

**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:**  
Department of Fish and Wildlife  
Bay Delta Region  
2825 Cordelia Road, Suite 100  
Fairfield, CA 95434  
Contact: Sabrina Dunn  
Phone: (707) 428-2069



Lead Agency  
City of Oakley  
3231 Main Street  
Oakley, CA 94561

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

**State Clearinghouse Number:** 2007012075

**Project Title:** Gilbert Property Cypress Road East (Streambed Alteration Agreement No. 1600-2019-0022-R3)

**Project Location:** The project is located at an unnamed tributary to Little Dutch Slough, in the County of Contra Costa, State of California; Latitude 37.99075000, Longitude -121.66833333; Assessor's Parcel Numbers 032-081-016 and 032-081-008.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has amended Lake and Streambed Alteration Agreement number 1600-2019-0022-R3, pursuant to section 1602 of the Fish and Game Code for the project Applicant Contra Costa County Communities, LLC.

The design plans for the culvert under east Cypress Road, which is associated with the East Cypress Road Capital Improvement Project, has been increased from 65 feet in length to 75 feet in length. No other portions of the project description have been changed.

This is to advise that CDFW, acting as a Responsible Agency, approved the above-described project on August 18, 2023, and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

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. CDFW considered the Environmental Impact Report prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. 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 California Code of Regulations section 15091.

The final environmental impact report prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as Responsible Agency is available at CDFW's regional office.

Signature Melissa Farinha Date: 8/18/2023  
Melissa Farinha, Environmental Program Manager

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