

Notice of Determination

To:

Office of Planning and Research
[CEQA Submit](#)
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
Central Region
1234 East Shaw Ave, Fresno, CA 93710
Contact: Adam Thompson
Phone: (559) 801-1915



Lead Agency

California Department of Transportation
2015 East Shields Ave, Suite 100, Fresno, CA 93726
Contact: Tamra Nunes
Phone: (558) 383-5814

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

State Clearinghouse Number: 2021090066

Project Title: Kern 33 Culvert Rehabilitation Project (California Endangered Species Act Incidental Take Permit No. 2081-2024-004-04 (ITP), Amendment No. 1)

Project Location: The Kern 33 Culvert Rehabilitation Project (Project) is located on State Route (SR) 33 between postmiles (PM) 21.8 and 39.8 in Kern County

Project Description: This Project involves replacement and rehabilitation of existing culverts at 40 locations within the 18-mile section of SR 33.

As amended, the Project will result in impacts to 6.048 acres of blunt-nosed leopard lizard (*Gambelia sila*), San Joaquin antelope squirrel (*Ammospermophilus nelsoni*) and San Joaquin kit fox (*Vulpes macrotis mutica*) combined habitat including temporary impacts to 2.918 acres; the Project will permanently remove 3.13 acres of blunt-nosed leopard lizard, San Joaquin antelope squirrel and San Joaquin kit fox habitat. The Project is expected to result in incidental take of blunt nosed leopard lizard, which is designated as endangered under California Endangered Species Act (CESA) and as fully protected under Fish and Game Code 5050, and the San Joaquin antelope squirrel and San Joaquin kit fox, which are both designated as 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. Amendment No. 1 authorizes the addition of blunt-nosed leopard lizard as a Covered Species and makes related changes to some of the ITP Conditions of Approval.

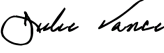
This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on 3/18/2025, and made the following determinations regarding the above-described project:

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

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administrative record of proceedings related to the incidental take permit is available to the public for review at CDFW's regional office.

DocuSigned by:

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Signature

3/18/2025

Date:

Julie A. Vance, *Regional Manager*

Date Received for filing at OPR: _____