

Notice of Determination

To:
Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, California 95812-3044

Street Address:
1400 Tenth Street
Sacramento, California 95814

From:
Department of Fish and Wildlife
Central Region
1234 East Shaw Avenue
Fresno, California 93710
Contact: Krista Tomlinson
Phone: (559) 243-4014 ext.223



Lead Agency:
California High-Speed Rail Authority
770 L Street, Suite 800
Sacramento, California 95814
Contact: Mark A. McLoughlin

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

State Clearinghouse Number: 2009091126

Project Title: California High-Speed Train Project: Fresno to Bakersfield Permitting Phase 1 (Amendment No. 5 to Master Streambed Alteration Agreement No. 1600-2015-0033-R4).

Project Location: The Construction Footprint spans approximately 95 miles, from approximately 1,000 feet south of American Avenue south of the city of Fresno (Fresno County, Latitude 36°38.29"N, Longitude -119°45'32.3"W) to 7th Standard Road near the unincorporated community of Crome (Kern County; Latitude 35°26'29.07"N, Longitude -119°11'56.70"W) and generally parallels the Burlington Northern Santa Fe Railway or State Route 43. The Agreement also authorizes activities that will occur at Restoration Sites.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Amendment No. 5 to Master Streambed Alteration Agreement number 1600-2015-0033-R4 (Agreement), to the Permittee, California High-Speed Rail Authority.

The Project approved by CDFW consists of the Agreement identified above, which addresses construction and operation of the Fresno to Bakersfield segment of the California High-Speed Train, as approved by the lead agency, affecting or generally related to fish and wildlife resources subject to the regulatory authority of CDFW, including natural resources subject to Fish and Game Code Section 1600 *et seq.* The Agreement authorizes certain activities contemplated in Section 1602 of the Fish and Game Code that could cause substantial adverse effects to fish and wildlife resources. The Agreement in this respect will facilitate construction and operation of the Project. This Amendment No. 5 includes revisions to Covered Activities section of the Agreement and the impact acreages associated with four Project Locations in Exhibit B.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on 1/22/2020 and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project 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. CDFW considered the Environmental Impact Report prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures were made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan was adopted by CDFW for this project.
5. A statement of overriding considerations was not adopted by CDFW for this project.
6. Findings were made by CDFW pursuant to California Code of Regulations section 15091.

The final Environmental Impact Report prepared for the project is available to the general public at the office location listed above for the Lead Agency.

Signature Julie A. Vance

Date: 1/22/2020

Julie A. Vance, Regional Manager *Governor's Office of Planning & Research*

Date Received for filing at OPR: FEB 04 2020