

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)
Central Region 4
1234 East Shaw Avenue
Fresno, CA 93710
Contact: Renée Robison, (559) 243-4014, ext. 274

Lead Agency

San Benito County
2301 Technology Parkway, 1st Floor
Hollister, CA 95023
Byron Turner, (831) 637-5313

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

State Clearinghouse Number: 2013101006

Project Title: San Juan Oaks Specific Plan (California Endangered Species Act Incidental Take Permit No. 2081-2016-036-04 (ITP) Major Amendment No. 1)

Project Location: The Project is located at 3825 Union Road, about 3 miles southwest of the City of Hollister and approximately 1 mile south of the intersection of Highway 156 and Union Road.

Project Description: This proposed project involves the development of 1,084 single family detached residential units, 1,017 of which will form an active adult community and 67 of which will be conventional single-family residential units; a 17,500 square foot (sf.) to 25,000 sf. Amenity Center; a 200 room resort hotel; a 65,000 sf. neighborhood commercial center; and an approximately 4-acre assisted living/skilled nursing/memory care facility with up to 100 beds. The Project would include the creation of a 41.4-acre on-site agricultural preserve and a 153.5-acre off-site agricultural preserve.

Work under the ITP has not yet begun and Major Amendment No. 1 (Amendment) includes several changes to the ITP as originally issued. These changes include, but are not limited to, a modification to the Project impact area acreage, inclusion of phased passive relocation of California tiger salamander, and phasing of the Habitat Management lands requirements and Performance Security. The Amendment also requires submission of As-Built Development Plans upon completion of each Development phase.

The Project will result in impacts to 452.6 acres of California tiger salamander (*Ambystoma californiense*) habitat including temporary impacts to 43.6 acres. The project is expected to result in incidental take of California tiger salamander, which is/are designated as a threatened species under the California Endangered Species Act. 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 5/20/19 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).
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.

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Responsible Agency statement: The EIR 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.

Signature  Date: 5/20/19
Julie A. Vance, Regional Manager

Date Received for filing at OPR: Governor's Office of Planning & Research

MAY 20 2019
STATE CLEARINGHOUSE