

Notice of Determination

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 (if different than CDFW)
City of Livermore
1052 South Livermore Avenue, Livermore, CA 94550
Contact: Frank Guido
Phone: (925) 960-4450

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108
State Clearinghouse Number: 2017072014

Project Title: Dalton Reservoir Replacement Project [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2017-066-03 (ITP)] Amendment 1

Project Location (include county): The Dalton Reservoir Replacement (Project) is located approximately 1,400 feet west of North Vasco Road and about 1,000 feet northeast of the eastern terminus of Raymond Road, in the northeast portion of Livermore, Alameda County. The Project is located approximately 1.6 miles north of Interstate 580 at approximately 37°43'55.02"N, 121°43'46.94"W.

Project Description: The Project includes removal of the existing 2.0-million-gallon tank and construction of 3.41-million gallon, 40-foot-high (roof height), 155-foot-diameter welded steel replacement reservoir on substantially the same footprint as the existing tank. The new tank will have a wider diameter than the existing tank and will extend into the area currently used for the paved circular access road surrounding the existing tank which will require a new 15-foot-wide paved access road to be constructed surrounding the new tank. This new asphalt road around the tank is part of the project, along with landscaping, electrical and instrumentation upgrades, and piping improvements. The existing perimeter chain-link fencing will remain.

The Project will result in impacts to 0.76 acres of California tiger salamander (Ambystoma californiense) habitat including semi-permanent impacts to 0.53 acres, and permanent impacts to 0.23 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 CESA. The ITP Amendment referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation and changes the previously authorized temporary impacts to semi-permanent impacts.

This is to advise that CDFW, acting as [] the lead agency / [] a responsible agency approved the above-described project on 9-13-19 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: 9-13-19
Gregg Erickson, Regional Manager Governor's Office of Planning & Research

Date Received for filing at OPR: OCT 02 2019