

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)
 Bay Delta – Region 3
 2825 Cordelia Road, Suite 100 Fairfield, CA 94534
 Contact: Robert Stanley
 Phone: (707) 339-6534

Lead Agency

California Department of Transportation – District 4
 111 Grand Avenue, Oakland, CA 94612
 Contact: Wahida Rashid
 Phone: (510) 504-3139

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

State Clearinghouse Number: 2021040620

Project Title: Interstate 580 Permanent Storm Damage Restoration Project (California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2022-049-03 (ITP))

Project Location (include county): Interstate 580 (I-580) Storm Damage Permanent Restoration Project (Project) is located on I-580 at Post Mile (PM) 4.30 within the City of Livermore, Alameda County, in the State of California.

Project Description: This proposed project involves restoring an existing storm drain system and repairing the storm-damaged embankment slide slope at PM 4.30 on the eastbound (EB) side of I-580 to preserve the structural integrity of the side slope and highway. Activities include repairs to the failed asphalt lined drainage ditch, the installation of a down-drain from the highway shoulder to the toe-of-slope, and the installation of additional features to secure the down-drain and dissipate energy at the terminus. Rock slope protection (RSP) will be installed at the terminus of the down-drain and imported borrow material will be utilized in conjunction with the above features to secure the embankment and prevent further storm erosion. An exposed petroleum pipeline that runs in a north-south direction and crosses under I-580 will be protected in place during construction.

The Project will result in impacts to 1.307 acres of Covered Species, California tiger salamander (*Ambystoma californiense*) habitat including temporary impacts to 1.295 acres; the Project will permanently remove 0.012 acres of habitat. The project is expected to result in incidental take of Covered Species 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 4/13/2023 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 mitigated 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). 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 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 incidental take permit is available to the public for review at CDFW's regional office.

DocuSigned by:

Erin Chappell

Signature

B77E9A6211EF486...

Erin Chappell, Regional Manager

Date: 4/13/2023

Date Received for filing at OPR: _____