

Notice of Determination**- 1 -****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: Javier Mendez
 Phone: (559) 903-5026

Lead Agency

California Department of Transportation
 50 Higuera Street
 San Luis Obispo, California 93401
 Contact: Morgan Robertson
 Phone: (805) 908-4107

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

State Clearinghouse Number: 2000011033

Project Title: State Route 46 Corridor Improvement Project (California Endangered Species Act Incidental Take Permit No. 2081-2007-020-04 (ITP)), Major Amendment No. 1.

Project Location: The Project is located along State Route (SR) 46 beginning on the east side of Huer Huero Creek Bridge within the City of Paso Robles and ending on the east side of Cholame Valley in the County of San Luis Obispo.

Project Description: The original Project involved the widening of State Route 46 between Airport Road and the Cholame Valley from two lanes to four lanes. This Major Amendment No. 1 contemplates Project redesign to phases 4 and 5 of the SR 46 widening.

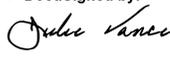
The Project is expected to result in incidental take of San Joaquin kit fox (*Vulpes macrotis mutica*, SJKF) and California tiger salamander (*Ambystoma californiense*, CTS), which are designated as a threatened species under the California Endangered Species Act (CESA). This Major Amendment No. 1 will increase permanent project-related impacts to SJKF, adds CTS as a Covered Species, updates contact information, extends the date on which the ITP shall expire, adds updated Figures, changes the Project design and increases the Project Area footprint, modifies species-specific Conditions of Approval for SJKF, adds species-specific Conditions of Approval for CTS, increases the Project impacts to reflect the permanent and temporal loss of Covered Species habitat and commensurately increases the compensatory mitigation requirements. The ITP, as amended, 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 6/22/2021 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).
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.

Notice of Determination

Responsible Agency statement: The final 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.

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Signature

Date: 6/22/2021

Julie A. Vance, *Regional Manager*

Date Received for filing at OPR: _____