

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:

Department of Fish and Wildlife (CDFW)
 Bay Delta Region
 2825 Cordelia Road, Suite 100, Fairfield, CA 94534
 Contact: Andrea Boertien
 Phone: (707) 317-0388

Lead Agency (if different than CDFW)
 City of Antioch, Community Development Department,
 Planning Division
 200 H Street, Antioch, CA 94531-5007
 Contact: Alexis Morris
 Phone: (925) 779-6159

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

State Clearinghouse Number: 2020039044

Project Title: Creekside/Vineyards at Sand Creek (California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2021-097-03 (ITP))

Project Location: The Creekside/Vineyards at Sand Creek Project (Project) is located west of Highway 4 and south of Lone Tree Way within the City of Antioch, Contra Costa County. The Project is located immediately south of existing residential development bounded by Heidorn Ranch Road to the east and Hillcrest Avenue to the west. The Project Area is bounded by Sand Creek to the north. The project location midpoint is at approximately Latitude 37.944495, Longitude -121.754442, Assessor's Parcel Number 057-050-024.

Project Description: This proposed project involves construction of 220 single family residences and associated infrastructure. This includes parking areas; trails; landscaping; roads; two bridges; detention basins; utility installations; a box culverted road crossing; two stormwater outfall structures discharging into Sand Creek, a third outfall draining into an upland grassland area; and approximately 11 acres of mass grading on the perimeter of the development footprint. The Project will also construct off-site improvements on 1.5 acres of existing disturbed area on the adjacent parcel to the west near the northwestern corner of the Project. The off-site improvements on the adjacent parcel consist of grading to accommodate construction of the proposed Hillcrest Avenue extension through the eastern edge of the off-site parcel.

The Project will result in impacts to 68.8 acres of California tiger salamander (*Ambystoma californiense*) habitat including temporary impacts to 11 acres; the Project will permanently remove 57.8 acres of California tiger salamander habitat. The project is expected to result in incidental take of California tiger salamander, which is 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 1/26/2024 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.

DocuSigned by:

Erin Chappell

Signature

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Date: 1/26/2024

Erin Chappell, *Regional Manager*

Date Received for filing at OPR: _____