

**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)  
 Bay Delta Region  
 2825 Cordelia Road, Suite 100  
 Contact: Amanda Culpepper  
 Phone: (707) 428-2075

Lead Agency  
 County of Solano  
 675 Texas Street, Suite 5500, Fairfield, CA 94533  
 Contact: Nedzlene Ferrario  
 Phone: (707) 784-6765

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

**State Clearinghouse Number: 2018032031**

Project Title: Recology Hay Road Landfill Expansion Project [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2020-008-03 Amendment 1 (ITP)]

Project Location: The project is located approximately eight miles southeast of the City of Vacaville at 6426 Hay Road in unincorporated Solano County. The project site is bounded by Hay Road to the north, State Route 113 to the east, Burke Lane to the west, and Burke Ranch Conservation Bank to the south.

Project Description: The project involves expanding an existing landfill into adjacent undeveloped land. The project will result in impacts to 18.36 acres of California tiger salamander (*Ambystoma californiense*) and giant garter snake (*Thamnophis gigas*) habitat including temporary impacts to 0.61 acres; the project will permanently remove 16.32 acres of California tiger salamander habitat and 1.43 acres of giant garter snake habitat. The project is expected to result in incidental take of California tiger salamander and giant garter snake, which are 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.

This minor amendment, Amendment 1, revises the type of California tiger salamander habitat that the project will impact, updates the mitigation and security amounts appropriately, and changes the Principal Officer representing Recology Hay Road. Specifically, Amendment 1 revises the project's permanent impacts to California tiger salamander breeding habitat from 4.82 to 3.55 acres and upland habitat from 11.5 to 12.77 acres. The total impacts remain the same at 16.32 acres of California tiger salamander habitat. Associated mitigation requirements are updated from 14.46 to 10.65 acres of California tiger salamander breeding habitat credits and from 34.5 to 38.31 acres of California tiger salamander upland habitat credits. The Principal Officer is changed from Christine Borghei to Salvatore M. Coniglio.

This is to advise that CDFW, acting as [ the lead agency /  a responsible agency] approved the above-described project on 1/27/2021 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).
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 Environmental Impact Report 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:  
*Stacy Sherman for*  
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Signature \_\_\_\_\_ Date: 1/27/2021  
Gregg Erickson, *Regional Manager*

Date Received for filing at OPR: \_\_\_\_\_