

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)
 Region 4 Central
 1234 East Shaw Avenue
 Fresno, CA 93710
 Contact: Steven Hulbert
 Phone: (559) 575-6415

Lead Agency

California Department of Transportation
 2015 Shields Avenue, Suite A-100
 Fresno, CA 93703
 Contact: Javier Almaguer
 Phone: (559) 445-6456

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

State Clearinghouse Number: 2020070309

Project Title: State Route 5 Panoche Hills Capital Preventative Maintenance Project (California Endangered Species Act Incidental Take Permit No. 2081-2021-018-04 (ITP)).

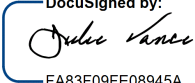
Project Location: The Project involves improvements to a 3-mile segment of SR 5, between post mile 37.2 and post mile 40.2 in western Fresno County.

Project Description: Within the 3-mile-long Project Area, the Project will involve the installation of two pair of new street lights, the installation of three pair of traffic count stations, the rehabilitation of 15 existing culverts, roadway resurfacing, and replenishing the gravel covering the three-foot wide shoulder backing.

The Project could result in take of San Joaquin antelope squirrel (*Ammospermophilus nelsoni*) including mortality ("kill"), due to vehicle strikes, destruction of burrows, or temporary disturbance to habitat resulting in the loss of individuals over the five-year term of the ITP. San Joaquin antelope squirrel is listed as threatened under the California Endangered Species Act. Permittee will mitigate through permanent protection of and management in perpetuity for 6.7 acres of compensatory habitat for Covered Species OR the purchase of 6.7 San Joaquin antelope squirrel credits from a CDFW-approved mitigation or conservation bank.

This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on 9/21/2021 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 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 not made/ were 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 IS/MND prepared by the lead agency for the larger 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:

 Signature

EA83E09EE08945A

Date: 9/21/2021

Julie A. Vance, Regional Manager

Date Received for filing at OPR: _____