

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, Fairfield, CA 94534
 Contact: Marcia Grefsrud
 Phone: (707) 644-2812

Lead Agency (if different than CDFW)
 East Bay Regional Park District
 2950 Peralta Oaks Court, Oakland, CA 94605
 Contact: Brian Wiese
 Phone: (510) 544-2321

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

State Clearinghouse Number: 2008042099

Project Title: Wildfire Hazard Reduction and Resource Management Plan [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2011-046-03 (ITP)] Minor Amendment Number 1

Project Location: The Wildfire Hazard Reduction and Resource Management Plan (Project) covered under the ITP is located within 2,966.12 acres of 12 East Bay Regional Park District (EBRPD) (Permittee) regional parks and preserves in the East Bay Hills of western Alameda County and western Contra Costa County. ITP Minor Amendment Number 1 increases the Project area by 2,278 acres within the same 12 regional parks for a total of 4,744.12 acres.

Project Description: This Project involves reducing fuel loads using vegetation management to decrease fire hazards that could result in loss of damage to property and life.

The Project is expected to cause the permanent loss, by conversion to dispersal/foraging habitat, of approximately 226.6 acres of core scrub habitat, and the Project will degrade, by fragmentation, approximately 96 acres of core scrub habitat, for Alameda whipsnake (*Masticophis lateralis euryxanthus*). The Project will therefore result in a permanent loss of a total of approximately 322.6 acres of core scrub habitat by conversion to dispersal/foraging habitat or fragmentation. The impacts to Alameda whipsnake are not expected to increase under this Amendment.

The Project could result in permanent impacts to pallid manzanita (*Arctostaphylos pallida*) through long-term thinning of shrub cover in some areas, although this is expected to have beneficial effect on the species. The Project could therefore result in permanent and temporary impacts to 1.3 acres of pallid manzanita plants present within treatment areas (an estimated 656 plants).

The Project is expected to result in incidental take of Alameda whipsnake and pallid manzanita, which are designated as threatened and endangered species, respectively, under CESA. The ITP and Minor Amendment Number 1 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 9/13/2023 and made the following determinations regarding the above described project:

1. The project will / will not] have a significant effect on the environment (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.

Responsible Agency statement: The EIR 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:

Erin Chappell

Signature

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Date: 9/13/2023

Erin Chappell, Regional Manager

Date Received for filing at OPR: _____