

**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:**

California Department of Fish and Wildlife (CDFW)  
Region 4 Central  
1234 East Shaw Avenue  
Fresno, CA 93710  
Contact: Mindy Trask  
Phone: (559) 939-0282

**Lead Agency**

California Department of Transportation  
2015 Shields Avenue, Suite A-100  
Fresno, CA 93726  
Contact: Javier Almaguer  
Phone: (559) 445-6456

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

**State Clearinghouse Number:** 2020070309

**Project Title:** State Route 5 Panoche Hills Capital Preventative Maintenance Project (Project); California Endangered Species Act Amended Incidental Take Permit No. 2081-2021-018-04 (ITP), Amendment No. 2.

**Project Location:** The Project involves improvements to a 3-mile segment of SR 5, between post mile 37.2 and post mile 40.2 in western Fresno County.

**Project Description:** Within the 3-mile-long Project Area, the Project will involve the installation of two pair of new street lights, the installation of three pair of traffic count stations, the rehabilitation of 15 existing culverts, roadway resurfacing, and replenishing the gravel covering the three-foot wide shoulder backing.

The Project could result in take of San Joaquin antelope squirrel (*Ammospermophilus nelsoni*, SJAS) including mortality ("kill"), due to vehicle strikes, destruction of burrows, or temporary disturbance to habitat resulting in the loss of individuals over the five-year term of the ITP. The Project is expected to result in incidental take of SJAS, which is designated as a threatened species under the California Endangered Species Act. The ITP amendment referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation. Amendment No. 2 extends the time frame for completion of Habitat Management Lands Acquisition by an additional 36 months from the effective date of the ITP Amendment No. 1 resulting in a due date of October 16, 2028.

This is to advise that CDFW, acting as [ the lead agency /  a responsible agency] approved the above-described project on 5/19/2026 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 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 not made/  were 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 IS/MND 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 \_\_\_\_\_ Date: 5/19/2026  
 Julie A. Vance, Regional Manager

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