

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
California Department of Water Resources
1416 Ninth Street, Sacramento, CA 95814
Contact: David Sarkisian
Phone: (916) 653-9978

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108
State Clearinghouse Number: 2014042030

Project Title: Bethany Dams Improvement Project [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2015-034-03 (ITP)] Amendment 1.

Project Location: The Bethany Dams Improvement Project (Project) is located approximately nine miles northwest of the City of Tracy, near the intersection of Christensen Road and Bruns Road in Alameda County.

Project Description: This Project includes 1) seepage monitoring weir replacement, 2) palm tree removal at the interim plant outlet structure, and 3) drainage ditch improvements for vegetation control and seepage monitoring. The Amendment includes the following additional activities: restoring function of drainage ditches at the base of Bethany Dams 1, 2, and 3; repairing damage caused by rodent burrow holes at all five Bethany Dams, and prevention of future burrow damage.

The Project will result in impacts to a total of approximately 14.50 acres of California tiger salamander (Ambystoma californiense) habitat; the Project will permanently remove 14.41 acres of California tiger salamander upland habitat and 0.018 acres of nonbreeding wetland habitat, and temporarily impact 0.07 acres of upland grassland habitat. The Project is expected to result in incidental take of California tiger salamander, which is designated as a 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 9-19-19 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). 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 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.

Signature Gregg Erickson

Date: 9-19-19

Gregg Erickson, Regional Manager, Governor's Office of Planning & Research

Date Received for filing at OPR: OCT 02 2019