐ ESA document (*type*): _____
☐ THP/ NTMP	☐ Mitigation, Monitoring, Reporting Plan	

B. State Clearinghouse Number (*if applicable*)			
C. Has a CEQA lead agency been determined?	☐ Yes (*Complete boxes D, E, and F*)	☐ No (*Skip to box 14.G*)	
D. CEQA Lead Agency			
E. Contact Person		F. Telephone Number	

G. If the project described in this notification is part of a larger project or plan, briefly describe that larger project or plan.

☐ *Continued on additional page(s)*

H. Has an environmental filing fee (Fish and Game Code section 711.4) been paid?

☐ Yes (*Enclose proof of payment*) ☐ No (*Briefly explain below the reason a filing fee has not been paid)*

Note: If a filing fee is required, the Department may not finalize a Lake or Streambed Alteration Agreement until the filing fee is paid.

15. SITE INSPECTION

Check one box only.

☐ In the event the Department determines that a site inspection is necessary, I hereby authorize a Department representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant the Department such entry.

☐ I request the Department to first contact (*insert name*) _____ at (*insert telephone number*) _____ to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay the Department's determination as to whether a Lake or Streambed Alteration Agreement is required and/or the Department's issuance of a draft agreement pursuant to this notification.

16. DIGITAL FORMAT

Is any of the information included as part of the notification available in digital format (i.e., CD, DVD, etc.)?

☐ Yes (Please enclose the information via digital media with the completed notification form)

☐ No

17. SIGNATURE

I hereby certify that to the best of my knowledge the information in this notification is true and correct and that I am authorized to sign this notification as, or on behalf of, the applicant. I understand that if any information in this notification is found to be untrue or incorrect, the Department may suspend processing this notification or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this notification. I understand also that if any information in this notification is found to be untrue or incorrect and the project described in this notification has already begun, I and/or the applicant may be subject to civil or criminal prosecution. I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein unless the Department has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.

_____ _____

Signature of Applicant or Applicant's Authorized Representative Date

_____

Print Name

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Applicant Name: _____

Project Name: _____

Mine I.D. Number: _____

ATTACHMENT A

Gravel/Sand/Rock Extraction Questionnaire

Check each box that applies and submit this form and the information requested on one or more separate pages with the notification form (FG2023).

I. OPERATION TYPE

A. Identify the type of gravel/sand/rock extraction operation ("operation") being proposed:

- ☐ Commercial gravel/sand/rock
- ☐ Privately owned, non-commercial gravel/sand/rock
- ☐ Public agency gravel/sand/rock
- ☐ Decorative landscape materials
- ☐ Other:

II. PROJECT INFORMATION

A. This notification is for:

- ☐ A new operation.
- ☐ Expansion or continuation of an existing operation at the same location for which a previous Lake or Streambed Alteration Agreement HAS been issued by the Department of Fish and Game.
- ☐ Expansion or continuation of an existing operation at a location for which a previous Lake or Streambed Alteration Agreement HAS NOT been issued by the Department of Fish and Game.
- ☐ Re-authorization of an operation at a site dormant for one or more years.

B. Identify the volume of material the applicant has or proposes to obtain a legal entitlement to extract on an annual basis: _____

C. What volume of material will the applicant remove from the river, stream, or lake this year?

_____

D. On a separate page, describe the following:

1. How will the extracted material be removed?
2. Where will the extracted material be processed and stored?
3. Where will temporary stockpiles be located?
4. What survey methodology was used to calculate extraction volumes?

E. What volume of material was removed each year in the previous five years? _____

F. To your knowledge, are there any other active instream operations within ten miles of the applicant's operation?

☐ Yes (*List the operations on a separate page.*) ☐ No

G. Is the proposed operation located upstream or downstream of a dam, lake, reservoir, or other water impoundment?

☐ Yes (*Identify on a separate page the water impoundment and the distance between the impoundment and the location of the operation.*)

☐ No

H. Does the operation include construction of temporary stream crossings?

☐ Yes (*Identify on a separate page the number of crossings and the type of each crossing that will be used and attach a map showing the location of each crossing. If culverts are proposed, identify the proposed culvert dimensions.*)

☐ No

I. Provide a pre-extraction plan that includes as much as possible of the following information (*describe on separate page(s)*):

1. Measures to protect the bed and banks of the low flow channel
2. Measures to protect riparian and wetland vegetation
3. Measures to protect water quality
4. Measures to protect fish and wildlife resources

J. Has an emergency response plan been prepared?

☐ Yes (*Provide a copy of the plan*) ☐ No

K. Has a county use permit been issued for the operation?

☐ Yes (*Provide a copy of the permit*) ☐ No

L. Has a reclamation plan been prepared for this operation? ☐ Yes (*Provide a copy of the plan*)

☐ No

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

ATTACHMENT B

Additional Information for Projects Included in Timber Harvesting Plans

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If the project described in the Notification of Lake or Streambed Alteration form (Form FG 2023) is part of a Timber Harvesting Plan (THP), the applicant must also submit the following information on one or more separate pages with the notification form.

I. PROJECT NAME AND THP NUMBER

II. PROJECT LOCATION

A. *Encroachment Map*. A single map or diagram clearly delineating all of the following:
   1. Lake and stream encroachments identified by number or other appropriate label
   2. Roads identified by a number or other appropriate label
   3. Watercourse classifications (i.e., Class I, II, or III)
   4. Access from a named public road
   5. North arrow and map scale

III. PROJECT DESCRIPTION

A. *Multiple Encroachments*. If multiple lake or stream encroachments are proposed, include a table describes the following for each encroachment:
   1. Encroachment type (e.g., permanent culvert, temporary bridge, rock revetment)
   2. Watercourse classification
   3. Structure (i.e., culvert, bridge, rock revetment) size
   4. Map reference number

B. *Conditions at Encroachment(s)*. Describe any torrent, debris, or landslide conditions at each encroachment.

C. *Work Period(s).* If temporary crossings are proposed, specify dates and conditions requiring temporary crossing removal.

D. *Culverts*. If a culvert crossing is proposed, provide calculations or other data used to size culverts.

E. *Bridges.* If a bridge is proposed, include the following:
   1. Indicate if the abutments or road approaches will encroach into the floodplain or stream channel
   2. Provide the calculations or data used to determine bridge height and flow capacity
   3. Describe the type of abutments and scour protections with dimensions
   4. Provide any engineering reports, plans, or other related documentation

F. *Water Diversion or Drafting*. If water will be present, and will be drafted or diverted around the work site, specify the following.

1. Volume, rate, and timing of water to be diverted or drafted
2. Method of diversion or drafting
3. Copy of applicable State Water Resources Control Board water right application, permit, or license

If any of the following conditions apply, contact the appropriate Department regional office to obtain a “Water Diversion Questionnaire” (Attachment C) and enclose a completed copy of the questionnaire with the notification:

1. Water will be used for purposes other than, or in addition to, road maintenance or dust control
2. Water drafting or diversion will continue after the THP expires
3. Water storage reservoirs, ponds, or other water storage facilities will be used after the THP expires as part of a subsequent land development or use phase

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Applicant Name: _____

Project Name: _____

ATTACHMENT C

Water Diversion Questionnaire

I. DIVERSION OR OBSTRUCTION

Please provide the additional information below ***if*** the project is directly related to any diversion, obstruction, extraction, or impoundment of the natural flow of a river, stream, or lake. If you have a current or expired Lake or Streambed Alteration Agreement (LSAA) for some activity related to your project, provide the LSAA number in your project description below.

A. Attach plans of any diversion or water storage structure or facility that will be constructed or if no structures or facilities will be constructed, photographs of the project site, including any existing facilities or structures.

B. Please complete the water use table below. For diversion rate, use gallons per day (gpd) if rate is less than 0.025 cubic foot per second (cfs) (approximately 16,000 gallons per day).

SEASON OF DIVERSION		PURPOSE OF USE	DIVERSION RATE (cfs or gpm)	AMOUNT USED (acre feet)	
BEGINNING DATE (Mo. & Day)	ENDING DATE (Mo. & Day)			FROM STORAGE	BY DIVERSION

C. *A*ttach a topographic map that is labeled to show the following:
   1. Source of the water
   2. Points of diversion
   3. Areas of use
   4. Storage areas

D. Specify the maximum instantaneous rate of withdrawal (using proposed equipment) in cubic feet per second (cfs) or gallons per minute (gpm): _____.

