

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

Lead Agency
 Madera County
 200 W. 4th Street, Suite 3100
 Madera, CA 93637
 Contact: Matt Treber
 Phone: (559) 675-7821

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

State Clearinghouse Number: 2017101048

Project Title: Rio Mesa Boulevard Project (California Endangered Species Act Incidental Take Permit No. 2081-2021-094-04 (ITP))

Project Location: The Rio Mesa Boulevard Project (Project) is located in southeastern Madera County approximately 15 miles east of the City of Madera and approximately 5 miles north of the City of Fresno and is within Sections 21, 22, 27, 28, 33, 34, Township 11 South, Range 20 East, and Sections 3 and 4, Township 12 South, Range 20 East (Mount Diablo Base and Meridian) of the "Lanes Bridge, California" 7.5-minute quadrangle (United States Geological Survey [USGS] 1964 and 1973). The appropriate center of the Project Site is located at 36.940531 and -119.782054. The Project Site is within the Middle San Joaquin-Lower Chowchilla Watershed (Hydrologic Unit Code #18040001; Natural Resources Conservation Service, USGS, and United States Environmental Protection Agency 2016).

Project Description: The Project includes construction of the Rio Mesa Boulevard (RMB), an approximately 2.3-mile segment of new roadway, that will widen an approximately 2,200 foot segment of existing roadway, known as Avenue 12, and would install utilities within the RMB right-of way and within the two linked utility line corridors. The Project would provide a connection between the State Route (SR) 41/Avenue 12 intersection in the south to the southernmost point of the internal road network within the Tesoro Viejo Master Planned Community to the north. The Project utilities installations would provide utility infrastructure between Avenue 12 and Avenue 14 and along an approximately one-mile segment of Avenue 14. The Project will be constructed in two phases, Phase I and Phase II and have an interim period of operation and maintenance.

The Project is expected to cause the permanent loss of 49.90 acres of annual grassland which provides California tiger salamander (*Ambystoma californiense*) dispersal and refugia habitat, 41.50 acres of disked agricultural land and 0.18 acre of seasonal wetlands and swale which both provide California tiger salamander dispersal habitat, and 0.87 acres of vernal pools which provides California tiger salamander breeding and succulent owl's clover (*Castilleja campestris* ssp. *succulenta*) 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), and succulent owl's clover, which is designated as an endangered species under the Native Plant Protection Act (NPPA). The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA and NPPA 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 7/3/2024 and made the following determinations regarding the above described project:

1. The project 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 was prepared by the lead agency for the original project.
3. Additional mitigation measures were made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan adopted by CDFW for this project.
5. A Statement of Overriding Considerations was not adopted by CDFW for this project.
6. Findings were made by CDFW pursuant to Public Resources Code § 21081(a).

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 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:

Signature _____ Date: 7/3/2024
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Julie A. Vance, *Regional Manager*

Date Received for filing at OPR: _____