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Notice of Determination

To:
Office of Land Use and Climate Innovation
CEQA Submit

From:
California Department of Fish and Wildlife
(CDFW) Central Region
1234 East Shaw Ave.
Fresno, California 93710
Contact: Mary Trask
Phone: (559) 939-0282
Email: Mary.Trask@wildlife.ca.gov

Lead Agency:
California Department of Transportation
1976 East Dr. Martin Luther King Jr. Boulevard
Stockton, California 95205
Contact: Jeffery L. Holt
Phone: (209) 693-3588
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Subject: Filing of Notice of Determination pursuant to Section 21108 of the Public Resources Code

State Clearinghouse Number: 2008011118

Project Title: State Route 140 Ferguson Slide Rock Shed Project (California Endangered Species Act (CESA) Amended Incidental Take Permit (ITP) No. 2081-2014-078-04 (Major Amendment No. 4))

Project Location (Madera County): The State Route 140 Ferguson Slide Rock Shed Project (Project) is located on State Route (SR) 140 in Mariposa County approximately 8 miles east of Briceburg and about 10 miles west of Yosemite National Park within land managed by the United States Forest Service.

Project Description: CDFW has issued a CESA (Fish and Game Code, § 2050 et seq.) ITP and this Amended ITP (No. 2081-2014-078-04-A4) (Major Amendment No. 4) to authorize the California Department of Transportation to incidentally take limestone salamander (*Hydromantes brunus*) (Covered Species), which is listed as a fully protected species pursuant to Fish and Game Code section 5050 et seq. and threatened species under the CESA (Cal. Code of Regs. tit. 14 § 670.5, subd. (b)(3)(D)).

This Amended ITP (Major Amendment No. 4) amends the original ITP issued on December 18, 2015, to modify Conditions of Approval of the ITP to clarify that (1) work shall temporarily cease if any Covered Species are detected within 100 feet of the associated Work Area of the Project Area during Covered Activities; (2) the Permittee shall monitor, rather than cease, Covered Activities if a significant rainfall event is predicted; and (3) the Permittee shall immediately notify CDFW if a Covered Species is observed within an active work area of the Project Area, and (4) a single CNDDB record shall be submitted each year Covered Species are observed.

The Project involves the construction of a 700-foot-long rock shed along the existing alignment of SR 140 to restore the highway in an area previously impacted by a series of major rockslides in 2006. The Project will result in the permanent loss of approximately 1.06 acres of habitat for the Covered Species, long-term temporary loss of approximately 0.64 acres of habitat for the Covered Species, and short-term temporary impacts to approximately 2.33 acres of habitat for the Covered Species. 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.

The Amended ITP (Major Amendment No. 4) as issued by CDFW authorizes incidental take of limestone salamander pursuant to Fish and Game Code section 2081.9 if conditions set forth in Fish and Game Code sections 2081.9, subdivisions (a and b) and 2081, subdivisions (b) and (c) are met. (See Cal. Code Regs., tit. 14, § 783.4).

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Notice of Determination

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on 10/16/2026 and has made the following determinations regarding the above-described project:

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. An environmental impact report was prepared by the lead agency for the original project.
3. Additional 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 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: **A copy of a receipt showing prior payment was submitted to CDFW.**

The environmental impact report 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: DocuSigned by: Julie Vance FA83F09FE08945A... *Date:* 10/16/2026

Julie A. Vance, Regional Manager