

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: Robert Stanley, Senior Environmental Scientist
 Phone: (707) 339-6534

California Department of Transportation
 50 Higuera Street, San Luis Obispo, CA 93401
 Contact: Michael Hollier
 Phone: (805) 549-3046

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

State Clearinghouse Number: 2020120272

Project Title: Kings Creek Bridge Replacement Project (EA 04-1H470) [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2022-012-03 (ITP)]

Project Location: The State Route 9 – Kings Creek Bridge Replacement Project is located on State Route 9 (SR-9) in Santa Cruz County near the community of Boulder Creek in the State of California. The Kings Creek Bridge (No. 36-0045) is located at PM 15.5, Latitude 37.1428, Longitude -122.1320.

Project Description: The California Department of Transportation (Permittee) proposes replacement of the existing Kings Creek Bridge. The Project includes the following work activities: 1) phased demolition of the existing bridge 2) phased construction of a new free span bridge that is 99 feet long and 40 feet wide 3) installation of a temporary creek diversion system 4) restoration and enhancement of on-site habitat for the Central California Coast Coho Salmon (Covered Species). The Project is expected to cause the temporary loss of 0.07 acres of habitat for the Covered Species over 77 linear feet of Kings Creek. Impacts of the authorized taking also include adverse impacts to the Covered Species related to temporal losses, water quality degradation and edge effects, and the Project's incremental contribution to cumulative impacts. The project is expected to result in incidental take of Covered Species, take as defined by Fish and Game Code in the form of adverse impacts from excessive sedimentation in the creek from the operation of heavy equipment within the channel bed and encroachment from individuals on foot that may result in the the loss of Covered Species, or in the form of capture and relocate or recover and transport injured Covered Species to care facilities of Covered Species, designated as Endangered species under CESA. 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 6/22/2022 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 original 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 / were not] 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 Mitigated 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:

Erin Chappell

Signature

Erin Chappell, Regional Manager

Date: 6/22/2022

Date Received for filing at OPR: _____