

Notice of Determination**- 1 -**

To:	From:
<input checked="" type="checkbox"/> Office of Planning and Research	California Department of Fish and Wildlife (CDFW) Bay Delta Region
<i>For U.S. Mail:</i>	2825 Cordelia Road, Suite 100, Fairfield, CA 94534
P.O. Box 3044	Contact: Phillip Poirier
Sacramento, CA 95812-3044	Phone: 209-234-3448
<i>Street Address:</i>	Lead Agency (if different than CDFW)
1400 Tenth Street	State and Federal Contractors Water Agency
Sacramento, CA 95814	1121 L Street, Suite 802, Sacramento, CA 95814
	Contact: Tara Beltran
	Phone: (916) 476-5056

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

State Clearinghouse Number: 2011032001

Project Title: Lower Yolo Restoration Project [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2019-045-03 (ITP)]

Project Location: The Lower Yolo Restoration Project is located in the Sacramento River Delta at the southern end of the Yolo Bypass near Cache Slough within Yolo County. The Project is located approximately 16 miles south of Davis, at a latitude of 38.37243887 North and a longitude of 121.6938111 West. The Project site is bounded by Prospect Slough to the East and South, Liberty Farms to the West, and agricultural lands to the North.

Project Description: The primary objective of the proposed project is to enhance regional food web productivity and provide rearing habitat in support of native fish species, including delta smelt and out-migrating salmonids utilizing the Yolo Bypass. Project activities include the restoration of tidal marshes through the removal and relocation of existing water control infrastructure elements, grading lands to facilitate establishment of intertidal wetlands, removing irrigation and grazing, and excavating new tidal channels.

The Project will result in impacts to 1,109 acres of Swainson's Hawk (*Buteo Swainsoni*) foraging habitat and temporary impacts to 234 acres. The 1,109 acres of habitat would be a conversion into Giant Garter Snake (*Thamnophis gigas*) foraging habitat. In addition, there would be temporary impacts to 491 acres of Giant Garter Snake foraging habitat. The project is expected to result in incidental take of Swainson's Hawk and Giant Garter Snake, which are designated as threatened species under 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 8/5/2020 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 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 Gregg Erickson Governor's Office of Planning & Research Date: 8/5/2020
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 Gregg Erickson, Regional Manager **Aug 05 2020**

Date Received for filing at OPR: **STATE CLEARINGHOUSE**