

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: Melissa Farinha
Phone: (707) 428-2002

Lead Agency
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 [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2018-032-03 (ITP)]

Project Location: The project is located 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 involves the development of up to 5,499 residential dwelling units, over five million square feet of non-residential development, and related infrastructure to support the public and private improvements of the project.

The Project will result in Development of the Project site will result in the permanent loss of 1,148 acres of habitat for San Joaquin kit fox (*Vulpes macrotis mutica*) and California tiger salamander (*Ambystoma californiense*) hereafter, collectively referred to as Covered Species The project is expected to result in incidental take of Covered Species, which are designated as a threatened or endangered species under the California Endangered Species Act. 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 is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on 8/27/2021 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.
- 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:

 Signature _____ Date: 8/27/2021
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 Stacy Sherman, Acting Regional Manager

Date Received for filing at OPR: _____