E. Check each box below that applies to the project water rights and attach supporting documents.

- ☐ Riparian. *Attach the most recent statement of riparian rights filed with the State Water Resources Control Board (SWRCB).*
- ☐ Diversion for immediate use
- ☐ Diversion to storage (for less than 30 days)

☐ Appropriative

- ☐ Pre-1914
- ☐ Post-1914. *Attach a copy of the applicant's water right application, permit, or license filed with or issued by the SWRCB.*
- ☐ Diversion for immediate use. *Attach a copy of the applicant's water right application, permit, or license filed with or issued by the SWRCB.*
- ☐ Diversion to storage. *Attach a copy of the applicant's water right application, permit, or license filed with or issued by the SWRCB.*
- ☐ Small domestic or livestock stockpond use. *Attach a copy of the applicant's registration of water use form filed with the SWRCB.* (See Water Code section 1228 *et seq.*)

☐ Purchased or contracted water. *Attach a copy of the applicant's contract or letter from the applicant's water provider.*

☐ Other. *Describe below or attach separate page*.

_____

_____

_____

_____.

F. Approximate lowest level of flow in the river, stream, or lake at the point of diversion during the proposed season of diversion in gpm or cfs: _____.

G. Other information. After the Department reviews the project description, and based on the project's location and potential impacts to fish and wildlife resources, the Department will determine if additional information is needed to complete the notification. Such information could include more site-specific information to ensure that the terms and conditions in the Lake or Streambed Alteration Agreement issued to the applicant will be adequate to protect the fish and wildlife resources the diversion or obstruction could adversely affect. Site-specific information could include specific studies based on the season of diversion, the location of the diversion relative to other diversions in the watershed, the method of diversion, and the quantity of water to be diverted, such as the following:

1. *Water Availability Analysis* to determine if the water can be diverted without causing substantial adverse effects on downstream fish and wildlife resources. Water availability analyses are based on a comparison of flows without any diversions (unimpaired flows) and flows available when all known diversions are "subtracted" (impaired flows). The protocol for water availability analyses is available on request.

2. *Instream Flow Study* to determine the minimum bypass flows needed and maximum rates of withdrawal possible to provide adequate depths and velocities to protect habitat for all life stages of aquatic resources. The study plan, which must be prepared by a qualified fisheries biologist and approved by the Department, will determine the effects of the proposed diversion on flow depth and velocity.

3. *Water Quality Study* to assess the effects of the proposed water diversion or impoundment on water temperature and water quality at and downstream from the point of diversion.

II. PERMANENT OR TEMPORARY RESERVOIR

Please provide the information below ***if*** the project includes the construction of a reservoir, whether permanent or temporary, and/or the filling of a reservoir by diverting or obstructing the flow of a river, stream, or lake.

A. Proposed use of the stored water: _____.

B. Construction plans for the reservoir and dam. (*Attach plans*)

C. A complete description of the reservoir and dam, including the methods and materials that will be used to construct the reservoir and dam and the following dimensions certified by a licensed professional: the width, length, depth, and total surface area of the reservoir pool; the volume of water in acre-feet that will be stored in the reservoir; and the height and length of the dam.

D. The amount of riparian land that will be inundated (i.e., upstream from the dam): _____.

E. Where vehicles will enter and exit the project site during construction and for maintenance purposes after construction. *(Attach map)*

F. The maximum distance of the disturbance that will occur upstream and downstream during construction: _____.

G. The methods that will be employed to ensure that the flow is maintained below the dam at all times when water is being diverted into the reservoir. _____
_____
_____
_____.

H. Specify the time period when the area below the dam becomes dry, if at all. _____.

I. The methods that will be employed to ensure that adult and juvenile fish will be able to pass over or around the dam. _____

_____

_____

_____.

J. If a fish ladder is necessary to enable adult and juvenile fish to pass over or around the dam, provide construction plans and an operation plan for the fish ladder. *(Enclose, if applicable)*

K. The methods that will be employed to monitor and maintain water quality (including temperature) within the reservoir. _____

_____

_____

_____.

III. TEMPORARY RESERVOIR

Please provide the information below ***if*** the project includes the construction of a temporary reservoir only within the stream zone.

A. Date of dam installation:_____.

B. Date of dam removal:_____.

C. Amount of time it will take to construct the dam: _____.

D. Amount of time it will take to remove the dam: _____.

E. Methods to ensure that the reservoir pool will be drained in a manner that does not strand or otherwise harm fish: _____

_____

_____

_____.

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Applicant Name: _____

Project Title: _____

ATTACHMENT D

Routine Maintenance

If the applicant is notifying the Department to obtain an agreement for routine maintenance activities, Section I must be completed and the information and documents described in Sections II and III must be submitted with the notification.

I. REGULARLY RE-OCCURRING MAINTENANCE ACTIVITIES

These are generally activities designed to maintain channel capacity. Check each box that applies:

- ☐ Sediment removal:
  - ☐ In and around bridges, culverts, storm drain outlets, and/or water diversion inlets
  - ☐ Stream channel bottom
  - ☐ Pond or lake
  - ☐ Marina basin
  - ☐ Other: _____.
- ☐ Clearing trash and debris
- ☐ Removing fallen trees
- ☐ Removing dead (not dormant) trees and shrubs
- ☐ Vegetation:
  - ☐ Limbing and/or trimming of branches and tree limbs
  - ☐ Vegetation removal under high power lines
  - ☐ Mowing levee slopes and stream banks
  - ☐ Mowing within stream and floodway channels
  - ☐ Removing emergent (e.g., bulrush and cattails) or other near water vegetation with:
    - ☐ hand tools
    - ☐ mechanical vegetation cutters and shredders
    - ☐ heavy equipment (soil disturbance)
    - ☐ chemicals

- ☐ Removing vegetation from the ***upper half*** of the bank with:
  - ☐ hand tools
  - ☐ mechanical vegetation cutters or shredders
  - ☐ heavy equipment (soil disturbance)
  - ☐ chemicals
- ☐ Removing vegetation from the ***lower half*** of bank with:
  - ☐ hand tools
  - ☐ mechanical vegetation cutters or shredders
  - ☐ heavy equipment (soil disturbance)
  - ☐ chemicals
- ☐ Removing vegetation within the channel with:
  - ☐ hand tools
  - ☐ mechanical vegetation cutters and shredders
  - ☐ heavy equipment (soil disturbance)
  - ☐ chemicals
- ☐ Removing invasive, non-native plants with:
  - ☐ hand tools
  - ☐ mechanical vegetation cutters and shredders
  - ☐ heavy equipment (soil disturbance)
  - ☐ chemicals
- ☐ Other: _____.

☐ Debris and brush pile burning

☐ Burning levees

☐ Minor erosion repair:

- ☐ Repair at existing erosion control sites
- ☐ New erosion repair

☐ Revegetation with local, native plant species

- ☐ Chemical application:
  - ☐ Herbicides
  - ☐ Rodenticides
  - ☐ Insecticides
- ☐ Minor bridge work:
  - ☐ Reinforcing pilings
  - ☐ Reinforcing aprons
  - ☐ Bridge painting (access and falsework)

  Materials to be used for reinforcement: _____.

- ☐ Other: _____.
- ☐ Other: _____.
- ☐ Other: _____.

II. MAP OR MAPBOOK

Maps must be of sufficient detail to assist in locating maintenance sites and should include the following:

A. The applicant's jurisdictional boundaries
B. All watercourses within the jurisdictional boundaries where maintenance will occur
C. A key to identify each watercourse and the maintenance activities and location (e.g., bridges, water control diversions, and large scale maintenance) of those activities that are likely to occur

III. SPECIAL STATUS SPECIES LOCATIONS

A drawing, diagram, or map that shows the applicant's jurisdictional boundaries and the locations within that area where special status species are known to exist.

LAKE OR STREAMBED ALTERATION FEE SCHEDULE

The Department may refuse to process a notification or a request for an extension or amendment until the department receives the proper fee or fees.

STANDARD AGREEMENT

Any agreement other than an agreement for gravel, rock, or sand extraction, an agreement for timber harvesting, an agreement for routine maintenance, a master agreement, or a master agreement for timber operations.

Fee:
If the term of the agreement is 5 years or less.

For each project the agreement covers:

$200 if the project costs less than $5,000.
$250 if the project costs from $5,000 to less than $10,000.
$500 if the project costs from $10,000 to less than $25,000.
$750 if the project costs from $25,000 to less than $100,000.
$1,100 if the project costs from $100,000 to less than $200,000.
$1,500 if the project costs from $200,000 to less than $350,000.
$2,250 if the project costs from $350,000 to less than $500,000.
$4,000 if the project costs $500,000 or more.

Project cost means the cost to complete each project for which notification is required.

