

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:

Department of Fish and Wildlife
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670
Contact: Caitlyn Oswalt
Phone: (916) 358-4315



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

State Clearinghouse Number: 2017032040.

Project Title: Greenhorn Creek Aggregate Mining Expansion Project (Incidental Take Permit Amendment No. 2081-2017-050-02-A2).

Project Location: The Greenhorn Plant Gravel Extraction Project (Project) is located at 12865 Mule Canyon Road within the City of Grass Valley, Nevada County. The Project is located approximately 9 miles east of Grass Valley at approximately 39°11' 35.38" N, -120°56' 06.24" W.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed a major amendment to Incidental Take Permit No. 2081-2017-050-02, pursuant to section 783.6, subdivision (c) of the Fish and Game Code to the project Applicant, Hansen Bros. Enterprises.

Current Project Activities include stream diversion and channel realignment, temporary road construction, culvert placement, channel enhancement including placement of logs, undulations, meanders, gravel extraction, and other activities. The Major amendment will extend the current ITP by 20 years and shall expire on December 31, 2044.

The Project will result in temporary impacts up to 71 acres of foothill yellow-legged frog (*Rana boylei*) habitat. The project is expected to result in incidental take of foothill yellow-legged frogs which are 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, approved the above-described project on the date signed below and has made the following determinations regarding the project:


1. The project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration / Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were / were not made a condition of the 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 not adopted by the CDFW for this project.
6. Findings were not made by the CDFW pursuant to California Code of Regulations section 15091. 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.

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- 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.

DocuSigned by:

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Signature

Date: 10/3/2023

Kevin Thomas, Deputy Director of Regional Operations