

**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) 644-2812

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) Major Amendment 1)

Project Location: The CDRP is located on Calaveras Creek, a tributary of Alameda Creek in Alameda County, California, at approximately latitude 37.4931, longitude -121.8206. Major Amendment 1 also includes Alameda Creek at the Alameda Creek Diversion Dam and Fish Passage Facility (collectively, ACDD) in Alameda County.

Project Description: This Major Amendment includes emergency repairs as well as future operations and maintenance of ACDD. The ACDD emergency repair is expected to cause temporary loss (less than one year) of 0.2 acres of previously disturbed in-stream habitat and 0.2 acres of previously disturbed upland habitat, to accommodate the volume of material that must be cleared from around the fish screens. The ACDD operations and maintenance activities may cause temporary loss of 0.2 acres of habitat in the same previously disturbed in-stream habitat and sediment stockpile area for 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 the California Endangered Species Act. The Major Amendment 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 10/19/2023 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 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:

*Erin Chappell*

Signature

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Erin Chappell, Regional Manager

Date: 10/19/2023

Date Received for filing at OPR: \_\_\_\_\_