

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)
 Central Region
 1234 East Shaw Avenue, Fresno, CA 93710
 Contact: Stephanie Manzo
 Phone: (559) 578-0409

Lead Agency:

City of San Juan Bautista
 311 Second Street
 Contact: Brian Foucht
 Phone: (831) 623-4661

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

State Clearinghouse Number: 2021110032

Project Title: San Juan Bautista to Hollister Sewer Force Main (California Endangered Species Act Incidental Take Permit No. 2081-2022-033-04 (ITP))

Project Location: The San Juan Bautista to Hollister Sewer Force Main (Project) route begins at the existing City of San Juan Bautista Wastewater Treatment Plant (WWTP) on Third Street in San Juan Bautista, San Benito County, at approximately 36.84911, -121.5447. The Project route terminates at the City of Hollister Domestic WWTP at the intersection of State Route 156 and San Juan Hollister Road, within the City of Hollister, San Benito County, at approximately 36.85286, -121.4457. Construction staging areas will be located at the San Juan Bautista WWTP, the Hollister Domestic WWTP, a 0.8-acre staging area on Lucy Brown Road within APNs 018-070-0040 and 018-070-0080, and within paved roadways along the Project route. In total, the Project will occur within an area of approximately 35.11 acres.

Project Description: This proposed project involves repurposing San Juan Bautista's existing WWTP influent pump station, constructing a new primary pump station at the San Juan Bautista WWTP, and constructing a 10-inch diameter, high-density polyethylene (HDPE) force main that will carry sewage from the San Juan Bautista WWTP to the Hollister Domestic WWTP existing influent manhole. The purpose of the Project is to eliminate the discharge from the San Juan Bautista WWTP to No Name Creek.


The Project will result in the permanent loss of 0.06 acres of upland habitat for California tiger salamander (*Ambystoma californiense*), the temporary loss of 1.75 acres of upland habitat for California tiger salamander, and temporary impacts to 33.3 acres of low-quality dispersal habitat for the Covered Species consisting of 32.5 acres of previously developed paved roadways and WWTP facilities, and a 0.8-acre highly disturbed dirt lot. The project is expected to result in incidental take of California tiger salamander, which is designated as a 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 2/13/2023 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 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.

Notice of Determination

Responsible Agency statement: The 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.

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Signature

Date: 2/13/2023

Julie A. Vance, *Regional Manager*

Date Received for filing at OPR: _____