As a general rule, a notification for a standard agreement should identify only one project. If an entity chooses to identify more than one project in a single notification, the department may require the entity to separately notify the department for one or more of the projects included in the original notification based on their type or location.

If the notification includes more than one project, the fee shall be calculated by adding the separate fees for each project. For example, if a notification identifies three projects, one of which will cost less than $5,000 to complete, one of which will cost $7,500 to complete, and one of which will cost $17,500 to complete, the fee for the first project would be $200, the fee for the second project would be $250, and the fee for the third project would be $500. Hence, the total fee the entity would need to submit with the notification that identifies those three projects would be $950.

An entity may not obtain a standard agreement for any project identified in the notification that qualifies for an agreement for gravel, rock, or sand extraction, an agreement for timber harvesting, an agreement for routine maintenance, a master agreement, or a master agreement for timber operations unless the department agrees otherwise.

Fee submittal: If the entity requests an agreement with a term of 5 years or less, the fee specified in the category for agreements with a term of 5 years or less must be submitted with the notification.

If the entity requests an agreement with a term longer than 5 years (Standard Long-term Agreement) the fee specified must be submitted with the notification.

STANDARD LONG-TERM AGREEMENT

Any agreement other than an agreement for gravel, rock, or sand extraction, an agreement for timber harvesting, an agreement for routine maintenance, a master agreement, or a master agreement for timber operations.

Fee:
If the term of the agreement is longer than 5 years.

$2,400 base fee, plus

For each project the agreement covers:

$200 if the project costs less than $5,000.
$250 if the project costs from $5,000 to less than $10,000.
$500 if the project costs from $10,000 to less than $25,000.
$750 if the project costs from $25,000 to less than $100,000.
$1,100 if the project costs from $100,000 to less than $200,000.
$1,500 if the project costs from $200,000 to less than $350,000.
$2,250 if the project costs from $350,000 to less than $500,000.
$4,000 if the project costs $500,000 or more.

Project cost means the cost to complete each project for which notification is required.

As a general rule, a notification for a standard agreement should identify only one project. If an entity chooses to identify more than one project in a single notification, the department may require the entity to separately notify the department for one or more of the projects included in the original notification based on their type or location.

If the notification includes more than one project, the fee shall be calculated by adding the separate fees for each project. For example, if a notification identifies three projects, one of which will cost less than $5,000 to complete, one of which will cost $7,500 to complete, and one of which will cost $17,500 to complete, the fee for the first project would be $200, the fee for the second project would be $250, and the fee for the third project would be $500. Hence, the total fee the entity would need to submit with the notification that identifies those three projects would be $950.

An entity may not obtain a standard agreement for any project identified in the notification that qualifies for an agreement for gravel, rock, or sand extraction, an agreement for timber harvesting, an agreement for routine maintenance, a master agreement, or a master agreement for timber operations unless the department agrees otherwise.

Fee submittal: If the entity requests an agreement with a term of 5 years or less, the fee specified in the category for agreements with a term of 5 years or less must be submitted with the notification.

If the entity requests an agreement with a term longer than 5 years, the fee specified must be submitted with the notification.

SAND, ROCK AND GRAVEL EXTRACTION AGREEMENT

Any agreement for commercial or non-commercial mining or extraction of gravel, sand, rock, or other aggregate material.

Fee:
If the term of the agreement is 5 years or less:

$500 if the annual extraction volume is less than 500 cubic yards.
$1,000 if the annual extraction volume is 500 to less than 1,000 cubic yards.
$2,500 if the annual extraction volume is 1,000 to less than 5,000 cubic yards.
$5,000 if the annual extraction volume is 5,000 or more cubic yards.

Fee:
If the term of the agreement is longer than 5 years:

$10,000 base fee, plus
$1,000 annual fee

Fee submittal: If the entity requests an agreement with a term of 5 years or less, the fee specified in paragraph (1) must be submitted with the notification.

If the entity requests an agreement with a term longer than 5 years, the base fee specified in paragraph (2) must be submitted with the notification.

TIMBER HARVESTING OPERATION AGREEMENT

An agreement of five years or less that covers one or more projects that are included in a timber harvesting plan approved by the California Department of Forestry and Fire Protection.

Fee:
$1,200 base fee, plus
$100 for each project the agreement covers, and

Fee submittal: The fee specified must be submitted with the notification.

MASTER TIMBER HARVESTING OPERATION AGREEMENT

An agreement with a term of greater than five years that covers timber operations on timberland that are not exclusively projects to extract gravel, sand, or rock; not exclusively projects that are included in a timber harvesting plan approved by the California Department of Forestry and Fire Protection; or not exclusively routine maintenance projects that the entity will need to complete separately at different time periods during the term of the agreement; and describes a procedure the entity must follow for construction, maintenance, or other projects the agreement covers.

Fee:
$7,500 base fee, plus
$100 for each project the agreement covers, and
$1,000 annual fee

Fee submittal: The base fee specified at a minimum must be submitted with the notification. The balance of all fees due must be paid prior to the issuance of the agreement.

Note: If an entity chooses to identify more than one project in a single notification, the total fee may exceed $5,000 regardless of the term of the agreement.

ROUTINE MAINTENANCE AGREEMENT

An agreement that covers only multiple routine maintenance projects that the entity will complete at different time periods during the term of the agreement; and describes a procedure the entity must follow for any maintenance projects the agreement covers.

Fee:
If the term of the agreement is 5 years or less:

$1,200 base fee, plus
$100 for each maintenance project completed per calendar year.

Fee:
If the term of the agreement is longer than 5 years:

$2,400 base fee, plus
$100 for each maintenance project completed per calendar year.

Fee submittal: If the entity requests an agreement with a term of 5 years or longer then 5 years, the base fee at a minimum must be submitted with the notification. The balance of all fees due must be paid prior to the issuance of the agreement.

MASTER AGREEMENT

An agreement with a term of greater than five years that covers multiple projects that are not exclusively projects to extract gravel, sand, or rock; not exclusively projects that are included in a timber harvesting plan approved by the California Department of Forestry and Fire Protection; or not exclusively routine maintenance projects that the entity will need to complete separately at different time periods during the term of the agreement; and describes a procedure the entity must follow for construction, maintenance, or other projects the agreement covers.

Fee:
$30,000 base fee, plus:
$250 for each project the agreement covers, and
$2,500 annual fee

Fee submittal: The base fee specified in paragraph (1) at a minimum must be submitted with the notification. The balance of all fees due must be paid prior to the issuance of the agreement.

An example of a project for which the department would issue a master agreement is a large-scale development proposal comprised of multiple projects for which specific, detailed design plans have not been prepared at the time of the original notification. The master agreement will specify a process the department and entity will follow before each project begins and may identify various measures the entity will be required to incorporate as part of each project in order to protect fish and wildlife resources.

As a general rule, the process specified in the master agreement will require the entity to notify the department before beginning any project the agreement covers and submit a fee based on the cost of the project. After the department receives the notification, it will confirm that the master agreement covers the project and propose measures to protect fish and wildlife resources in addition to any included in the master agreement, if such measures are necessary for the specific project.

A master agreement will typically, but not always, encompasses one or more watersheds and/or relate to a habitat conservation plan or natural community conservation plan. By contrast, if the large-scale development proposal is comprised of, for example, multiple residences, golf courses, and associated infrastructure projects for which specific, detailed design plans have been prepared by the time the entity notifies the department and the entity is ready to begin those projects, the department would issue the entity a standard agreement.

AGREEMENT EXTENSION

A renewal of an agreement executed prior to January 1, 2004, or an extension of an agreement executed on or after January 1, 2004.

Extensions
Fee: $200

To request an extension for an existing agreement, complete an Extension Request Form, and submit to the appropriate DFG Regional office with the appropriate fee.

An extension request must be made prior to expiration date of the agreement.

An extension is not an amendment.

AGREEMENT AMENDMENT

The holder of a Lake or Streambed Alteration Agreement may request the Department to amend the agreement, provided the request is submitted to the Department in writing prior to the agreement's expiration.

Minor Amendments
Fee: $150.

A minor amendment is one that would not significantly modify the scope or nature of any project covered by the agreement or any measure included in the agreement to protect fish and wildlife resources.

Major Amendments
Fee: $500.

A major amendment is one that would significantly modify the scope or nature of any project covered by the agreement or any measure included in the agreement to protect fish and wildlife resources, or require additional environmental review pursuant to section 21000 *et seq.* of the Public Resources Code or section 15000 *et seq.* of title 14 of the California Code of Regulations. An amendment is not an extension.

A project may not be added to an agreement by amendment unless the agreement specifies otherwise.

