

Notice of Determination

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

North Central Region

1701 Nimbus Road, Suite A

Rancho Cordova, CA 95670

Contact: Zach Kearns

Phone: (916) 358-1134



Lead Agency

San Joaquin Regional Rail

Commission

1120 N Street, MS 52

Sacramento, CA 95826

Contact: Jose Oseguera

Phone: (916) 653-2094

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

State Clearinghouse Number: 2020080321

Project Title: Stockton Diamond Grade Separation Project (Lake and Streambed Alteration Agreement EPIMS Notification No. SJN-33730-R2)

Project Location (include county): The project is located at Mormon Slough, in the County of San Joaquin, State of California; Latitude 37.945333, Longitude -121.274775 (WGS 84 datum, decimal degrees); Assessor's Parcel Number 151-320-040-000.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement EPIMS Notification Number SJN-33730-R2, pursuant to section 1602 of the Fish and Game Code to the project Applicant, San Joaquin Regional Rail Commission (Permittee) as represented by Stacey Mortensen.

The project is limited to the construction of a closed bottom box culvert over an isolated portion of Mormon Slough and extensive rail track alignments. The culvert installation is part of a larger project that will construct a grade separation that will elevate the Fresno Subdivision main tracks.

This is to advise that CDFW, acting as a Responsible Agency, executed the above Lake and Streambed Alteration Agreement on the date signed below and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

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. CDFW considered the environmental impact report prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures were / were not made a condition of CDFW's approval of the project.

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- 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 California Code of Regulations section 15091.

The final environmental impact report prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of execution of the above Lake and Streambed Alteration Agreement as Responsible Agency is available at CDFW's regional office.

DocuSigned by:

Signature: _____
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Date: 1/16/2024

Tanya Sheya, Environmental Program Manager