

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)
 Central Region
 1234 East Shaw Avenue
 Fresno, CA 93710
 Contact: Stephanie Manzo
 Phone: (559) 578-0409

Lead Agency:

County of Fresno
 2220 Tulare Street, Suite A
 Fresno, CA 93721
 Contact: Briza Sholars
 Phone: (559) 600-4207

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

State Clearinghouse Number: 2013101092

Project Title: Table Mountain Rancheria Millerton Road Improvement Project: Winchell Cove Road to Sky Harbor Road (California Endangered Species Act Incidental Take Permit No. 2081-2019-060-04 (ITP) Minor Amendment No. 2)

Project Location: The Project is located along Millerton Road, in Fresno County, between the intersections of Winchell Cove Road and Sky Harbor Road, approximately 6.5 miles north of the City of Fresno. Millerton Road runs from its westernmost extent at North Friant Road in Friant, California, east to its intersection with Auberry Road. Millerton Road is directly south of Millerton Lake and crosses the Friant-Kern Canal approximately 0.5 mile east of Friant. It also runs adjacent to the southern boundary of the Table Mountain Rancheria and is the sole source of access to the Rancheria.

Project Description: The Project includes the construction of roadway improvements, expanding the approximately 1.0-mile segment of Millerton Road from Winchell Cove Road to Sky Harbor Road, to a four-lane arterial roadway with four 12-foot-wide travel lanes, two 6-foot-wide paved shoulders, and 4-foot-wide treated dirt shoulders for safety and to increase capacity. The modifications of the intersections at Winchell Cove Road, Brighton Crest Entrance Road, and Sky Harbor Road are included in Project activities along with the resizing of existing six culverts and the construction of five new culverts.

Minor Amendment No. 2 extends the expiration date of the ITP from December 31, 2023, to December 31, 2028, revises Condition of Approval 6.4, Monthly Compliance Report, to allow for adjustments to the timing and number of compliance reports required under this condition following the completion of the Project, and extends the deadline in which to complete Condition of Approval 8.1 from December 31, 2023, to before December 31, 2028.

The Project will result in permanent impacts to 1.07 acres of California tiger salamander (*Ambystoma californiense*) habitat. The Project is expected to result in incidental take of California tiger salamander, which is designated as a threatened species under the California Endangered Species Act (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 4/19/2024 and made the following determinations regarding the above described project:

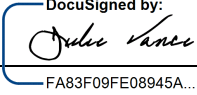
1. The project [will / will not] have a significant effect on the environment (This determination is limited to effects within CDFW's permitting jurisdiction as a responsible agency).
2. [An environmental impact report / A negative declaration] was prepared by the lead agency for the original project.
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.

Notice of Determination

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 Mitigated 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  FA83F09FE08945A... Date: 4/19/2024

Julie A. Vance, *Regional Manager*

Date Received for filing at OPR: _____