To request an amendment for an existing agreement, complete an Amendment Request Form, and submit to the appropriate DFG Regional office with the appropriate fee.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

When the department is required to act as lead agency in administering or enforcing sections 1600–1616 of the Fish and Game Code, the department may charge and collect a reasonable fee from the entity to recover its estimated CEQA-related costs in accordance with section 21089 of the Public Resources Code. The department may recover its estimated CEQA-related costs by collecting from the entity one or more deposits.

If the Department is acting as lead agency, you will also be required to submit the following additional fees.

Fee:
$1,500 initial deposit

Payment of Fees: A deposit of $1,500 must be submitted with the notification. Additional deposits will be requested as needed. The department shall refund any unused deposit to the entity.

Link Lake and Streambed Alteration Agreement Fees (Table Format)

Questions and Answers

1. When must I notify the Department?

Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify the Department before beginning any activity that will do one or more of the following: 1) substantially obstruct or divert the natural flow of a river, stream, or lake; 2) substantially change or use any material from the bed, channel, or bank of a river, stream, or lake; or 3) deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into a river, stream, or lake. Fish and Game Code section 1602 applies to all perennial, intermittent, and ephemeral rivers, streams, and lakes in the state. If you are not certain that your proposed activity requires notification, the Department recommends that you notify.

2. How do I notify the Department?

In order to notify the Department, a person, state or local governmental agency, or public utility must submit a complete notification package and fee to the Department regional office that serves the county where the activity will take place. The notification package is available from any Department regional office and the Department's website at www.dfg.ca.gov/1600/notification_pkg.html. The fee schedule-section 699.5 in title 14 of the California Code of Regulations- is included in the notification package. The Department's regional offices and the counties they serve are listed in the notification package and on the Department's website at www.dfg.ca.gov/regions/regions.html.

3. What happens after I notify the Department?

After you notify the Department, the Department will determine whether your notification package is complete. The Department will make this determination within 30 calendar days of receiving the notification package if you are applying for a regular agreement (i.e., an agreement for a term of five years or less). If the notification package is incomplete, the Department will contact you and specify the information you need to provide to make it complete. The Department will not process your notification package until it receives the additional information. If your notification package is complete, the Department will process it as described below. The 30-day time period does not apply to notifications for long-term agreements (i.e., agreements for a term greater than five years).

After the Department receives a complete notification package, it will determine whether you will need a Lake or Streambed Alteration Agreement for your activity. An agreement will be required if the activity could substantially adversely affect an existing fish and wildlife resource. If an agreement is required, the Department will conduct an onsite inspection, if necessary, and submit a draft agreement to you. The draft agreement will include measures to protect fish and wildlife resources while conducting the project. If you are applying for a regular agreement, the Department will submit a draft agreement to you within 60 calendar days after your notification is complete. The 60-day time period will not begin until your notification is complete. The 60-day time period does not apply to notifications for long-term agreements.

After you receive the draft agreement, you will have 30 calendar days to notify the Department whether the measures in the draft agreement are acceptable. If you agree with the measures included in the draft agreement, you will need to sign the agreement and submit it to the Department. If you disagree with any measures in the draft agreement, you must notify the Department in writing and specify the measures that are not acceptable. Upon written request, the Department will meet with you within 14 calendar days of receiving the request to resolve the disagreement. If you fail to respond, in writing, within 90 calendar days of receiving the draft agreement, the Department may withdraw that agreement.

After the Department receives the signed draft agreement, it will make it final by signing it. However, the Department will not sign the agreement until it receives your notification fee and complies with the California Environmental Quality Act (Pub. Resources Code, § 21000, et seq.)

(see "4" below). After you receive the final agreement, you may begin the project the agreement covers, provided you have obtained any other necessary local, state, and federal authorizations. If you disagree with any measures in the draft agreement and you and the Department cannot resolve the disagreement informally, you may request an arbitration panel to resolve the disagreement. If you request arbitration, a panel of arbitrators will be established within 14 calendar days of receiving the request. The panel will comprise three persons: your representative, a Department representative, and a third person mutually agreed upon by you and the Department who will serve as the panel's chair. If you and the Department cannot agree upon the third person within the 14-day period, a court will appoint the third person. The third person must have scientific expertise relevant to the fish and wildlife resources your project could affect and to the measures in the draft agreement that are in dispute. Each party will be required to pay the expenses of their selected representative and pay one-half the expenses of the third person. The panel will issue a decision within 14 days after it is established. The decision must be based on the best scientific information reasonably available at the time of the arbitration, and will be issued in the form of a final agreement. The decision will be binding on you and the Department unless you or the Department successfully petition a court to correct or vacate the decision.

The time periods described above may be extended at any time by mutual agreement.
The notification package explains how to complete the notification package and the agreement process.

4. Does the Department need to comply with other state laws or regulations before issuing a Lake or Streambed Alteration Agreement?

Yes. The Department must comply with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000, et seq.) before it may issue a final Lake or Streambed Alteration Agreement. Issuance of a final Lake or Streambed Alteration Agreement occurs after the Department receives a draft Lake or Streambed Alteration Agreement from the applicant and the Department signs it. In many instances, the Department will receive a signed draft Lake or Streambed Alteration Agreement from an applicant before the lead agency has fully complied with CEQA. In those instances, the Department must wait for the lead agency to fully comply with CEQA before it may sign the draft Lake or Streambed Alteration Agreement, thereby making it final.

Under CEQA, the "lead agency" is the local or state governmental agency that has the principal responsibility for carrying out or approving the activity. All other local or state agencies with discretionary approval authority are "responsible agencies."

The lead agency must determine first whether the activity is exempt from CEQA. If the activity is not exempt, the lead agency must prepare an environmental document, which will be a negative declaration, a mitigated negative declaration, or an environmental impact report. A lead agency is entitled to recover all of its CEQA-related costs from the applicant. If the Department acts as the lead agency for the activity your draft agreement covers, it will instruct you to submit an initial deposit to cover its initial CEQA-related costs. The deposit and any further CEQA-related costs will be in addition to your notification fee.

If the Department is a responsible agency, you must submit with your notification package a copy of any document prepared by the lead agency pursuant to CEQA, if one already has been prepared. You must also identify in your notification package the lead agency. Also, Fish and Game Code section 711.4 requires the lead agency to collect a fee on behalf of the Department whenever the lead agency prepares an environmental document, unless the activity is exempt from the fee. If the lead agency prepares a negative or mitigated negative declaration, the fee is $1,250. If the lead agency prepares an environmental impact report, the fee is $850.
For a detailed explanation of CEQA, you should consult the statute itself, the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) that implement CEQA, and CEQA handbooks and guides. CEQA and the CEQA Guidelines are available at www.ceres.ca.gov/planning.

5. Should I contact other governmental agencies regarding my proposed activity?

Depending on the activity you are proposing, in addition to a Lake or Streambed Alteration Agreement, you might need to obtain a permit, agreement, or other authorization from one or more governmental agencies. You should first contact your city and county planning departments to determine whether you need to obtain any local permits. The State and federal agencies listed below might also have permitting authority over your activity. You should contact these agencies if you are not familiar with their permitting requirements.

State agencies

- Coastal Commission
- Department of Conservation
- Department of Forestry
- Department of Water Resources
- Regional Water Quality Control Boards
- State Lands Commission
- State Water Resources Control Board

Federal agencies

- NOAA Fisheries
- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- U.S. Forest Service

6. Do I need to notify the Department or obtain a Lake or Streambed Alteration Agreement for emergency work?

You do not need to notify the Department or obtain a Lake or Streambed Alteration Agreement before beginning the following emergency work: 1) immediate emergency work necessary to protect life or property; 2) immediate emergency repairs to public service facilities necessary to maintain service as a result of a disaster in an area in which the Governor has proclaimed a state of emergency; and 3) emergency projects undertaken, carried out, or approved by a state or local governmental agency to maintain, repair, or restore an existing highway, within the existing right-of-way of the highway, that has been damaged as a result of fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, within one year of the damage. Although notification is not required before beginning the emergency work, you must notify the Department in writing within 14 days after beginning the work.

STATE OF CALIFORNIA

DEPARTMENT OF FISH AND GAME

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Notification Process and Instructions

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PART I: NOTIFICATION REQUIREMENT

Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify the Department of Fish and Game ("Department") before beginning any activity that will do one or more of the following:

1) substantially obstruct or divert the natural flow of a river, stream, or lake;
2) substantially change the bed, channel, or bank of a river, stream, or lake;
3) use any material from the bed, channel, or bank of a river, stream, or lake; and/or
4) deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into a river, stream, or lake.

