

Notice of Determination**- 1 -**

To:	From:
<input checked="" type="checkbox"/> Office of Planning and Research	California Department of Fish and Wildlife (CDFW)
<i>For U.S. Mail:</i>	Bay Delta Region
P.O. Box 3044	2825 Cordelia Road, Suite 100, Fairfield, CA 94534
Sacramento, CA 95812-3044	Contact: Robert Stanley, Senior Environmental Scientist
	Phone: (707) 428-2093
<i>Street Address:</i>	
1400 Tenth Street	California Department of Transportation
Sacramento, CA 95814	111 Grand Avenue, MS 8B, Oakland, CA 94612
	Contact: Tom Rosevear
	Phone: (510) 286-5630

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

State Clearinghouse Number: 2017092069

Project Title: Huichica Creek Bridge Replacement and Fish Passage Project [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2018-087-03 (ITP) Major Amendment No.1]

Project Location: The Huichica Creek Bridge Replacement and Fish Passage Project is located on State Route (SR) 121 in unincorporated Napa County from Post Mile (PM) 0.5 to PM 1.0, in the state of California. Latitude: 38.255960, longitude: -122.367002, in the Napa USGS 7.5 Minute Quad Map, in the Mt. Diablo meridian.

Project Description: The California Department of Transportation (Permittee) proposes to widen SR 121 over Huichica Creek by removing the existing triple metal culverts (Bridge No. 21-0001), replace them with a single span bridge and incorporate fish passage improvements and creek restoration along approximately 460 feet of Huichica Creek, with an additional 20 feet at each end for conform grading.

Project activities and their resulting impacts are expected to result in the incidental take of individuals of the Covered Species. The activities described above expected to result in incidental take of individuals of the Covered Species include dewatering an approximately 620-foot long channel reach of bed, bank and channel, as well as removing riparian vegetation and complex riparian canopy, complex root structure and/or overhanging vegetation in the stream (Covered Activities), resulting in approximately 0.266 acres of temporary impact to aquatic Covered Species habitat and 0.03 acres of permanent impact to riparian Covered Species habitat within 460 linear feet of channel. Major Amendment No. 1 proposes to increase the previously identified in-water construction work window from June 15 to October 15 to May 16 to November 15. Additional conditions of approval have been included in Major Amendment No.1.

The Project is expected to result in incidental take of the Covered Species, as defined by Fish and Game Code in the form of crushing or injury from in-channel demolition, dewatering and Project-related habitat alteration. Incidental take of individuals of the Covered Species may also occur from the Covered Activities in the form of catch and capture of the Covered Species during temporary dewatering, fish rescue operations, and monitoring. Additional indirect impacts may occur due to minor changes in local drainage patterns, reducing water quality due to increased turbidity, inhibiting movement and potential changes in flow velocities. Take may also occur in the form of pursue, catch, capture, or attempt to do so from capture and relocation attempts. Relocation could result in mortality, injury, and/or undue stress to Covered Species, both designated as a threatened 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 9/29/2022 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.

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- 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: 9/29/2022
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Erin Chappell, *Regional Manager*

Date Received for filing at OPR: _____