

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: Crystal Sinclair
 Phone: (559) 578-0416

Lead Agency
 County of Stanislaus, Public Works
 1716 Morgan Road
 Modesto, CA 95358
 Contact: Chuck Covolo
 Phone: (209) 525-4101

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

State Clearinghouse Number: 2022050354

Project Title: Milton Road over Hoods Creek Bridge Replacement Project (California Endangered Species Act Incidental Take Permit No. 2081-2022-061-04 (ITP))

Project Location: The Milton Road over Hoods Creek Bridge Replacement Project (Project) is located approximately 1.5 miles south of State Route 4 and approximately 1.75 miles north of Eugene, in an unincorporated area of Stanislaus County, California. The Project site is on Milton Road and travels north/south over Hoods Creek. The Project area includes Milton Road as it crosses Hoods Creek as well as the roadway approaches both north and south of the creek.

Project Description: This proposed Project involves the replacement of the existing Milton Road over Hoods Creek Bridge with a two-lane bridge structure to provide safety and improved operations. The existing bridge has been flagged as Functionally Obsolete by Caltrans under the Federal Highway Administration prescribed inspection criteria. This includes utility relocation, installation of a temporary water diversion and temporary road construction, bridge demolition, bridge construction, and roadway improvements. The Project area covers approximately 3.0 acres. Construction is anticipated to begin in July 2024 and is proposed to take approximately eight months to complete.

The Project will result in impacts to 2.62 acres of California tiger salamander (*Ambystoma californiense*) habitat including temporary impacts to 2.52 acres; the Project will permanently remove 0.10 acres of California tiger salamander habitat. 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 11/1/2023 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 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:

Bob Stafford

Signature

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Date: 11/1/2023

for Julie A. Vance, Regional Manager

Date Received for filing at OPR: _____