Fish and Game Code section 1602 applies to all perennial, intermittent, and ephemeral rivers, streams, and lakes in the state. ***If you are not certain that a particular project requires notification, the Department recommends that you notify.***

Note: *Although a person other than the applicant may complete the notification, "you" or "your" as used in this document refers to the applicant proposing the project because the applicant will be responsible for submitting and signing the notification.*

NOTIFYING THE DEPARTMENT

To notify the Department of any of the activities described above, complete the following steps:

Step 1: Complete the Notification of Lake or Streambed Alteration form (Form FG 2023 (Rev. 7/06)) ("notification form"). See Part II for instructions to complete this form.

Note: *If the project is part of a timber harvest plan ("THP"), you may notify the Department by submitting the THP and correct fee to the Department regional office that serves the county where the project will take place. In that case, you do not need to submit a notification form, provided the THP includes, at a minimum, the information listed in Fish and Game Code section 1611.*

Step 2: Determine the notification fee that will need to be submitted with the completed notification form or THP by referring to the enclosed fee schedule. Notification fees cover the Department's costs to process notifications and prepare Lake and Streambed Alteration Agreements ("agreement").

Step 3: Submit the completed notification form, or the THP, with all required enclosures and fees to the Department regional office that serves the county where the project will occur.

Note: *If the notification relates to timber harvesting activities in Humboldt or Del Norte County or the west portion of Trinity County, the notification must be submitted to the Department's Northern California and North Coast office in Eureka, rather than Redding. If you are not sure whether the Eureka or Redding office will review your notification or THP, contact either office for guidance to avoid any delay in processing your notification or THP.*

Northern California and North Coast
(Region 1 – *Redding*)
LSAA Program
601 Locust Street
Redding, CA 96001
(530) 225-2300

Northern California and North Coast
(Region 1 – *Eureka*)
LSAA Program
619 Second Street
Eureka, CA 95501
(707) 445-6493

Sacramento Valley and Central Sierra
(Region 2)
LSAA Program
1701 Nimbus Road
Rancho Cordova, CA 95670
(916) 358-2900

Central Coast
(Region 3)
LSAA Program
Mailing address:
Post Office Box 47
Yountville, CA 94599
Street address:
7329 Silverado Trail
Napa, CA 94558
(707) 944-5520

San Joaquin Valley and Southern Sierra
(Region 4)
LSAA Program
1234 East Shaw Avenue
Fresno, CA 93710
(559) 243-4005

South Coast
(Region 5)
LSAA Program
4949 Viewridge Ave
San Diego, CA 92123
(858) 636-3160

Eastern Sierra and Inland Deserts
(Region 6)
LSAA Program
4665 Lampson Avenue, Suite J
Los Alamitos, CA 90720
(562) 430-7212

PART II: INSTRUCTIONS FOR COMPLETING NOTIFICATION FORM (FG2023)

In order to notify the Department of an activity described in Part I, above, you will need to complete and submit the Notification of Lake or Streambed Alteration form (Form FG 2023 (Rev. 7/06)) ("notification form") to the appropriate Department regional office with all required enclosures and the correct notification fee.

For the notification form to be deemed complete, you ***must:***

1) complete ***all*** fields in the form, unless otherwise indicated;
2) provide as much detail as possible so the Department can properly evaluate the project to determine whether an agreement is required;
3) submit all required enclosures with the notification;
4) provide information in the notification that is true and correct;
5) properly sign the notification; and
6) submit the notification form and required enclosures with the correct notification fee to the Department regional office that serves the county where the project will take place.

If during its review of the notification the Department determines that a biological or hydrological study (see the instructions below for boxes 11.E and 11.F) will be required in addition to the notification form and enclosures it receives, the Department will notify you that the study will need to be provided to make the notification complete.

The Department will not begin processing the notification until it determines that the notification is complete.

Instructions to complete the notification form are outlined below. "Project" means that part of the project subject to Fish and Game Code section 1602, unless otherwise specified.

1. APPLICANT PROPOSING PROJECT

Provide the name, mailing address, telephone and fax numbers, and e-mail address of the person or business, state or local governmental agency, or public utility proposing the project. The applicant will be responsible for signing the notification and any agreement and for complying with the terms and conditions of any agreement.

If the applicant is a business, agency, or utility, provide the name of the applicant's representative above the name of the applicant. For the purpose of the notification form, the applicant's representative ***must*** be an employee of the applicant.

2. CONTACT PERSON

Provide the name, mailing address, telephone and fax numbers, and e-mail address of the person the Department should contact regarding the project, if different from the applicant or applicant's representative.

3. PROPERTY OWNER

Provide the name, mailing address, telephone and fax numbers, and e-mail address of the owner of the property where the project will take place, if different from the applicant.

4. PROJECT NAME AND AGREEMENT TERM

A. Project Name

Provide the project name. If the project does not have a formal name or title, use a name that best describes the project. For example, if the project is the installation of a culvert on private property, you might name the project, “Culvert on Smith property.” If the project has already been assigned a name for other permitting or environmental review purposes, use the same name.

B. Agreement Term Requested

An agreement may be either a regular agreement or long-term agreement. A regular agreement is one with a term of five years or less. A long-term agreement is an agreement with a term greater than five years.

Whether “Regular” or “Long-term” is checked, the Department has the discretion to determine the term of the agreement. Hence, if “Regular” is checked, the Department may decide a term of between one and five years. If “Long-term” is checked, the Department may decide either not to grant your request for a long-term agreement, but instead issue a regular agreement, or grant your request and decide some term greater than five years. If “Long-term” is checked and the Department decides not to grant your request for a long-term agreement, the Department will contact you, and thereafter process the notification as one for a regular agreement upon your written request.

If “Regular” is checked, the Department will process the notification and issue a draft agreement with a term no longer than five years in accordance with the time periods specified in Fish and Game Code sections 1602 and 1603. Specifically, the Department will determine whether the notification is complete within 30 days of receiving the notification form and correct notification fee, and issue you a draft agreement within 60 days of receiving a complete notification.

If “Long-term” is checked, the 30- and 60-day time periods described above will not apply (see Fish and Game Code section 1605(g)(5)). Hence, the Department may take longer than 30 days to determine if the notification is complete and longer than 60 days to issue a draft agreement after it receives a complete notification.

C. Project Term

Specify both the year the project will begin and the year the project will end.

Note: *If “Regular” is checked in box B, the term in box C (e.g., 2005 to 2007) may not exceed five years. If “Regular” is checked in box B and the term in box C is greater than five years, the Department may consider the notification to be incomplete and suspend processing the notification.*

Please be aware that the Department must often use the full 90 days it has available for notification review and agreement preparation, and may restrict work within a stream or lake to the dry season of the year. Consequently, you may want to include more than one season of possible operation in your project proposal.

D. Seasonal Work Period

Specify the time period (month and day) you intend to work on the project (e.g., August 1 to October 15). If the work period will not be the same each year, specify the time period for each year of the project (e.g., 2007: August 1 to October 15. 2008: June 1 to September 15. 2009: March 1 to July 15). The Department may restrict project work to certain periods depending on rainfall, fish migration, wildlife breeding, or other resource concerns.

E. Number of Work Days

Specify the estimated number of days of actual work that will be needed to complete the project.

5. AGREEMENT TYPE

Identify the type of agreement requested in the notification by checking the applicable box. Complete Attachment A, B, C, or D, if applicable.

A. Standard

Check this box for most construction projects, excluding: gravel, sand, or rock extraction; timber harvesting; water diversion, extraction, or impoundment; routine maintenance; restoration through Department's Fisheries Restoration Grant Program; or a Master Agreement as defined below.

B. Gravel/Sand/ Rock Extraction

Check this box ***and*** complete Attachment A if the project is for the commercial or non-commercial mining or extraction of gravel, sand, rock, or other aggregate material. Provide the mine identification number if the mining or excavation is *not* exempt from the Surface Mining and Reclamation Act (see Public Resources Code section 2714).

C. Timber Harvesting

Check this box *and* complete Attachment B if the project is part of a timber harvesting plan ("THP"), including a modified or program THP, or non-industrial timber management plan ("NTMP"). Provide the number assigned to the THP or NTMP.

D. Water Diversion/ Extraction/Impoundment

Check this box ***and*** complete Attachment C if the project is directly related to any diversion, obstruction, extraction, or impoundment of the natural flow of a river, stream, or lake. Provide the number assigned to the State Water Resources Control Board application, permit, license, registration, or other authorization to divert, extract, or impound water, if applicable.

