



January 12, 2023

CURRENT AND POSSIBLE FUTURE WINTER STORMS – PROJECT PLANNING AND EMERGENCY WORK RESULTING FROM ONSLAUGHT OF ATMOSPHERIC RIVERS

As California experiences an onslaught of intense winter storms, known as “atmospheric rivers,” the California Department of Fish and Wildlife (CDFW) is ready and able to assist entities dealing with and preparing for these weather events. Preparing for future events may include work in or near rivers and streams that require you to notify CDFW under Fish and Game Code section 1602 and if required, to obtain a [lake or streambed alteration agreement](#) from CDFW before beginning the work. If so, one of the most important steps you can take right now is to contact CDFW to begin discussions on this work. A map of the CDFW regional offices, with links to contact information, is available at <https://www.wildlife.ca.gov/Regions>.

Most importantly, the purpose of this communication is to confirm how to approach emergency work. Advance notification is *not* required for emergency work identified under Fish and Game Code section 1610.¹ Typical emergency projects have been immediate actions during or immediately after an emergency to repair, in kind, a structure or facility within the entity's right-of-way. Emergency actions have occurred in advance of the actual damaging event. In some instances, emergency actions can raise the need for remediation afterwards to restore conditions for fish, wildlife, and plant resources. Entities must notify CDFW in writing within 14 days *after* beginning the emergency work. Although advance notification is not required for emergency work, consultation before beginning the work can enable CDFW staff to identify ways to minimize both impacts to resources and need for any remedial actions, while ensuring your emergency needs are met. Notification is simply the mechanism to inform CDFW so that we can be ready and able to assist you in your efforts.

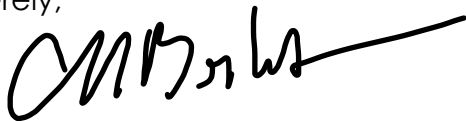
CDFW appreciates your cooperation in conserving California's fish, wildlife, and plant resources. We thank you for all that you are doing to protect public health and safety and property while fighting these atmospheric extreme weather events.

¹ See Fish & G. Code, § 1610. “Emergency” means “a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate the loss of, or damage to, life, health, property, or essential public services. ‘Emergency’ includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.” (Fish & G. Code, § 1601, subd. (c); Pub. Resources Code, § 21060.3.)

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If you have questions regarding this letter, or whether a project is subject to the notification requirement in section 1602, please contact your local CDFW regional office. A map of the CDFW regional offices, with links to contact information, is available at <https://www.wildlife.ca.gov/Regions>. Given the importance of advance planning, as necessary, you may also contact the Regional Manager for your region, as identified in the attached list.

Sincerely,



Charlton H. Bonham
Director

cc: **Northern Region (Region 1)**

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