

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)
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670
Contact: Amy Kennedy
Phone: 916-358-2842

Lead Agency

County of Sacramento Planning and Community
Development Department
827 7th Street, Room 225
Sacramento, CA 95814
Contact: Tim Hawkins
Phone: 916-874-6141

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

State Clearinghouse Number: 2008062030

Project Title: South Sacramento Habitat Conservation Plan (SSHCP), California Endangered Species Act Incidental Take Permit No. 2081-2018-016-02 (ITP).

Project Location: The Planning Area encompasses approximately 317, 655 acres within south Sacramento County. The Planning Area includes Galt and Galt's sphere of influence, and the portion of Rancho Cordova that is located south of U.S. Highway 50. The geographical boundaries of the Planning Area are U.S Highway 50 and White Rock Road to the north, the Sacramento River levee and County Road J11 (Walnut Grove-Thornton Road) to the west, the Sacramento County line with El Dorado and Amador Counties to the east, and the San Joaquin County line to the south.

Project Description: The Project is a multi-jurisdictional, multi-species, 50-year HCP implementation that will cover 28 native species, (seven of which are State listed species) through minimizing and mitigating impacts on those species and their habitats. The Project will allow for the development of 67,618-acres for urban development within the UDA included within the Plan Area. The UDA is defined as all lands within the Sacramento County Urban Services Boundary (USB) that are also within the Plan Area (this includes lands within the Rancho Cordova city limits that are within the Plan Area); and all lands within Galt's city limits and within the City of Galt's sphere of influence. The USB was defined by Sacramento County as the maximum boundary where they are willing to provide future urban services, such as sanitary sewer and water supply. The scope of work outside of the UDA is limited to infrastructure and transportation projects.

The Project includes the development, operation, and maintenance of new urban development structures, public facilities, and utilities; preserve management and monitoring; habitat enhancement, re-establishment, and establishment; species surveys and research; adaptive management activities; and all other activities as detailed in the SSHCP.

The Covered Activities would also include implementation of the SSHCP Conservation Strategy, including management and monitoring of the proposed SSHCP Preserve System, habitat enhancement and re-establishment/establishment, species surveys, monitoring, research and adaptive management activities for the Preserve located inside and outside the UDA. The SSHCP Conservation Strategy is designed to provide mitigation for all unavoidable SSHCP Covered Activity effects, including direct and indirect, temporary and permanent, and cumulative effects to Covered Species modeled habitats and Covered Species individuals.

The Covered Activities will result in impacts to 33,497 acres of Covered Species California tiger salamander (*Ambystoma californiense*), giant garter snake (*Thamnophis gigas*), tricolored blackbird (*Agelaius tricolor*), Swainson's hawk (*Buteo swainsoni*), slender Orcutt grass (*Orcuttia tenuis*), Sacramento Orcutt grass (*Orcuttia viscida*) and Boggs Lake hedge-hyssop (*Gratiola heterosepla*) habitat. Project impacts include direct and indirect, temporary and permanent, and cumulative effects to Covered Species modeled habitats and Covered Species individuals. The project is expected to result in incidental take of Covered Species, which are designated as a threatened/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 _____ 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.

Signature _____ *Date:* 8/19/19

Kevin Thomas, Regional Manager
North Central Region

Governor's Office of Planning & Research

Date Received for filing at OPR: **AUG 20 2019**

STATE CLEARINGHOUSE

INSTRUCTIONS FOR THE NOTICE OF DETERMINATION FORM

A Notice of Determination (NOD) should be completed and filed with the Office of Planning and Research in Sacramento every time the Department of Fish and Wildlife (CDFW) carries out, funds or approves a project that is not exempt under the California Environmental Quality Act (CEQA). The following template was created to simplify the process of NOD completion.

Instructions:

- The project location and project description should be very short (2-4 lines) but should provide an accurate summary of the location and nature of the project. Ensure the completed form is not more than 2 pages in length.
- Change the default selections on the NOD form to match the document. The default selections on the form assume that: 1) CDFW is acting as a responsible agency, 2) the lead agency prepared a negative declaration, and 3) no significant effects were identified by CDFW. These default settings can easily be changed by double-clicking on the appropriate boxes and changing the "default value" from "checked" to "not checked" or vice-versa.
- Item 6 on the form should state that findings were made pursuant to Public Resources Code section 21081(a) only when CDFW is approving the ITP in reliance on an environmental impact report (EIR). In all other cases where CDFW is relying on a negative declaration or mitigated negative declaration to issue the permit, the form should indicate findings under Public Resources Code section 21081(a) were not made. Where CDFW is relying on a negative declaration or mitigated negative declaration to approve the permit and findings under Public Resources Code section 21081(a) were not made, the next sentence stating that other findings were adopted by CDFW to document compliance with CEQA should be included. Where CDFW is relying on an EIR and findings were made under Public Resources Code section 21081(a), the sentence regarding the adoption of other findings to document compliance with CEQA should be deleted.
- Remember to attach the project proponent's receipt showing payment of environmental filing fees to the Department. If fees have not yet been paid and CDFW has not issued a no effect determination for the project, payment in the appropriate amount must be provided before the NOD can be filed.

If you have questions regarding completion of the form, feel free to contact the Office of General Counsel (OGC) at (916) 654-3821. OGC can also assist you with filing of a NOD at the Office of Planning and Research's State Clearinghouse. The notice must be filed within five working days of when CDFW decides to carry out or fund a project, or of when it issues a permit or otherwise approves the project.