If the diversion, obstruction, extraction, or impoundment of water is only ***incidental*** to the project described in the notification (e.g., temporarily dewatering a stream segment to install a culvert or bridge or drafting water as part of a timber harvesting operation) do not check this box or complete attachment.

E. Routine Maintenance

Check this box ***and*** complete Attachment D if the ***primary*** objective of the project is to maintain on a routine basis a number of existing private or public facilities, such as canals, channels, culverts, and ditches.

If the project is a one-time maintenance project, do not check this box or complete the attachment.

F. DFG Fisheries Restoration Grant Program

Check this box if the project is funded by the Department's Fisheries Restoration Grant Program ***and*** provide the contract number.

G. Master

Check this box for an agreement with a term of greater than five years that:

1) covers multiple projects that are not exclusively projects to extract gravel, sand, or rock; not exclusively projects that are included in a timber harvesting plan approved by the California Department of Forestry and Fire Protection; or not exclusively routine maintenance projects that the entity will need to complete separately at different time periods during the term of the agreement; and
2) describes a procedure the entity must follow for construction, maintenance, or other projects the agreement covers.

An example of a project for which the Department would issue a master agreement is a large-scale development proposal comprised of multiple projects for which specific, detailed design plans have not been prepared at the time of the original notification.

H. Master Timber Harvesting

Check this box for an agreement with a term of greater than five years that**:**

1) covers timber operations on timberland that are not exclusively projects to extract gravel, sand, or rock; not exclusively projects that are included in a timber harvesting plan approved by the California Department of Forestry and Fire Protection; or not exclusively routine maintenance projects that the entity will need to complete separately at different time periods during the term of the agreement; and
2) describes a procedure the entity must follow for construction, maintenance, or other projects the agreement covers.

6. FEES

A. Project

Specify the proposed project(s) for the purpose of calculating fees. "Project" means either of the following as determined by the Department:

1) <u>One activity</u>. An example of such a project is one that is limited to the removal of riparian vegetation at one location along the bank of a river, lake, or stream that will substantially change the bank.
2) <u>Two or more activities that are interrelated</u> and could or will affect similar fish and wildlife resources. An example of such a project is the construction of one bridge across a stream that requires the removal of riparian vegetation, the installation of abutments in or near the stream, and the temporary de-watering of the stream using a diversion structure. Each of those three activities together would constitute one project for the purpose of calculating the fee under this section because they are all related to the single purpose of constructing one bridge at one location.

   By contrast, the construction of three bridges and two culverts across a stream at five different locations would not constitute one project, but instead would constitute five projects, even if each structure were to provide access to a common development site and/or were physically connected to each other by a road.

Note: *The Department may require the entity to separately notify of one or more projects based on type, location, and fish and wildlife resource issues.*

B. Project Cost

If the project is ***not*** for gravel, sand, or rock extraction; timber harvesting; or routine maintenance, provide the estimated cost to complete the project over the proposed term of the agreement. If the project is for gravel, sand, or rock extraction; timber harvesting; or routine maintenance, write "not applicable" in this box and refer to the enclosed fee schedule to determine the notification fee.

Note: *For purposes of calculating the notification fee, "project" refers only to the activity that is subject to the notification requirement in Fish and Game Code section 1602 (described in Part I, above) and not the entire project. For example, if the project described in the notification is the construction of a bridge across a stream (that requires notification) and the bridge construction is part of a housing development (that except for the bridge construction does not require notification), only the cost of the bridge would be used to calculate the notification fee.*

C. Project Fee

After determining the estimated project cost, refer to the fee schedule to determine the notification fee. The Department may require you to submit information that evidences the cost of the project.

Note: *If the notification includes more than one project, the fee shall be calculated by adding the separate fees for each project. For example, if a notification identifies three projects, one of which will cost less than $5,000, one which will cost $7,500, and one of which will cost $17,500, the fees for these projects would be $200, $250, and $500 respectively. The total fee would be $950.*

D. Base Fee

If this notification is for a Standard Agreement, or an Agreement for Gravel, Sand or Rock Extraction, with a term of less than five years, skip to box 6.E. If this notification is for any other type of agreement, enter the corresponding "base fee" as identified in the fee schedule.

E. Total Fee Enclosed

Provide the amount of the total fee enclosed with the notification form. Checks must be made payable to the Department of Fish and Game.

Note: *The Department may not process the notification until it receives the correct notification fee.*

Example 1: *Standard Agreement – Regular Term (5 years or less)*

	A. Project	B. Project Cost	D. Project Fee
1	Boat Ramp	$4,500	$200
2			
		E. Base Fee *(if applicable)*	N/A
		F. TOTAL FEE ENCLOSED	$200

Example 2: *Agreement for Gravel Extraction - Regular Term (5 years or less)*

	A. Project	B. Project Cost	D. Project Fee
1	Gravel Extraction (500 cubic yards)	N/A	$1,000
2			
		E. Base Fee *(if applicable)*	N/A
		F. TOTAL FEE ENCLOSED	$1,000

Example 3: *Agreements for Timber Harvesting*

	A. Project	B. Project Cost	D. Project Fee
1	Culvert #1	N/A	$100
2	Culvert #2	N/A	$100
		E. Base Fee *(if applicable)*	$1,200
		F. TOTAL FEE ENCLOSED	$1,400

7. PRIOR NOTIFICATION AND ORDERS

A. Previous Notification and/or Agreement

Check the applicable box. If "yes" is checked, provide your name; the number assigned to the notification; and either the date the notification was submitted or the date the Department signed the final agreement, if a final agreement was issued.

B. Notification Related to Order by Court or Agency

In some instances, a court or administrative agency (e.g., the Department or a Regional Water Quality Control Board) might require you to perform work that is subject to the notification requirement in Fish and Game Code section 1602 to comply with an order, notice, or other directive ("order") issued by the court or agency. If the notification is being submitted in response to such an order, check "yes" and provide a copy of the order. If that is not the case, check "no."

Note: *If the notification is being submitted in response to an order and the Department determines that an agreement is required to perform the work described in the notification to protect fish, wildlife, and plant resources, the measures the Department includes in a draft agreement to protect such resources will* ***not*** *be subject to arbitration. Instead, you must accept the measures unless the Department agrees to modify them (See Fish and Game Code section 1614).*

8. PROJECT LOCATION

A. Address

Provide the street address where the project will take place (describe the location if there is no street address) and driving directions from the nearest major road or highway, known landmarks, access roads, and any other information that would allow a person not familiar with the area to find the project site. Enclose a map that marks the location of the project and denotes a north arrow and map scale.

B. River, Stream, or Lake

Provide the name of the river, stream, or lake in which or near where the project will take place. If the watercourse or waterbody is not named, please write “unnamed tributary” in the box.

C. Tributary

Provide the name of the watercourse or water body to which the river, stream, or lake specified in box 8.B is tributary.

D. Wild and Scenic Rivers

Check the appropriate box to specify whether or not the river or stream segment where the project is located is listed as a state or federal Wild and Scenic River. Refer to Public Resources Code section 5093.5 *et seq*. and section 1271 *et seq*. in title 16 of the United States Code.

Note: *If the project is located within a segment of a river or stream that is listed in the state or federal Wild and Scenic River Acts, the Department cannot approve the project unless it is consistent with the act(s).*

E. County

Provide the name of the county where the project will take place.

F. USGS 7.5 Minute Quad Map Name

Provide the name of the USGS 7.5 minute quadrangle map(s) that includes the property where the project will take place.

G - J. Township, Range, Section, ¼ Section

Provide the township, range, section, and ¼ section numbers of the property where the project will take place. Many county and city websites provide township, range, section, and ¼ section numbers.

K. Meridian

Provide the meridian of the property where the project will take place, if available.

L. Assessor’s Parcel Number

Provide the Assessor’s Parcel Number of the property where the project will take place. Among other documents, Assessor’s Parcel Numbers are found on deeds and tax records.

M. Coordinates

If available, provide either the latitude and longitude or the UTM coordinates of the property where the project will take place ***and*** specify the datum used.

9. PROJECT CATEGORY AND WORK TYPE

Identify the project category and work type described in the notification by checking the applicable box(es). If “Other” is checked, briefly describe the type of project.

10. PROJECT DESCRIPTION

A. Describe the Project

See the instructions on the notification form.

B. Equipment

List all equipment and machinery that will be used to complete the project. If lubricants, solvents, chemicals, or other materials not normally found on construction sites will be present in the project area, list those materials in addition to the equipment and machinery that will be used to complete the project.

C. Water Presence

Check the applicable box. If “yes” is checked, complete box 10.D. If “no” is checked, skip to box 11.

