

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

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

From:

California Department of Fish and Wildlife
 Central Region
 1234 East Shaw Avenue
 Fresno, CA 93710
 Contact: Stephanie Manzo
 Phone: (559) 243-4005
 Email: R4CESA@wildlife.ca.gov

Lead Agency:

Stanislaus County
 1716 Morgan Road
 Modesto, CA 95358
 Contact: David Leamon
 Phone: (209) 525-4130
 Email: publicworks@stancounty.com

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

State Clearinghouse Number: 2013092059

Project Title: 7th Street Bridge Replacement Project (California Endangered Species Act Incidental Take Permit No. 2081-2022-056-04 (ITP) Minor Amendment No. 1)

Project Location: The 7th Street Bridge Replacement Project (Project) is located at the 7th Street Bridge over the Tuolumne River in the City of Modesto, Stanislaus County, and includes portions of Tuolumne Boulevard, the adjacent floodplain, Southern Pacific Railroad, and Zeff Road which becomes River Road east of the bridge.

Project Description: The Project will include replacement of the existing structurally and functionally deficient bridge with a new 1,238-foot long, 8-span arched concrete box girder bridge. The replacement bridge will be 79 feet wide with two lanes of traffic in each direction. The bridge will accommodate a 5-foot-wide Class II Bike Lane in each direction. A separated pedestrian walkway along both sides will range in size, with the shared pathway on the west side approximately 10 feet wide. Pedestrian railings will be provided on both sides of the entire length of the bridge and the vista points on the bridge will provide overlooks to the park. The bridge profile will be raised to meet the current hydraulic design requirements. Utility improvement work for the Project will include relocation of existing overhead and underground utilities and a new City of Modesto water line installation. The installation of the new water line beyond the bridge limits will likely occur concurrently with the other roadway improvements.

The Project will result in impacts to 4.9 acres of Swainson's hawk (*Buteo swainsoni*) habitat including temporary impacts to 4.78 acres; the Project will permanently remove 0.12 acres of Swainson's hawk habitat. The Project is expected to result in incidental take of Swainson's hawk, which is designated as a threatened species under the California Endangered Species Act (CESA). 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. Minor Amendment No. 1 to the ITP does the following: replaces Figures 1 through 3 with corrected figures; revises Condition of Approval 7.10; and incorporates minor updates and corrections to certain Conditions of Approval. The resulting impacts of the Project to Swainson's hawk remain the same.

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).

Notice of Determination

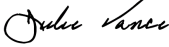
7. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):

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.

DocuSigned by:



Signature

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Date: 6/23/2025

Julie A. Vance, *Regional Manager*

Date Received for filing at OPR: _____