

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:

Department of Fish and Wildlife (CDFW)
 Central Region
 1234 East Shaw Ave. Fresno, California 93710
 Contact: Adam Thompson
 Phone: 559-801-1915

Lead Agency

California Department of Transportation
 2015 East Shields Avenue, Suite 100, Fresno, CA
 93726
 Contact: Tamra Nunes
 Phone: (559) 383-5814

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

State Clearinghouse Number: 2021090066

Project Title: Kern 33 Culvert Rehabilitation (California Endangered Species Act Incidental Take Permit No. 2081-2024-0004-04 (ITP))

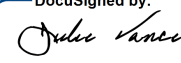
Project Location: The Kern 33 Culvert Rehabilitation Project (Project) is located on State Route 33 between post miles 21.8 and 39.8 in Kern County

Project Description: The Project involves replacement and rehabilitation of existing culverts at 40 locations within the 18-mile section of State Route 33. The Project will result temporary impacts to 2.918 acres and permanently loss of 3.13 acres of San Joaquin antelope squirrel (*Ammospermophilus nelsoni*) and San Joaquin kit fox (*Vulpes macrotis mutica*) habitat. The Project is expected to result in incidental take of San Joaquin antelope squirrel and San Joaquin kit fox, which are both designated as threatened species under the California Endangered Species Act. 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 6/13/2024 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). 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.

Signature

DocuSigned by:

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Date: 6/13/2024

Julie A. Vance, Regional Manager

Date Received for filing at OPR: _____