

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 (CDFW)  
Marine Region  
1933 Cliff Drive, Suite 9 Santa Barbara, CA 93109  
Contact: Arn Aarreberg  
Phone: 707-791-4195

Lead Agency (if different than CDFW)  
California State Lands Commission  
100 Howe Ave., Suite 100-South  
Contact: Christopher Huitt  
Phone: 916-574-2080

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

State Clearinghouse Number: 2007072036

Project Title: San Francisco Bay and Delta Sand Mining Project (California Endangered Species Act Incidental Take Permit Minor Amendment 2 No. 2081-2013-047-03 (ITP))

Project Location (include county): The Project is located on CSLC leases in Central San Francisco Bay, Suisun Bay, and Middle Ground Shoals in the counties of San Francisco, Marin, Solano, Contra Costa, and Sacramento Counties.

Project Description: This proposed project involves continue commercial hydraulic sand mining operations in the central San Francisco Bay, Middle Ground Island shoal, and Suisun Channel. This operation provides local marine aggregate for use in highway maintenance and construction, new residential complexes, and commercial and public buildings within the greater San Francisco Bay Area. Project activities include hydraulic sand mining and sand offloading. This ITP amendment updates the applicant corporation name and extends the ITP expiration date from December 31, 2023 to April 30, 2025.

The Project will result in impacts to 0.69 acres of Central Valley spring-run Chinook salmon (*Oncorhynchus tshawytscha*), Sacramento River winter-run Chinook salmon (*Oncorhynchus tshawytscha*), Delta smelt (*Hypomesus transpacificus*), and longfin smelt (*Spirinchus thaleichthys*) habitat. The project is expected to result in incidental take of Central Valley spring-run Chinook salmon and longfin smelt which are designated as a threatened species and Sacramento River winter-run Chinook salmon and Delta smelt which are designated as an endangered 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 8/14/2023 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: 8/14/2023

John Ugoretz, *Environmental Program Manager*

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