

Notice of Determination

To:

Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:

1400 Tenth Street
Sacramento, CA 95814

From:

California Department of Fish and Wildlife (CDFW)
Bay Delta Region
2825 Cordelia Road, Suite 100, Fairfield, CA 94534
Contact: Marcia Grefsrud, Environmental Scientist
Phone: (707) 644-2812

Lead Agency

East Bay Regional Park District
2950 Peralta Oaks Court, Oakland, CA 94605
Contact: Raphael Breines
Phone: (510) 544-2325

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

State Clearinghouse Number: 2007102135

Project Title: Vargas Plateau Regional Park Project (California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2081-2014-062-03 (ITP Amendment 1))

Project Location: City of Fremont, Alameda County

Project Description: This project, as approved, involved enhancement of three man-made stock ponds, four multi-use connector trails, development of a loop trail with a ford crossing, and construction of a 60-vehicle parking lot.

The project resulted in impacts to California tiger salamander (*Ambystoma californiense*) and Alameda whipsnake (*Masticophis lateralis euryxanthus*) upland habitat. The Permittee requested that the ITP be amended to reflect changes in the project which resulted in a decrease in permanent impacts and an increase in temporary impacts to annual grassland, and no impact to pond habitat. The project reduced permanent impacts to annual grassland from 2.55 acres to 2.21 acres and increased temporary impacts to annual grassland from 0.77 acres to 2.12 acres. The project was expected to result in incidental take of California tiger salamander and Alameda whipsnake, which are designated as threatened species under CESA. The ITP referenced above and Amendment 1 as issued by CDFW authorized incidental take of species listed under CESA that may occur as a result of project implementation.

This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on 4/5/2022 and made the following determinations regarding the above described project:

1. The project [will / will not] have a significant effect on the environment (This determination is limited to effects within CDFW's permitting jurisdiction as a responsible agency).
 2. [An environmental impact report / A negative declaration] was prepared by the lead agency for the original project.
 3. Additional mitigation measures [were / were not] made a condition of CDFW's approval of the project.
 4. A mitigation reporting or monitoring plan [was / was not] adopted by CDFW for this project.
 5. A Statement of Overriding Considerations [was / was not] adopted by CDFW for this project.
 6. Findings [were / were not] made by CDFW pursuant to Public Resources Code § 21081(a). CDFW did, however, adopt findings to document its compliance with CEQA.
 7. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):
 - Payment is submitted with this notice.
 - A copy of a receipt showing prior payment was submitted to CDFW.
- Responsible Agency statement: The Mitigated Negative Declaration prepared by the lead agency for the Project is available to the general public at the office location listed above for the lead agency. CDFW's administrative record of proceedings related to the incidental take permit is available to the public for review at CDFW's regional office.

DocuSigned by:

Craig Weightman

Signature

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Date: 4/5/2022

Erin Chappell, Regional Manager

Date Received for filing at OPR: _____