

Notice of Determination**- 1 -****To:**Office of Planning and Research
[CEQA Submit](#)**From:**California Department of Fish and Wildlife (CDFW)
Bay Delta Region
2825 Cordelia Road, Suite 100, Fairfield, CA 94534
Contact: Desiree Dela Vega
Email: Desiree.Delavega@wildlife.ca.gov
Phone: 707-815-6856

Lead Agency

California State Parks, Diablo Range District - Northern Region
96 Mitchell Canyon Road, Clayton, CA 94583
Contact: Christina Lew
Email: Christina.Lew@parks.ca.gov
Phone: 510-220-3608**SUBJECT: *Filing of Notice of Determination pursuant to Public Resources Code § 21108***

State Clearinghouse Number: 2019012052

Project Title: Mount Diablo State Park Vegetation Treatment Project (Restoration Management Permit No. RMP-2023-0010-R3)**Project Location:** The Project is located on approximately 7,510 acres of the 20,124-acre Mount Diablo State Park property. The Project is located in the County of Contra Costa, State of California; centered approximately at Latitude 37.878583 and Longitude -121.933749.**Project Description:** The California Department of Fish and Wildlife (CDFW) has issued this Restoration Management Permit (RMP) pursuant to section 2081(a) of the Fish and Game Code to California State Parks Diablo Range District – Northern Region (Permittee). The Project will implement a vegetation treatment program throughout 7,510 acres of Mount Diablo State Park to reduce wildfire risk to the park and adjacent development, and to restore native plant communities through management of forest pathogens and invasive plant species. Vegetation treatments will enhance habitat conditions for Alameda whipsnake (AWS) by creating and maintaining gaps in areas of dense scrub, and by reducing the risk and severity of future fires. The Project is expected to benefit Alameda Whipsnake (*Masticophis lateralis euryxanthus*), referred to as the Covered Species. The Project is estimated to take up to three individuals of the Covered Species in the form of mortality of the Covered Species during implementation of the Project. CDFW has determined and expects that the Project will benefit, aid in the conservation of, and assist in the recovery of the Covered Species.

Permittee is undertaking the Project in the context of the California Vegetation Treatment Program (CalVTP) Program Environmental Impact Report (Program EIR), which the Board of Forestry and Fire Protection certified in December 2019 (SCH No. 2019012052). The Program EIR evaluates the potential environmental effects of implementing qualifying vegetation treatments to reduce the risk of wildfire throughout the State Responsibility Area in California. It was designed for use by many state, special district, and local agencies to accelerate vegetation treatment project approvals by finding them to be within the scope of the Program EIR. In October 2023, Permittee, with the technical assistance of Ascent Environmental, Inc., prepared a Project-Specific Analysis (PSA) and Addendum to the CalVTP Program EIR for the Project. The PSA and Addendum evaluated whether the Project's proposed treatments are consistent with the CalVTP Program EIR and concluded that they are. On October 31, 2023, Permittee, acting as lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), approved the Project as described in that PSA and Addendum and made the following determinations, among others: the Program EIR sufficiently analyzes and addresses potential environmental impacts from the Project; the Project will not trigger any of the criteria requiring additional CEQA review pursuant to CEQA Guidelines section 15162; and the Project will not result in new significant impacts or a substantial increase in the severity of the significant environmental impacts identified in the Program EIR.

This notice is to advise that CDFW, acting as a responsible agency under CEQA, issued the above-described RMP on the date signed below and has made the following determinations regarding the 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 was prepared by the Board of Forestry and Fire Protection for the California Vegetation Treatment Program (the Program EIR), and a project-specific analysis and addendum (PSA and Addendum) were prepared by Permittee for the Project (see Project Description section above for more detail).
3. Additional mitigation measures [were / were not] made a condition of CDFW's approval of the project.

Notice of Determination

- 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 Program EIR and PSA and Addendum are available to the general public at the office location listed above for the lead agency. The Program EIR is also available at <https://bof.fire.ca.gov/projects-and-programs/calvtp-homepage/>. The PSA and Addendum are also available at <https://bof.fire.ca.gov/projects-and-programs/calvtp-homepage/environmental-documentation-for-approved-projects/>. CDFW's record of issuance of the RMP is available at CDFW's regional office.

DocuSigned by:
Erin Chappell
 Signature _____ Date: 12/27/2023
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Erin Chappell, Regional Manager

Date Received for filing at OPR: _____