

Notice of Determination

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)
Central Region
1234 East Shaw Avenue; Fresno, California 93710
Contact: Renée Robison
Phone: 559-243-4014, ext. 274

Lead Agency
City of Sand City
1 Pendergrass Way; Sand City, California 93955
Contact: Charles Pooler, City Planner
Phone: 831-394-6700

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108
State Clearinghouse Number: 2017061066

Project Title: South of Tioga (California Endangered Species Act Incidental Take Permit No. 2081-2018-078-04 (ITP))

Project Location: The South of Tioga development (Project) is within the city limits of Sand City, Monterey County, California, at the intersection of California and Tioga avenues, approximately 600 feet east of State Route 1 at approximately 36.6156, -121.8465.

Project Description: The Project consists of a six-parcel, vesting tentative map application (including roadway abandonment and dedications and lot mergers), site plan review, architectural review, and conditional use permits. Development of the Project will consist of a multi-family residential building containing up to 420 units, a separate 216-room hotel, and a restaurant. A 0.9-acre dune area supporting approximately 22,000 individuals will be placed under a conservation easement.

The Project will permanently remove 0.3 acre of Monterey gilia (*Gilia tenuiflora* ssp. *arenaria*) habitat supporting approximately 35 germinated individuals. Monterey gilia 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, acting as the lead agency / a responsible agency [] approved the above-described project on 12/10/19 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.

Signature  Date: 12/10/19
For Julie A Vance, Regional Manager

Governor's Office of Planning & Research

Date Received for filing at OPR: DEC 06 2019

STATE CLEARINGHOUSE