

**Notice of Determination****- 1 -****To:**

Office of Land Use and Climate Innovation  
[CEQA Submit](#)

**From:**

California Department of Fish and Wildlife (CDFW)  
 Central Region  
 1234 East Shaw Avenue  
 Fresno, CA 93710  
 Contact: Craig Bailey  
 Phone: (559) 999-7349  
 Email: [Craig.Bailey@wildlife.ca.gov](mailto:Craig.Bailey@wildlife.ca.gov)

**Lead Agency**

California Department of Water Resources  
 1416 9<sup>th</sup> Street  
 Sacramento, CA 95814  
 Contact: Sara Paiva-Lowry  
 Phone: (916) 820-7821  
 Email: [sara.paiva-lowry@water.ca.gov](mailto:sara.paiva-lowry@water.ca.gov)

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

State Clearinghouse Number: 2009091004

**Project Title:** B.F. Sisk Safety of Dams Modification (Project); Major Amendment No. 3 (California Endangered Species Act Incidental Take Permit (ITP) No. 2081-2020-064-04)

**Project Location:** The Project is located approximately 9 miles west of the City of Los Banos along State Route (SR) 152 within the County of Merced at approximately 37°03'38" North, 121°04'33" West. The Project area is bisected by SR 152 and generally bounded by the San Luis Reservoir to the west, O'Neill Forebay to the north and northeast, and Highway 33 at the farthest extent of the project to the east.

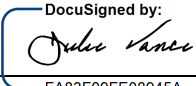
**Project Description:** The Project consists of Major Amendment No. 3 to the ITP. Major Amendment No. 3 adds 90.4 acres for a total Project area of approximately 1,924.84 acres. The additional 90.4 acres consist of material borrow areas, contractor use areas, stability berms, maintenance yards, one temporary haul road, and relocation of an existing ditch. In addition, Major Amendment No. 3 changes 11.4 acres of temporary impacts to permanent impacts as a result of constructing a permanent maintenance yard and access road. Major Amendment No. 3 will result in additional permanent impacts to 52.4 acres of California tiger salamander (*Ambystoma californiense*; CTS) habitat and 37.9 acres of San Joaquin kit fox (*Vulpes macrotis mutica*; SJKF) habitat. Activities included as part of Major Amendment No. 3 are expected to result in incidental take of CTS and SJKF. Both 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 6/23/2025 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).
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.

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☒ Responsible Agency statement: The EIR 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:  
  
Signature \_\_\_\_\_  
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Date: 6/23/2025

Julie A. Vance, *Regional Manager*

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