

**Notice of Determination****- 1 -****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 94534  
 Contact: Marcia Grefsrud  
 Phone: (707) 428-2002

Lead Agency (if different than CDFW)  
 City of Livermore  
 1052 South Livermore Avenue, Livermore, CA 94550  
 Contact: Frank Guido  
 Phone: (925) 960-4450

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

State Clearinghouse Number: 2017072014

Project Title: Dalton Reservoir Replacement Project [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2017-066-03 (ITP)] Amendment 2

Project Location: The Dalton Reservoir Replacement (Project) is located approximately 1,400 feet west of North Vasco Road and about 1,000 feet northeast of the eastern terminus of Raymond Road, in the northeast portion of Livermore, Alameda County. The Project is located approximately 1.6 miles north of I-580 at approximately 37°43'55.02"N, 121°43'46.94"W.

Project Description: The Project includes removal of the existing 2.0-million-gallon tank and construction of a 3.41-million-gallon, 40-foot-high (roof height), 155-foot-diameter welded steel replacement reservoir on substantially the same footprint as the existing tank. The new tank will have a wider diameter than the existing tank and will extend into the area currently used for the paved circular access road surrounding the existing tank which will require a new 15-foot-wide paved access road to be constructed surrounding the new tank. This new asphalt road around the tank is part of the Project, along with landscaping, electrical and instrumentation upgrades, and piping improvements. The existing perimeter chain-link fencing will remain.

The Project resulted in permanent impacts to 0.77 acres of California tiger salamander (*Ambystoma californiense*). The Project is expected to result in incidental take of California tiger salamander, which is designated as a threatened species under CESA. The ITP Amendment 2 referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation and changes the previously authorized semi-permanent impacts to permanent impacts.

This is to advise that CDFW, acting as [ the lead agency /  a responsible agency] approved the above-described project on 5/20/2021 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). CDFW did, however, adopt findings to document its compliance with CEQA.
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 Negative Declaration 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:

Gregg Erickson

Signature

Date: 5/20/2021

Gregg Erickson, Regional Manager

Date Received for filing at OPR: \_\_\_\_\_