

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

Lead Agency:

California Department of Fish and Wildlife (CDFW)
 Bay Delta Region
 2825 Cordelia Road, Suite 100, Fairfield, CA 94534
 Contact: Andy Rockriver
 Phone: (209) 234-3433

Responsible Agency:

Department of Water Resources
 3500 Industrial Boulevard, West Sacramento, CA 95691
 Contact: Philip Choy
 Phone: (916) 376-9716

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

State Clearinghouse Number: 2003112039

Project Title: Wings Landing Tidal Habitat Restoration Project [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2020-014-03 (ITP) Amendment No. 1 (Amendment)].

Project Location: The Project is located on Wings Landing in the north-central Suisun Marsh, approximately one mile south of Suisun City, in Solano County.

Project Description: The Project completed cross berm enhancement, tidal channel restoration, channel plug construction, tidal depressions creation, water control structure removal, levee breaching, and Mason's lilaepsis transplanting, maintenance, and monitoring. Project construction activities were completed in November 2020.

The Project resulted in the incidental take of 9.5 ft² of Mason's lilaepsis (*Lilaeopsis masonii*), which is designated as a rare species under the Native Plant Protection Act (NPPA). The ITP referenced above as issued by CDFW authorized incidental take of species listed under NPPA that occurred during Project implementation. The Amendment transfers the ITP to DWR; modifies the take mitigation requirement to the preservation, permanent protection and management of 200 ft² of occupied Mason's lilaepsis habitat on Wings Landing; and modifies the mitigation timeline, funding source, and security requirements.

This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on 4/13/2023 and made the following determinations regarding the above described project:

1. The project [will / will not] have a significant effect on the environment.
 2. [An addendum to an existing certified environmental impact report / A negative declaration] was prepared by a responsible agency for the 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 adopted findings at the time it certified its EIR on December 22, 2011.
 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.
 - No additional fee required for an addendum to an existing certified environmental impact report.
- Agency statement: The Addendum to the Environmental Impact Report prepared by the responsible agency for the Project is available to the general public at the office location listed above for the responsible agency. CDFW's administrative record of proceedings related to the project and the incidental take permit is available to the public for review at CDFW's regional office.

DocuSigned by:

Erin Chappell

Signature

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Date: 4/13/2023

Erin Chappell, Regional Manager

Date Received for filing at OPR: _____