To:
Office of Land Use and Climate Innovation
CEQA Submit

From:
Department of Fish and Wildlife (CDFW)
Marine Region
1933 Cliff Drive, Suite 9 Santa Barbara, CA 93109
Contact: Arn Aarreberg
Phone: (707) 791-4195
Email: Arn.Aarreberg@wildlife.ca.gov

Lead Agency (if different than CDFW)
California State Lands Commission
100 Howe Ave., Suite 100-South
Contact: Christopher Huitt
Phone: (916) 574-2080
Email: Christopher.Huitt@slc.ca.gov

SUBJECT: ***Filing of Notice of Determination pursuant to Public Resources Code § 21108***
State Clearinghouse Number: 2007072036

Project Title: San Francisco Bay and Delta Sand Mining Project (California Endangered Species Act Incidental Take Permit Amendment 3 No. 2081-2013-047-03 (ITP))

Project Location: The San Francisco Bay and Delta Sand Mining Project (Project) is located on California State Lands Commission leases in Central San Francisco Bay, Suisun Bay, and Middle Ground Shoals in the counties of San Francisco, Marin, Solano, Contra Costa, and Sacramento Counties.

Project Description: This proposed project involves continuing commercial hydraulic sand mining operations in the central San Francisco Bay, Middle Ground Island shoal, and Suisun Channel. This operation provides local marine aggregate for use in highway maintenance and construction, new residential complexes, and commercial and public buildings within the greater San Francisco Bay Area. Project activities include hydraulic sand mining and sand offloading. This ITP amendment updates the applicant corporation name to Martin Marietta Marine Operations, extends the ITP expiration date from April 30, 2025 to April 30, 2026, and increases the requirement mitigation amount by 0.017 acres.

The Project will result in impacts to Central Valley spring-run Chinook salmon *(Oncorhynchus tshawytscha),* Sacramento River winter-run Chinook salmon *(Oncorhynchus tshawytscha),* Delta smelt *(Hypomesus transpacificus),* and longfin smelt *(Spirinchus thaleichthys)* habitat. The Project is expected to result in incidental take of Central Valley spring-run Chinook salmon and longfin smelt which are designated as a threatened species and Sacramento River winter-run Chinook salmon and Delta smelt which are designated as an endangered 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 _____August 26, 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.

☒ 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.

Signature _____ *Date:* *8/26/25*

Craig Shuman, D. Env., Regional Manager

Date Received for filing at OPR: _____