

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
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 95434
Contact: Michelle Battaglia
Phone: 707-339-6052



Lead Agency
City of Oakley, Community Development
Department
3231 Main Street
Oakley, CA 94561
Contact: Joshua McMurray
Phone: 925-625-7000

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

State Clearinghouse Number: 2021040251

Project Title: Burroughs and City of Oakley Residential Development (Lake or Streambed Alteration Agreement No. EPIMS-CCA-17215-R3)

Project Location (include county): The project is located northeast of the intersection of East Cypress Road and Knightsen Avenue in the City of Oakley, County of Contra Costa, California, associated with APNs 032-081-025 and 032-081-026.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number EPIMS-CCA-17215-R3, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Westgate Ventures.

The project comprises 43.42 acres and will result in the re-zoning of the parcels from A-3 (Heavy Agriculture) to P-1 (Planned Development) and involves construction of 208 single family homes, 7 new public roads, widening of East Cypress Road, establishment of a 75-foot stream setback buffer, and a public trail characterized by trees, shrubs, ground cover and bicycle racks.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on November 4, 2021, and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project 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 mitigated negative declaration / negative declaration 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.
4. A mitigation reporting or monitoring plan was / was not adopted by CDFW for this project.
5. A statement of overriding considerations was not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to California Code of Regulations section 15091.

The mitigated negative declaration / negative declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as Responsible Agency is available at CDFW's regional office.

Signature

Melissa Farinha

Date: 11/5/2021

Melissa Farinha, Environmental Program Manager

Date Received for filing at OPR: _____