

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)
 Inland Deserts Region
 3602 Inland Empire Boulevard, Suite C-220
 Ontario, CA 91764
 Contact: Marina Barton
 Phone: (909) 483-6319

Lead Agency

California Department of Transportation
 464 W. 4th Street, 6th Floor, MS 823
 San Bernardino, CA 92401
 Contact: Renetta Cloud
 Phone: (909) 383-6323

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

State Clearinghouse Number: 2016051039

Project Title: State Route 210 Mixed Flow Lane Addition Project (California Endangered Species Act Incidental Take Permit No. 2081-2017-062-06 (ITP) Amendment 3)

Project Location (include county): The project is located along an 8.2-mile stretch of State Route 210, between post mile marker R25.0 and R33.2, within the cities of Highland, San Bernardino, and Redlands, and a portion of unincorporated San Bernardino County, State of California.

Project Description: The proposed project involves the widening of the existing segment of State Route 210 from Sterling Avenue to San Bernardino Avenue (6.1 miles between PM R26.3 and R32.4) from four mixed flow lanes (two lanes in each direction) to six mixed flow lanes (three lanes in each direction) with the addition of one mixed flow lane in each direction within the median. This Amendment (Amendment 3) authorizes additional time for the Permittee to complete the Habitat Management Land Acquisition portion of the compensatory mitigation required by the ITP. No changes to the project or impacts will occur as a result of this amendment.

The Project will result in impacts to 8.378 acres of Santa Ana River woollystar (*Eriastrum densifolium* ssp. *sanctorum*), slender-horned spineflower (*Dodecahema leptoceras*), and San Bernardino kangaroo rat (*Dipodomys merriami parvus*) habitat including temporary impacts to 7.628 acres; the Project will permanently remove 0.75 acres. The project is expected to result in incidental take of Santa Ana River woolly star and slender-horned spineflower, which are designated as endangered species, as well as, San Bernardino kangaroo rat which is a candidate, 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 12/13/2021 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 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

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

DocuSigned by:
Leslie MacNair
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Signature

Date: 12/13/2021

Leslie MacNair
Regional Manager

Date Received for filing at OPR: _____