

**Notice of Determination****- 1 -****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  
 Phone: (707) 644-2812

Lead Agency (if different than CDFW)  
 Contra Costa County  
 30 Muir Road, Martinez, CA 94553  
 Contact: Adrian Veliz  
 Phone: (925) 964-7798

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

State Clearinghouse Number: 2018062064

Project Title: Cayetano Creek Mitigation Bank Project [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2018-012-03 (ITP)]

Project Location: Cayetano Creek Mitigation Bank (Project) is located north of Interstate 580 between the cities of Livermore and Dublin in Alameda and Contra Costa counties.

Project Description: This Project involves converting 21.83 acres of grassland habitat to 12.82 acres of wetlands, 8.55 acres of riparian woodland and 0.46-acre of seasonal pond/open water for the purposes of creating mitigation and conservation habitat. The Project will result in impacts to 21.83 acres of California tiger salamander (*Ambystoma californiense*) and San Joaquin kit fox (*Vulpes macrotis mutica*) upland and dispersal habitat, and temporary loss of 1.39 acres of habitat for the Covered Species. The Project is expected to result in incidental take of California tiger salamander and San Joaquin kit fox, which are designated as threatened species under CESA. The ITP referenced above as issued by CDFW authorizes 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 7/2/2021 and made the following determinations regarding the above-described project:

- 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).
  - [ An environmental impact report /  A negative declaration] was prepared by the lead agency for the original project.
  - Additional mitigation measures [ were /  were not] made a condition of CDFW's approval of the project.
  - A mitigation reporting or monitoring plan [ was /  was not] adopted by CDFW for this project.
  - A Statement of Overriding Considerations [ was /  was not] adopted by CDFW for this project.
  - 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.
  - 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 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:

*Stacy Sherman*

Signature

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Date: 7/2/2021

Stacy Sherman, Acting Regional Manager

Date Received for filing at OPR: \_\_\_\_\_