

To: Office of Planning and Research

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From:
California Department of Fish and Wildlife (CDFW)
(Lead Agency)
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA95670
Contact: Dylan Wood
Phone: 916-358-2384

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MAY 13 2019

DFG
Office of the General Counsel

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

Project Title: Union Pacific Railroad Bridge Replacement Project at Milepost 57.27, Fresno Subdivision (Incidental Take Permit No. 2081-2016-011-02).

Project Location: The project is located approximately 2 miles south of the City of Elk Grove and 6 miles north of the City of Galt in the County of Sacramento; CA; Latitude 38° 20' 80"N, and Longitude 121° 20' 14"W.

Project Description: Pursuant to Section 2081(b) of the Fish and Game Code, the California Department of Fish and Wildlife (CDFW) has issued Incidental Take Permit No. 2081-2016-011-02 to Union Pacific Railroad (UPRR).

The purpose of this railroad grade separation project is to replace the existing timber stringer trestle/ballast deck bridge. The bridge and rail line were originally constructed in 1930 and support freight and commuter rail transport on the UPRR Fresno Subdivision through the Central Valley. The bridge is deteriorating and nearing the end of its useful life span. Thus, bridge replacement is necessary to comply with UPRR's safety standards and to safely maintain passenger service.

This is to advise that CDFW, acting as the lead agency / a responsible agency approved the above-described project on May 6, 2019 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 was prepared for this project pursuant to the provisions of the California Environmental Quality Act (CEQA).
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
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. Based on substantial evidence in light of all available information possessed by CDFW, the project is exempt from CEQA pursuant to a statutory exemption.
8. CDFW has prepared this Notice of Determination as required by Public Resources Code section 21080.13, subdivision (b)(1).

Notice of Determination

Exempt Status:

Statutory Exemption. (Pub. Resources Code, § 21080.13; CEQA Guidelines, § 15282(g).)

Reasons why project is exempt: Under the statutory exemption for railroad grade separation projects, CEQA does not apply to any railroad grade separation project that eliminates an existing grade crossing or that reconstructs an existing grade separation. (Pub. Resources Code, § 21080.13; CEQA Guidelines, § 15282(g).) This project falls within the statutory exemption for railroad grade separation projects because it involves reconstruction of an existing railroad grade separation through replacement of a bridge that separates the railroad tracks from the transport surface underneath.

CDFW Contact Person: Dylan Wood, Environmental Scientist, 916-358-2384.

Signature



Date: 5/9/19

Kevin Thomas, Regional Manager

Date Received for filing at OPR: _____

Governor's Office of Planning & Research

MAY 22 2019
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