

Notice of Determination

To:
Office of Planning and Research
For U.S. Mail:
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Sacramento, California 95812-3044

Street Address:
1400 Tenth Street
Sacramento, California 95814

From:
Department of Fish and Wildlife
Central Region
1234 East Shaw Avenue
Fresno, California 93710
Contact: Adam Thompson
Phone: (559) 801-1915



Lead Agency
California Department of Transportation
3663 Arch Road #500
Stockton, California 95215
Contact: Corey Casey
Phone: (209) 948-7543

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

State Clearinghouse Number: 2008011118

Project Title: Ferguson Slide Rock Shed Construction Project (Lake or Streambed Alteration Agreement No. EPIMS-MAR-27264-R4)

Project Location (Mariposa County): The Ferguson Slide Rock Shed Construction Project (Project) is located on the Merced River along Highway 140 at Post Mile (PM) 42.0 to 42.7, eight miles east of the community of Briceburg and 7.6 miles west of the community of El Portal in Mariposa County, California; Township 3 S, Range 19 E, Section 19, United States Geological Survey (USGS) 7.5 Minute Quad Map Kinsley, MDB & M; Latitude 37.656272 N, Longitude 119.901161 W.

Project Description: The California Department of Fish and Wildlife (CDFW) has amended Lake and Streambed Alteration Agreement (EPIMS-MAR-27264-R4), pursuant to Fish and Game Code section 1602, to the project Applicant, California Department of Transportation.

The Project involves the construction of a new rock shed along State Route 140, and the removal of temporary detour structures and associated infrastructure, crossing the Merced River. The changes to the Project associated with Amendment 1 include: introduction of night work, additional species measures, concrete measure, a water quality monitoring measure, an annual monitoring report measure, and some other minor edits and a transfer of the Agreement from Allen Lao (Transferor), the current permittee under the Agreement, to Corey Casey (Transferee).

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on July 8, 2025, and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project **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. CDFW considered the environmental impact report prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures **were made** a condition of CDFW's approval of the project.
4. A Mitigation Reporting or Monitoring Plan **was adopted** by CDFW for this project.
5. A Statement of Overriding Considerations **was not** adopted by CDFW for this project.
6. Findings **were made** by CDFW pursuant to California Code of Regulations section 15091.

The Final EIR prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as a Responsible Agency is available at CDFW's regional office.

Signature:  *Date:* 7/8/2025

For Julie A. Vance, Regional Manager

Date Received for filing at OPR: _____