

**Notice of Determination****- 1 -****To:**

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

**Street Address:**

1400 Tenth Street  
 Sacramento, CA 95814

**From:**

California Department of Fish and Wildlife  
 Central Region  
 1234 East Shaw Avenue  
 Fresno, CA 93710  
 Contact: Craig Bailey  
 Phone: (559) 243-4014, extension 227

**Lead Agencies:**

Regents of the University of California  
 Post Office Box 2039  
 Merced, CA 95344

County of Merced  
 2222 M Street  
 Merced, CA 95340

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

State Clearinghouse Numbers: 2008041009, 1999011011, and 2018041010

Project Title: University of California, Merced Campus and Community North Project California Endangered Species Act Incidental Take Permit (ITP) No. 2081-2009-010-04) Major Amendment No. 3

Project Location: The inclusive University of California, Merced Campus and Community North Project (Project) site is located in eastern Merced County, approximately two miles northeast of the limits of the City of Merced; occupying portions of Sections 26, 27, 28, 34, and 35; Township 6 south; Range 14 east; and Sections 3 and 2; Township 7 south; Range 14 east (Mount Diablo Base and Meridian). The site is south-southeast of Lake Yosemite Regional Park, east of Lake Road, and the southern boundary of the Project site is Yosemite Avenue (Figures 1, 2, and 3).

Project Description: As approved by the University of California and County of Merced, the Project involves the construction and operation of a major research University campus in Merced County which will sustain up to 25,000 full-time students and a contiguous associate community to support the needs of the University. The Project will result in permanent impacts of up to 1,895 acres to California tiger salamander (*Ambystoma californiense*; CTS), Swainson's hawk (*Buteo swainsoni*), and San Joaquin kit fox (*Vulpes macrotis mutica*) habitat, portions of which are occupied by succulent owl's clover (*Castilleja campestris ssp succulenta*); Colusa grass (*Neostapfia colusana*), and San Joaquin orcutt grass (*Orcuttia inaequalis*). The Project, as modified, is expected to result in incidental take of CTS, Swainson's hawk, and San Joaquin kit fox which are designated as threatened species under CESA; and succulent owl's clover, Colusa grass, and San Joaquin orcutt grass which are designated as endangered species under CESA. The ITP, as amended, as issued by CDFW, authorizes incidental take of these species that may occur as a result of the Project. Major Amendment No. 3 adds a Permittee, clarifies multiple Conditions of Approval, provides alternative minimization measures for California tiger salamander and Swainson's hawk, adds the Yosemite Lake Conservation Area to HM Lands, and removes the Lazy K Ranch from the HM Lands.

This is to advise that CDFW, acting as [ the lead agency /  a responsible agency] approved the above-described project on 6/22/2020 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.

**Notice of Determination**

Responsible Agency statement: The environmental documents prepared by the Lead Agencies for the project are available to the General Public at the office locations listed above for the Lead Agencies. CDFW's administrative record of proceedings is available at the CDFW office identified above.

DocuSigned by:

*Annee Ferranti*

041A77B10D78486...

Signature

Date: 6/22/2020

for Julie A. Vance, Regional Manager

Governor's Office of Planning & Research

**Jun 22 2020**

**STATE CLEARINGHOUSE**

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