D. Work in Wetted Channel

Check the applicable box. If “yes” is checked, a plan to divert water around (i.e., to dewater) the project site ***must*** be enclosed with the notification and should specify the method of diversion or drafting and the volume, rate, and timing of water diversion or drafting.

11. PROJECT IMPACTS

A. Modifications to River, Stream or Lake

Describe the effects to natural flow, bed, channel and bank of the river, stream, or lake. Quantify the effects and impacts in the project vicinity by noting the type, volume, and dimensions of material displaced through grading, trenching or other forms of site alteration.

Also include any impacts to the riparian zone on or adjacent to the channel floodplain. The riparian zone is the area that surrounds a channel or lake and supports (or can support) riparian vegetation that is dependent on surface or subsurface water. Include the effects of your project to this zone at least to the outer (landward) edge of the drip line of the riparian vegetation.

B. Vegetation

Check the applicable box. If “yes” is checked, complete the following tables by specifying the type of vegetation (i.e., trees such as oak, willow, or sycamore, and plant communities, such as salt marsh, freshwater marsh, wet meadow, willow thicket, riparian woodland, willow riparian woodland, desert wash woodland, riparian forest, oak riparian forest, redwood forest, riparian scrub, desert wash scrub, alkali sink scrub, oasis, vernal pool, bog, non-native, or ornamental) that will be affected temporarily and permanently, and the amount of vegetation that will be affected temporarily and permanently both in linear feet and total acres.

If trees ***greater than 2 inches in diameter at breast height*** **(4.5 ft)** will be removed as part of the project, specify the species of trees to be removed and (if available) the estimated number of trees of that species that will be removed and the range of trunk diameters measured at breast height. Trees can be grouped into size classes, for example, four oak trees approximately 10 to 20 inches in diameter. Attach a tree survey, if available.

C. Special Status Species

Special status species are endangered, rare, or threatened animal or plant species as defined in section 15380 of the California Environmental Quality Act ("CEQA") Guidelines (California Code of Regulations, title 14, section 15380).

Check the applicable box. If "yes" is checked, list each species and/or describe the habitat that will be affected.

If a species listed in this box is protected under the California or federal Endangered Species Act, you may be required to obtain take authorization from the Department and/or the U.S. Fish and Wildlife Service ("USFWS") or National Marine Fisheries Service ("NMFS"). Contact the Department, USFWS, or NMFS for information on take authorization.

D. Source

Identify the sources of information that were used to conclude that special status animal or plant species or habitat that may support such species are, or are not, present on or near the project site.

E. Biological Study

Check the applicable box. If "yes" is checked, the biological study or survey ***must*** be enclosed with the notification. ***If "no" is checked or the biological study enclosed with the notification is inadequate, the Department may require you to complete a biological study to evaluate the project's potential impact on biological resources before accepting the notification as complete.***

F. Hydrological Study

Check the applicable box. If "yes" is checked, the hydrological study or survey ***must*** be enclosed with the notification. ***If "no" is checked or the hydrological study enclosed with the notification is inadequate, the Department may require you to complete a hydrological study or provide other information on site hydraulics (e.g., flows, channel characteristics, and/or flood recurrence intervals) to evaluate the project's potential impacts on hydrology before accepting the notification as complete.***

12. MEASURES TO PROTECT FISH, WILDLIFE, AND PLANT RESOURCES

A. Erosion Control

Describe the methods or techniques that will be used to prevent sediment from entering any watercourses during and after construction. If no erosion control methods or techniques will be used, indicate "not applicable" and explain the reason they will not be used.

B. Impact Avoidance/Minimization Measures

Describe all measures that will be incorporated into the project to avoid or minimize impacts to fish, wildlife, and plant resources, other than erosion control methods or techniques. If no such measures have been identified for the project, indicate "not applicable" and explain the reason for the absence of such measures.

C. Mitigation/Compensation Measures

Describe all measures that will be incorporated into the project to mitigate or compensate for impacts to fish, wildlife, and plant resources. If no such measures have been identified for the project, indicate "not applicable" and explain the reason for the absence of such measures.

13. PERMITS

A - D. Local, State, and Federal Permits

List any local, state, and federal permits that are required for the project and check the applicable boxes (i.e., applied vs. issued). ***Enclose a copy of each permit that has been issued***. You are responsible for obtaining all necessary permits and authorizations from the Department and other agencies before beginning any project described in the notification.

14. ENVIRONMENTAL REVIEW

A. CEQA, NEPA, CESA, and ESA Documents

Check the applicable boxes. If "yes" is checked, a copy of the CEQA, National Environmental Protection Act ("NEPA"), California Endangered Species Act ("CESA"), and/or federal Endangered Species Act ("ESA") document ***must*** be enclosed with the notification. Also write in the type of CEQA, NEPA, CESA, or ESA document if applicable.

B. State Clearinghouse Number

If copies of the CEQA document have been be submitted to the State Clearinghouse for distribution to state agencies, provide the number assigned to the document by the State Clearinghouse.

C - F. CEQA Lead Agency

Check the applicable box in box C. If "yes" is checked, complete boxes D, E, and F. If "no" is checked, skip to box G.

G. Entire Project

If the project described in the notification is part of a larger project, parts of which are subject to the notification requirement in Fish and Game Code section 1602, briefly describe the entire project. For example, if the project described in the notification is the construction of a bridge across a stream (that requires notification) and the bridge construction is part of a housing development (that except for the bridge construction does not require notification), the housing development should be briefly described in this box.

If the project described in the notification is not part of a larger project, write "not applicable" in this box.

H. Filing Fee

Check the applicable box. If "yes" is checked, proof that the filing fee has been paid ***must*** be enclosed with the notification. If "no" is checked, explain the reason the filing fee has not been paid. A filing fee may not have been paid, for example, because the lead agency has not completed or approved or certified the CEQA document at the time the notification is submitted or one of the exceptions to payment of the filing fee applies.

Note: *If a filing fee has not been paid, but the Department determines that the fee is required, the Department may not issue a final agreement until it receives proof that the fee has been paid. For more information on filing fees, refer to Part IV.*

15. SITE INSPECTION

In order to determine whether the notification is complete, an agreement is required, and/or to identify the measures that must be incorporated into the project to protect fish, wildlife, and plant resources, the Department may need to conduct an inspection of the project site.

Box 1. Generally, non-enforcement Department personnel may only enter private property with the consent of the property owner. Checking the first box will enable Department personnel to enter the property at a reasonable time in the future without having to contact the property owner in advance. Receiving such consent in advance will help reduce the amount of time for the Department to determine whether the notification is complete and/or an agreement is needed and/or to prepare a draft agreement. If the first box is checked, provide the Department with any access instructions.

Box 2. Check the second box and provide the name and telephone number of the person the Department needs to contact before entering the property if you cannot or do not want to give the Department consent to enter the property in advance. The box should also be checked if the property owner or the owner's representative needs to be present when Department personnel visit the property.

Note: *As explained in Part III, if "Regular" is checked in box 8.C and the Department determines that a site inspection is necessary to determine if the notification is complete, determine whether an agreement will be required for the project, and/or prepare a draft agreement, the 30- and 60-day time periods specified in Fish and Game Code sections 1602 and 1603 will not apply if one of the following occurs:*

1) *You are unable to schedule a date for the inspection that will reasonably allow the Department to make its completeness or agreement determination or issue a draft agreement within the 30- and 60-day time periods specified in Fish and Game Code sections 1602 and 1603.*
2) *You or the owner of the property where the project will take place (if different from the applicant) refuses to allow Department personnel to enter the property. In that case, the Department may refuse to process the notification, in which case the 30- and 60-day time periods will no longer apply.*

16. DIGITAL FORMAT

If any of the information included as part of the notification is available in digital format, submit the information via digital media (e.g., CD, DVD, etc.) with the notification.

Note**:** *The notification form must be completed and submitted in paper format, even if the information is available in digital format.*

17. SIGNATURE

If the applicant is a person, that person must sign the notification in order for it to be valid. If the applicant is a business, state or local governmental agency, or public utility, only a person who is an employee of the business, agency, or utility and authorized by it to sign the notification, may sign the notification in order for it to be valid. ***Under no circumstances should a consultant or other contact person or property owner who is not the applicant or, if the applicant is a business, agency, or utility, not an authorized employee of the applicant, sign the notification.*** If that occurs, the Department may return the notification to the applicant as invalid.

PART III: PROCESSING YOUR NOTIFICATION

After the Department receives a notification, whether through the submittal of a notification form or THP, it will determine whether or not it is complete.

