

Notice of Determination**- 1 -****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)
 Bay Delta Region
 2825 Cordelia Road, Suite 100, Fairfield, CA 94534
 Contact: Robert Stanley, Senior Environmental Scientist
 Phone: (707) 339-6534

California Department of Transportation
 50 Higuera Street San Luis Obispo, CA 93401
 Contact: Lucas Marsalek
 Phone: (805) 549-3626

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

State Clearinghouse Number: 2019059101

Project Title: Soquel Creek Bridge Scour Project (EA 04-1H480) [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2021-003-03 (ITP)]

Project Location: The Soquel Creek Bridge Scour Project (Project) is located at the Soquel Creek Bridge (Bridge No.38-0013) on State Route 1 (SR-1) at Post-Mile (PM) 13.31, in the County of Santa Cruz, State of California. Latitude, 36.98304, -121.95951.

Project Description: The California Department of Transportation (Permittee) proposes the removal of existing sacked concrete at Bent 12 of the previously existing Soquel Creek Bridge and the installation of 1,470 cubic yards of rock slope protection (RSP) to an area 148 feet long, 5.5 feet deep and varying widths from 26 to 66 feet at Bent 12 of the Soquel Creek Bridge. Heavy equipment such as excavators, backhoes and bulldozers as well as on foot-personnel utilizing hand-tools such as jack-hammers, shall be employed to remove the existing sacked concrete (burlap sacks of hardened concrete) from an area of 2,459 square feet over 109 linear feet surrounding arch column 3 and 4. The RSP will be placed utilizing Caltrans Method "A" placement. Method "A" placement shall place the RSP in lifts, backfilling voids and compacting each layer before the next layer is placed. RSP fabric shall be utilized and installed above the ordinary high-water mark of the creek flow line and plant tubes shall be placed in the RSP layers below the ordinary high-water mark of the creek flow line.

The Project has a 1.89-acre Biological Study Area (BSA) that encompasses the Soquel Creek Bridge, temporary access roads and easements and all of the Caltrans Right-of-Way (ROW) associated with State Route 1, collectively, the Project Area. The Project is expected to cause the permanent loss of 0.035 acres, the temporary loss of 0.143 acres of habitat for the Covered Species, for a total of 0.178 acres of impact. Project activities and their resulting impacts are expected to result in the incidental take of individuals of the Covered Species. The activities that are expected to result in incidental take of individuals of the Covered Species include initial site setup, equipment and material delivery, clearing and grubbing, site preparation, exclusionary fencing installations, environmentally sensitive area fencing installations, de-watering, soil compaction, grading work, heavy equipment operation, trenching, general vehicle traffic and personnel on foot. The project is expected to result in incidental take of Covered Species, take as defined by Fish and Game Code in the form of adverse impacts from excessive sedimentation in the creek from the operation of heavy equipment within the channel bed and encroachment from individuals on foot that may result in the the loss of Covered Species, or in the form of capture and relocate or recover and transport injured Covered Species to care facilities of Covered Species, both designated as Endangered 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 9/28/2021 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). CDFW did, however, adopt findings to document its compliance with CEQA.

Notice of Determination

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:

Stephanie Fong

Signature

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Date: 9/28/2021

Stephanie Fong, Acting Regional Manager

Date Received for filing at OPR: _____