

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:

Department of Fish and Wildlife (CDFW)

North Central Region

1701 Nimbus Road

Rancho Cordova, CA 95670

Contact: Dylan Wood

Phone: (916) 358-2384

**Lead Agency:**

California Department of Transportation

703 B Street

Contact: Cara Lambirth

Phone: (530) 741-4549

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

State Clearinghouse Number: 2019039070

Project Title: Cosumnes River Bridge Replacement (California Endangered Species Act Incidental Take Permit No. 2081-2019-041-02 (ITP))

Project Location (include county): The Cosumnes River Bridge Replacement (Project) is located along State Route 99 (SR 99) between post miles 7.1 to 9.4, in unincorporated Sacramento County, State of California; Latitude 38.357836 Longitude - 121.343594, Section 20, Township 6N, Range 6E, U.S. Geological Survey (USGS) map Galt, approximately 1.5 miles south of Elk Grove. The Project crosses both the Cosumnes River and Cosumnes River Overflow.

Project Description: The Project includes roadway and related infrastructure improvements over approximately 103.4 acres. The scope of work will include replacing four (4) bridge structures (both Northbound (NB) and Southbound (SB) crossings at the Cosumnes River and the Cosumnes River Overflow (River Bridges)), improving the Dillard Road Overcrossing, relinquishing the McConnell Underpass, replacing the McConnell Overhead structure, realigning the southbound lanes of SR 99, and maintaining access to southbound SR 99 at Eschinger Road with the exception of temporary closure during construction.

The Project will impact one (1) Swainson's hawk (*Buteo swainsoni*) nest. The project is expected to result in incidental take of Swainson's hawk which is/are designated as a threatened 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 March 24, 2020 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 is available at the CDFW office identified above.

Signature

Kevin Thomas, Regional Manager

Date: March 24, 2020

Governor's Office of Planning & Research

Date Received for filing at OPR: MAR 25 2020

STATE CLEARINGHOUSE