

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:

Department of Fish and Wildlife (CDFW)
 Inland Deserts Region
 3602 Inland Empire Boulevard, Suite C-220
 Contact: Rose Banks
 Phone: (760) 872-1171

Lead Agency (if different than CDFW)
 California Department of Transportation, District 9
 500 South Main Street
 Bishop, CA 93514
 Contact: Katie Rodriguez
 Phone: (760) 920-3127

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

State Clearinghouse Number: 2010091023

Project Title: Olancha Cartago Four Lane Project (California Endangered Species Act Incidental Take Permit (ITP) No. 2081-2018-055-06 Major Amendment 1)

Project Location: The Olancha Cartago Four Lane Project (Project) is located along U.S. Highway 395 from Post Mile (PM) 29.2 to PM 41.8 in Inyo County, California near the communities of Olancha and Cartago.

Project Description: The Project includes widening U.S. Highway 395 from two lanes to four lanes near the communities of Olancha and Cartago by constructing a controlled-access, four-lane divided expressway. The Project is about 12.6 miles long, extending from the existing four-lane highway segment just south of the Los Angeles Aqueduct at PM 29.2, north to the four-lane segment at the Ash Creek bridge at PM 41.8.

The Project will result in permanent impacts to 288 acres of Mohave ground squirrel (*Xerospemophilus mohavensis*) habitat, 604 acres of desert tortoise (*Gopherus agassizii*) habitat, and 68 acres of western Joshua tree (*Yucca brevifolia*) habitat. 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 6/24/2021 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.

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.

DocuSigned by:

 Signature _____ Date: 6/24/2021
 Leslie MacNair, Regional Manager AFEAC2ED7258498...

Date Received for filing at OPR: _____