

Notice of Determination**- 1 -****To:**

Office of Planning and Research
 For U.S. Mail:
 P.O. Box 3044
 Sacramento, CA 95812

Street Address:

1400 Tenth Street
 Sacramento, CA 95814

From:

Department of Fish and Wildlife (CDFW)
 North Central Region
 1701 Nimbus Road
 Rancho Cordova, CA 95670
 Contact: Ian Boyd
 Phone: (916) 932-3035

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

State Clearinghouse Number: 1997052044

Project Title: Gray Lodge Water Supply Project (California Endangered Species Act Incidental Take Permit No. 2081-2019-024-02-A4 (ITP))

Project Location: The Gray Lodge Wildlife Area Water Supply (Project) is located 65 miles north of Sacramento, in the eastern Sacramento Valley. The Project begins near the intersection of Highway 99, north of the City of Biggs, where it intersects with the main canal (Belding lateral) and continues southwest past the cities of Biggs and Gridley and terminates at the northern border of the Gray Lodge Wildlife Area.

Project Description: The California Department of Fish and Wildlife (CDFW) is approving an Amendment to the ITP that includes the following changes: First, this Amendment adds two new minor modifications to be constructed at the end of the Traynor and Schwind Laterals where they enter the Gray Lodge Wildlife Area. Second, this Amendment updates Figure 2 of the ITP which depicts the proposed timing of the work associated with Traynor and Schwind Laterals. In addition, it adds Figure 3B to the ITP and shows the location of the new minor modifications. Third, it identified additional permanent and temporary impacts to giant garter snake (GGS) habitat that will result from work added by Amendment No. 4. The new work will result in permanent impacts of 0.055 acre (0.038 acre of upland habitat and 0.017 of aquatic habitat) and temporary impacts of 0.015 acres of upland habitat. To date, the Permittee has purchased 14.36 GGS habitat credits from a CDFW-approved conservation bank to mitigate impacts on GGS habitat. As part of ITP compliance, habitat Impacts Verifications are conducted annually to satisfy ITP Condition 8.11; through these Impacts Verifications, to date Project construction has been determined to be less impactful to GGS habitat than proposed, with a +0.763 GGS habitat acre/credit balance identified. A total of 0.21 GGS habitat acre/credit from the credit balance will be used to offset impacts associated with new work approved by Amendment No. 4.

The Project will result in the permanent loss of 2.825 acres of Giant garter snake (*Thamnophis gigas*) upland habitat and temporary loss of 4.22 acres of aquatic habitat and 17.067 acres of upland habitat, for a total of 21.287 acres. The Project is expected to result in the expansion of Covered Species aquatic habitat of 5.259 acres. The Project is expected to result in incidental take of giant garter snake which is designated as a threatened species under the California Endangered Species Act. 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 (lead agency) approved the above-described amendment of the date below and has 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. A Mitigated 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.

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This is to certify that the final Mitigated Negative Declaration with comments and responses, the addenda and record of project approval, are available to the General Public at: 1701 Nimbus Road, Rancho Cordova, CA 95670.

DocuSigned by:

Billie Wilson

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Signature:

Date: 9/13/2023

Billie Wilson, Acting Regional Manager