If you notify the Department through the submittal of a notification form, the Department will determine the notification is complete if all of the following apply:

1) all required fields on the notification form are completed;
2) all required enclosures are submitted (including a biological and/or hydrological study, if required);
3) the notification was properly signed;
4) the information in the notification is true and correct; and
5) the correct notification fee is provided with the notification.

If the Department determines the notification is incomplete, the Department may return the notification and specify the information or materials that will need to be provided to the Department when the notification is resubmitted. ***A notification is not effective unless it is complete***. Therefore, in order to avoid any potential delay, it is important that the Notification of Lake or Streambed Alteration form (Form FG 2023 Rev. 7/06) be filled out completely and accurately and submitted to the appropriate Department regional office with all required enclosures, and any other information that will assist the Department in evaluating the project, and the correct notification fee.

If you notify the Department through the submittal of a Timber Harvest Plan ("THP"), the Department will determine the notification is complete if all of the following apply:

1) the THP includes, at a minimum, the information listed in Fish and Game Code section 1611;
2) the information in the THP is true and correct;
3) the THP was properly signed;
4) the THP is accepted for filing by the California Department of Forestry and Fire Protection; and
5) the correct notification fee is provided with the notification or has been paid.

Whether you notify the Department through the submittal of a notification form or THP, the Department will have 30 days to make its completeness determination, ***unless*** you have checked "Long-term agreement" in box 4.B of the notification form or submitted a request for a long-term agreement with the THP. The 30-day time period to determine whether a notification is complete does not apply to notifications for long-term agreements (see Fish and Game Code section 1605(g)(5)), or when one of the following occurs:

1) the Department and applicant mutually agree to extend the 30-day time period.
2) the Department determines that an onsite inspection is required before it can make its completeness determination, but you are unable to schedule a date for the inspection that will reasonably allow the Department to make the determination within the 30-day time period.

3) the Department determines that an onsite inspection is required before it can make its completeness determination and you or the owner of the property where the project will take place (if different from the applicant) refuses to allow Department personnel to enter the property. In that case, the Department may refuse to process the notification, in which case the 30-day time period will no longer apply.

After the Department determines that the notification or THP is complete, it will assign it to staff that will evaluate the project and determine whether you will need an agreement.

An agreement will be required if the project could substantially adversely affect an existing fish, wildlife, or plant resource. If the Department determines that an agreement is required, it will submit a draft agreement to you for review within 60 days of receiving a complete notification or THP, ***unless*** you have requested a long-term agreement. The 60-day time period does not apply to notifications for long-term agreements (see Fish and Game Code section 1605(g)(5)), or when one of the following occurs:

1) the Department and applicant mutually agree to extend the 60-day time period.
2) the Department determines that an onsite inspection is required before it can determine whether an agreement will be required or issue a draft agreement, but you are unable to schedule a date for the inspection that will reasonably allow the Department to make its agreement determination or issue a draft agreement within the 60-day time period.
3) the Department determines that an onsite inspection is required before it can determine whether an agreement will be required or issue a draft agreement, and you or the owner of the property where the project will take place (if different from the applicant) refuses to allow Department personnel to enter the property. In that case, the Department may refuse to process the notification, in which case the 60-day time period will no longer apply.

Whether “Regular” or “Long-term” is checked, the Department has the discretion to determine the term of the agreement. Hence, if “Regular” is checked, the Department may decide a term of between one and five years. If “Long-term” is checked, the Department may decide either not to grant your request for a long-term agreement, but instead issue a regular agreement, or grant your request and decide some term greater than five years. If “Long-term” is checked and the Department decides not to grant your request for a long-term agreement, the Department will contact you, and thereafter process the notification as one for a regular agreement upon your written request.

If you request, and the Department grants, a long-term agreement, you will be required to comply with the requirements specified in Fish and Game Code section 1605(g), which includes filing a status report with the Department every four years.

The draft agreement will include measures the Department determines are necessary to protect fish, wildlife, and plant resources while conducting the project. After receiving the draft agreement, you will have 30 days to notify the Department whether the measures in the draft agreement are acceptable. If you agree with the measures included in the draft agreement, you or your authorized representative will need to sign the agreement and submit it to the Department. If you disagree with any measures in the draft agreement, you must notify the Department in writing and specify the measures that are not acceptable. Upon written request, the Department will meet with you within 14 days of receiving the request to resolve the disagreement. If you fail to respond, in writing, within 90 days of receiving the draft agreement, the Department may withdraw the agreement.

If you disagree with any measures in the draft agreement and you and the Department cannot resolve the disagreement informally, you may request an arbitration panel to resolve the disagreement. If you request arbitration, a panel of arbitrators will be established within 14 days of receiving the request. The panel will include three persons: your representative, a Department representative, and a third person mutually agreed upon by you and the Department who will serve as the panel's chair. If you and the Department cannot agree upon the third person within the 14-day period, a court will appoint the third person. The third person must have scientific expertise relevant to the fish, wildlife, and plant resources the project could affect and to the disputed measures in the draft agreement. ***Each party will be required to pay the expenses of their selected representative and pay one-half the expenses of the third person.***

The panel will issue a decision within 14 days after it is established. The decision must be based on the best scientific information reasonably available at the time of the arbitration, and will be issued in the form of a final agreement. The decision will be binding on you and the Department unless you or the Department successfully petitions a court to correct or vacate the decision.

The time periods described above may be extended at any time by mutual agreement.

Note: *The measures included in a draft agreement are not subject to arbitration if the notification is being submitted in response to an order by the court or an administrative agency that requires you to perform work subject to the notification requirement in Fish and Game Code section 1602.*

After the Department receives the signed draft agreement, it will make it final by signing it. However, the Department will not sign the agreement until it has received the correct notification fee, has complied with CEQA, and has received written proof that the filing fee (specified in Fish and Game Code section 711.4) has been paid, if a filing fee is required. After you receive the final agreement, the project described in the notification or THP and covered by the agreement may begin, provided you have obtained all necessary local, state, and federal permits or other authorizations.

Part IV: California Environmental Quality Act

The Department must comply with California Environmental Quality Act ("CEQA") before it may issue a ***final*** agreement. Issuance of a final agreement occurs when the Department receives the signed ***draft*** agreement from you ***and*** the Department signs it. In many instances, the Department will receive the signed draft agreement from an applicant before the lead agency has fully complied with CEQA. In those instances, the Department must wait for the lead agency to fully comply with CEQA before it may sign the draft agreement, thereby making it final.

Under CEQA, the "lead agency" is the local or state governmental agency that has the principal responsibility for carrying out or approving the project. All other local or state agencies with discretionary approval authority are "responsible agencies."

The lead agency must determine first whether the project is exempt from CEQA. If the project is not exempt, the lead agency must prepare an environmental document, which will be a negative declaration, a mitigated negative declaration, or an environmental impact report. A lead agency is entitled to recover all of its CEQA-related costs from you. If the Department acts as the lead agency for the project your draft agreement covers, it will instruct you to submit an initial deposit to cover its initial CEQA-related costs. The deposit and any further CEQA-related costs will be in addition to the notification fee.

If the Department is a responsible agency, you must submit with the notification form a copy of any document prepared by the lead agency pursuant to CEQA, if one already has been prepared. You must also identify the lead agency on the notification form (box 14.D).

Pursuant to Fish and Game Code section 711.4, you must pay a filing fee to the lead agency if the project is subject to CEQA, unless one of the exceptions specified in section 711.4(c)(2) or (3) or (d)(1) or (2) applies. If the CEQA lead agency prepares a negative declaration or mitigated negative declaration, the filing fee is $1,250. If the CEQA lead agency prepares an environmental impact report, the filing fee is $850. The filing fee is in addition to the notification fee.

For a detailed explanation of CEQA, please consult the statute itself (Public Resources Code section 21000, *et seq.*), the CEQA Guidelines (California Code of Regulations, title 14, section 15000 *et seq.*) that implement CEQA, and CEQA handbooks and guides.

Part V: Other Permits

Depending on the project being proposed, in addition to a Lake or Streambed Alteration Agreement, you might need to obtain a permit, agreement, or other authorization from one or more governmental agencies. You should first contact the planning departments of the city or county where the project will take place to determine whether any local permits are required for the project. The state and federal agencies listed below might also have permitting authority over the project. You should contact these agencies if you are not familiar with their permitting requirements.

STATE AGENCIES

Coastal Commission
Department of Conservation
Department of Forestry and Fire Protection
Department of Water Resources
Reclamation Board/District
Regional Water Quality Control Boards
State Lands Commission
State Water Resources Control Board

FEDERAL AGENCIES

National Marine Fisheries Service
U.S. Army Corp of Engineers
U.S. Fish and Wildlife Service
U.S. Forest Service