

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)
 Region 4
 1234 East Shaw Avenue
 Fresno, California 93710
 Contact: Craig Bailey
 Phone: (559) 243-4014, ext. 227

Lead Agency
 Santa Clara Valley Water District
 5750 Almaden Expressway
 San Jose, California 95118
 Contact: Scott Akin
 Phone: (408) 630-2060

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

State Clearinghouse Number: 2005101047

Project Title: San Felipe System Calaveras Fault Levee/Access Road Repair Project (California Endangered Species Act Incidental Take Permit No. 2081-2019-030-04 (ITP))

Project Location: The Project is located within an unincorporated area of San Benito County, California, between the cities of Gilroy and Hollister, approximately 1.2 miles south of California State Highway 152.

Project Description: This proposed project involves replacement of seven culverts and repair of associated energy dissipation structures; repair of energy dissipation structures around the northern outlets of four existing culverts; replacement of the apron around both outlets of one existing culvert; and repositioning telemetry cable, and insertion of new splice boxes as needed, beneath the levee/access road.

The Project will result in impacts to 0.908 acres of California tiger salamander (*Ambystoma californiense*) habitat including temporary impacts to 0.74 acres and will permanently remove 0.168 acres of California tiger salamander 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. 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 7/27/2020 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.
- 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:

Bob Stafford

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Signature

Date: 7/27/2020

for Julie A. Vance, Regional Manager

Governor's Office of Planning & Research

Date Received for filing at OPR: **Jul 27 2020**