

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)
 Bay Delta Region
 2825 Cordelia Road, Suite 100, Fairfield, CA 94534
 Contact: Marcia Grefsrud
 Phone: (707) 428-2002

Lead Agency (if different than CDFW)
 City and County of San Francisco Planning Department
 1650 Mission Street, Suite 400, San Francisco, CA
 94103
 Contact: Chris Kern
 Phone: (415) 575-9037

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

State Clearinghouse Number: 2005102102

Project Title: Calaveras Dam Replacement Project (CDRP) [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2019-008-03 (ITP)]

Project Location: The Project is located on Calaveras Creek, a tributary of Alameda Creek in Alameda County, California, at approximately latitude 37.4931, longitude -121.8206. The Project also includes Calaveras Creek and Alameda Creek downstream of CRDP and Arroyo Hondo, upstream of CDRP in Santa Clara County. San Antonio Creek is situated approximately 6.4 miles from Calaveras Dam. Goldfish Pond is located in the Calaveras Creek watershed, south of Calaveras Reservoir, approximately 3 miles from Calaveras Dam in Santa Clara County. Sheep Camp Creek is located 7.5 miles northwest of Calaveras Dam. Goat Rock is located north of Geary Road (approximately 0.2 miles) and west of Welch Creek Road (less than 0.1 miles) approximately 4.7 miles from the dam. The Grimes Property is 7.5 miles southeast of the State Route 84/Interstate 680 interchange and includes 195 acres. The East Bay Regional Park District (EBRPD) Waterline repair extends from the High Valley Camp in the East Bay Regional Park, Sunol Regional Wilderness (EBRPD-SRW) to the Headquarters Area.

Project Description: This proposed Project involves work that was completed under the original ITP and Major Amendments 1 and 2, and work that was not yet completed when the ITP expired. The Project includes CDRP work activities associated with various habitat restoration (rehabilitation), establishment, and enhancement efforts at five (5) proposed Mitigation Sites. This Project also includes work necessary to install a waterline on EBRPD property as part of a settlement agreement for the CDRP. The CDRP is included in the San Francisco Public Utilities Commission's (SFPUC) Water System Improvement Program (WSIP). The five proposed Mitigation Sites are included in the SFPUC's Bioregional Habitat Reserve (BHR). The BHR is comprised of a number of SFPUC owned and purchased properties. The five proposed BHR Mitigation Sites are Sheep Camp Creek Site, San Antonio Creek, Goldfish Pond, Goat Rock, and Grimes. Each of the Mitigation Sites may contribute compensation for CDRP impacts to biological resources.

The Project will result in impacts to 741.69 acres of permanent impacts, 7.00 acres of semi-permanent impacts, and 112.74 acres of temporary impacts to Alameda whipsnake (*Masticophis lateralis euryxanthus*), California tiger salamander (*Ambystoma californiense*), and foothill yellow-legged frog (*Rana boylei*) habitat. The Project is expected to result in incidental take of Alameda whipsnake and California tiger salamander which are designated as a threatened species and foothill yellow legged frog which is designated as an endangered 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 12/15/2020 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.

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- 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:

Gregg Erickson

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Signature

Date: 12/15/2020

Gregg Erickson, Regional Manager

Date Received for filing at OPR: _____