

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 4
1234 East Shaw Avenue
Fresno, CA 93710
Contact: Renée Robison, (559) 243-4014, ext. 274

Lead Agency

Fort Ord Reuse Authority
920 2nd Ave. Suite A
Marina, CA 93933
Contact: Michael A. Houlemard, Jr., 831-883-3672

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

State Clearinghouse Number: 1996013022

Project Title: Monterey Bay Education, Science and Technology Center (California Endangered Species Act
Incidental Take Permit No. 2081-2000-052-03 (ITP) Minor Amendment No. 1)

Project Location: The Project is located off Reservation Road near Imjin Road, in Monterey County, adjacent to the
City of Marina, on lands owned and managed by each Permittee as follows:

University of California, Santa Cruz: Accessor's Parcel Numbers 031-111-039, 031-111-040, 031-101-018,
031-121-002, 031-121-007, 031-121-008, and 031-111-027

Rutherford Investments Company, LLC: Accessor's Parcel Numbers 031-111-041, 031-111-042,
031-111-043

Project Description: This project includes development of 484-acres as a mixed-use project including up to 5 million
square feet of developed space, and management of the mitigation activities required in the "Sand Gilia & Seaside
Bird's-Beak Mitigation Plan." Project activities include grading; cut and fill (leveling); installation of fencing, utilities,
and wastewater and stormwater collection infrastructure; concrete paving; landscaping; construction of driveways
and buildings; operation of heavy equipment; ground compaction; stockpiling and deposit of soils; material and
equipment transport and laydown; and trenching and backfilling (collectively referred to as Covered Activities).

Work on the Project under the ITP has begun and Minor Amendment No. 1 (Amendment) includes several changes
to the ITP as originally issued. These changes include, but are not limited to, the addition of an additional Permittee,
modification of both the Project Location and Project Description, and inclusion of requirements to formally identify
Designated Representatives and Designated Biologists and add notification requirements to ensure compliance with
the ITP.

The Project will result in impacts to 7.9 acres of occupied Sand gilia (*Gilia tenuiflora ssp. arenaria*) habitat and
0.03 acres of occupied Seaside bird's-beak (*Corydylanthus rigidus ssp. littoralis*) habitat. The project is expected to
result in incidental take of Sand gilia and Seaside bird's-beak, which are designated as threatened and endangered
species, respectively, 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 7/15/19 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.

Notice of Determination

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: 7/15/19

Julie A. Vance, *Regional Manager*

Governor's Office of Planning & Research

Date Received for filing at OPR: JULY 16 2019

STATE CLEARINGHOUSE