

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)
 Inland Deserts Region
 3602 Inland Empire Blvd., Suite C-220
 Ontario, CA 91764
 Contact: Wendy Campbell
 Phone: (760) 920-8571

California Department of Transportation District 8
 464 West 4th Street
 San Bernardino, CA 92401
 Contact: Adam Compton
 Phone: (909)501-5352

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

State Clearinghouse Number: 202009475

Project Title: I-40 Median Regrade Project, post mile 100.0-125.0 Environmental Permit Information Management System (EPIMS) EPIMS-SBR-16012.

Project Location (include county): Interstate 40 in San Bernardino County, State of California, near the city of Needles from Essex Road Overcrossing at PM 100 to 4.5 miles east of Homer Wash Bridge at PM 125. The Project includes activities within three locations that are subject to Fish and Game Code §1602: The locations are as follows: 1600 Notification Project #1 (PM 124.5): Latitude 34.855264, Longitude -114.892995; 1600 Notification Project #2 (between PM 107.0 and 107.5): Latitude 34.813236, Longitude -114.190672; 1600 Notification Project #3 (between PM 107.0 and 107.5: Latitude 34.813516, Longitude -115.186667.

Project Description: This proposed project involves re-grading the median cross slopes within the thirty-foot clear recovery zone.

The Project will result in permanent impacts to 0.037 acres of habitat subject to Fish and Game Code §1602. The Agreement referenced above as issued by CDFW authorizes take of habitat under Code 1600 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 5/27/2021 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).
 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 Streambed Alternation Agreement EPIMS-SBR-16012-R6 is available to the public for review at CDFW's regional office.

DocuSigned by:

*Leslie MacNair*Signature

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Date: 5/27/2021

Leslie MacNair, Regional Manager

Date Received for filing at OPR: _____