

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: Melanie Day
 Phone: (707) 428-2076

Lead Agency

City of Vallejo
 555 Santa Clara Street, Vallejo, CA 94590
 Contact: Michelle Hightower
 Phone: (707) 648-4506

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

State Clearinghouse Number: 2009072025

In addition to the Reuse of the Mare Island Drydocks Mitigated Negative Declaration with the above State Clearinghouse Number, CDFW considered the Reuse of Mare Island Dry Docks 2 & 3 and Waterfront Area Subsequent Mitigated Negative Declaration adopted by the City of Vallejo on April 18, 2016; the Environmental Impact Statement/Environmental Impact Report for the Disposal and Reuse of Mare Island Naval Shipyard Vallejo, California, dated April 1998, that the City of Vallejo adopted for the Mare Island Dry Docks Project; and the Subsequent Environmental Impact Report for the Mare Island Amended and Restated Specific Plan Project, dated October 2005, that the City of Vallejo adopted for the Mare Island Dry Docks Project.

Project Title: Mare Island Dry Docks Project (California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2020-025-03, Amendment No. 1 (ITP))

Project Location: The Mare Island Dry Docks Project (Project) is located at Dry Docks 1, 2, and 3 and the Mare Island Strait immediately east of the dry docks, at 1180 Nimitz Avenue, just west of the City of Vallejo in an unincorporated area of Solano County. The Project is located approximately 1.07 miles south of the eastern terminus of the Mare Island Causeway, which connects the City of Vallejo to Mare Island, at Latitude 38.09672°N, Longitude 122.2663°W. The Project site is bounded by Mare Island Strait and Mare Island Way to the east and north, and the Mare Island Dry Docks LLC building, associated facilities, and Nimitz Avenue to the west and south. Specifically, the Project occurs within and in front of Dry Docks 2 and 3 and along Berths 11-14 and a portion of Berth 15.

Project Description: The Project includes ongoing operation of Dry Dock 1, 2, and 3 and maintenance dredging over a 10-year period. The purpose of the Project is to continue to provide a ship repair facility at the Mare Island Dry Docks. Up to 104 evolutions (i.e., filling the dry dock with water from Mare Island Strait, opening the caisson, allowing a ship to enter or exit the dock, and then draining the dock and performing fish rescue and relocation activities) will be performed in Dry Docks 1, 2, and 3, collectively, each year. Additionally, up to 140,000 cubic yards of sediment will be removed from an approximately 12.00-acre area in the Mare Island Strait each year via a mechanical (i.e., clamshell) dredger.

Amendment No. 1 adds areas to the project, Dry Dock 1 and Berth 11, without an increase in the activities resulting in impacts to the Covered Species, therefore this amendment request will not result in additional take of the Covered Species. Specifically, this amendment will not increase the volume of water impacted by evolutions or dredging, number of evolutions, volume of dredged material, or seasonal timing of evolutions or dredging.

The Project is expected to result in incidental take of up to 7,462 individuals of longfin smelt (*Spirinchus thaleichthys*), and a smaller number of Delta smelt (*Hypomesus transpacificus*), Winter-run Chinook salmon (*Oncorhynchus tshawytscha*), and Spring-run Chinook salmon (*Oncorhynchus tshawytscha*). Longfin smelt and Spring-run Chinook salmon are designated as threatened species under CESA. Delta smelt and Winter-run Chinook salmon are 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 April 10, 2024 and made the following determinations regarding the above-described project:

Notice of Determination

- 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). 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.
- 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:
Erin Chappell
 Signature _____ Date: 4/11/2024
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Erin Chappell, Regional Manager

Date Received for filing at OPR:

Notice of Determination
