

**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)  
 Region 4 Central  
 1234 East Shaw Avenue  
 Fresno, CA 93710  
 Contact: Javier Mendez  
 Phone: (559) 243-8145

**Lead Agency**

California Department of Transportation  
 855 M Street  
 Fresno, CA 93721  
 Contact: Alyssa Kemp  
 Phone: (559) 401-9648

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

State Clearinghouse Number: 2018051001

**Project Title:** Tumey Gulch Bridge Replacement Project (California Endangered Species Act Incidental Take Permit No. 2081-2020-045-04 (ITP))

**Project Location:** The Project involves improvements to a segment of Interstate 5 in Fresno County. The Project Area is located within Sections 28 and 29 of Township 15 South, Range 13 East, Mount Diablo Baseline and Meridian (MDB&M).

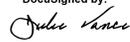
**Project Description:** The Project is being implemented between post mile 44.4 and post mile 45.4; and involves the replacement and reprofiling of two existing bridges on Interstate 5, including the approach lanes 800 feet to the south and 1,600 feet to the north of the bridges.

The Project could result in take of giant kangaroo rat (*Dipodomys ingens*) in the form of mortality ("kill") due to vehicle strikes, destruction of burrows, or loss of suitable habitat resulting in the loss of individuals over the term of the ITP. Giant kangaroo rat is listed as endangered under the California Endangered Species Act. Permittee will mitigate through permanent protection of and management in perpetuity for 32.3 acres of compensatory habitat for Covered Species OR purchase of 32.3 Covered Species credits at a CDFW-approved mitigation or conservation bank.

This is to advise that CDFW, acting as [ the lead agency /  a responsible agency] approved the above-described project on 3/25/2021 and made the following determinations regarding the above described project:

- 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).
  - An environmental impact report  a negative declaration was prepared by the lead agency for the Project.
  - Additional mitigation measures  were /  were not made a condition of CDFW's approval of the Project.
  - A mitigation reporting or monitoring plan  was /  was not adopted by CDFW for this Project.
  - A Statement of Overriding Considerations  was /  was not adopted by CDFW for this Project.
  - Findings  were not made/  were made by CDFW pursuant to Public Resources Code § 21081(a). CDFW did, however, adopt findings to document its compliance with CEQA.
  - 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 IS/MND 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

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Date: 3/25/2021

Julie A. Vance, Regional Manager

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