

Notice of Determination

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
North Central Region
1701 Nimbus Road
Rancho Cordova, CA 95670
Contact: Irina Lopatin
Phone: (916) 880-8324



Lead Agency (if different from above):
California Department of Transportation
District 10
855 M Street, Suite 200
Fresno, CA 93721
Contact: Phillip Vallejo
Phone: 559-445-6172

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

State Clearinghouse Number: 2015092066

Project Title: EA 10-0E530 State Route 4 Wagon Trail Realignment Project (Streambed Alteration Agreement Notification Number 1600-2020-0104-R2) Amendment #2

Project Location: The Project is located at post miles CAL-4 R10.3 – R16.4, at Black Creek, Black Creek tributaries, and Nassau Creek tributaries in the County of Calaveras, California.

Project Description: The California Department of Fish and Wildlife (CDFW) has issued Amendment #2 to Lake and Streambed Alteration Agreement Notification Number 1600-2020-0104-R2, pursuant to section 1602 of the Fish and Game Code to the project Applicant, California Department of Transportation.

The proposed realignment to Nassau Creek has been redesigned to leave the entirety of Nassau Creek on the north side of the new roadway. The alternate creek design realigns the Creek into an engineered channel, a portion of which will be converted to a U-shaped concrete lined channel and include embedded rocks. The U-shaped channel will be approximately 135 linear feet, six (6) feet deep, and six (6) feet wide. Approximately 640 cubic yards of rock slope protection (RSP) will be installed at the beginning and end of the U-shaped channel. The impacts to stream channel and riparian habitat will be the same as described in the original Agreement with 0.08 acres of permanent impacts and 0.01 acres of temporary impacts to stream habitat.

This is to advise that CDFW, acting as a Responsible Agency, executed the above-described Lake and Streambed Alteration Agreement on the date signed below and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

Notice of Determination

1. The project 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. CDFW considered the mitigated negative declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures were made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan was not adopted by CDFW for this project.
5. A statement of overriding considerations was not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to California Code of Regulations section 15091.

The mitigated negative declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of execution of the above Amendment #2 to the Lake and Streambed Alteration Agreement as Responsible Agency is available at CDFW's regional office.

Signature:  _____ Date: 5/2/2024

Tanya Sheya, Environmental Program Manager