

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:

California Department of Fish and Wildlife (CDFW)
 Bay Delta Region
 2825 Cordelia Road, Suite 100, Fairfield, CA 95434
 Contact: Andrea Boertien
 Email: Andrea.Boertien@wildlifeca.gov
 Phone: (707) 428-2002

Lead Agency (if different than CDFW)
 City of Tracy
 333 Civic Center Plaza, Tracy, CA 95376
 Contact: Bill Dean
 Phone: (209) 831-6400

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

State Clearinghouse Number: 2013102053

Project Title: Tracy Hills Project (Amendment No. 2 to California Endangered Species Act Incidental Take Permit No. 2081-2018-032-03)

Project Location: The project is located in southwestern San Joaquin County adjacent to and west of Interstate 580 and in the southwest portion of the City of Tracy; State of California; Latitude 37.681553, Longitude -121.477856.

Project Description: The project consists of a major amendment to CDFW's ITP No. 2081-2018-032-03 and involves the inclusion of western burrowing owl to authorize take of burrowing owl as a Covered Species. It includes avoidance and minimization measures for protection of burrowing owl.

This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on 2/11/2025 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: 2/11/2025

Erin Chappell, Regional Manager

Date Received for filing at OPR: _____