

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS FOR
LAKE OR STREAMBED ALTERATION AGREEMENT EPIMS NOTIFICATION NUMBER BUT-23998-
R2**

Introduction

The California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.) and the State CEQA Guidelines (Guidelines) (Cal. Code Regs., Title 14, § 15000 et seq) require that no public agency shall approve or carry out a project for which an Environmental Impact Report (EIR) has been completed that identifies one or more significant effects, unless the agency makes the following finding as to each significant effect. The following finding is relevant to the California Department of Fish and Wildlife's (CDFW) project approval:

- Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

CDFW is a responsible agency under CEQA with respect to the project because prior environmental review and approval of the project by the lead agency, the City of Chico (City), (see generally Pub. Resources Code, § 21067; CEQA Guidelines, § 15367). The City analyzed the environmental impacts associated with implementation of the project in an EIR (SCH No. 2005072045) and approved the project on June 20, 2007. In so doing, the City imposed mitigation and avoidance measures for impacts to biological resources as conditions of project approval and concluded that project-related impacts to biological resources could be substantially lessened with implementation of mitigation and avoidance measures, such that the impacts would be less than significant.

CDFW is entering into Lake or Streambed Alteration Agreement (Agreement) EPIMS Notification No. BUT-23998-R2 with Gonzales Development Company (Permittee) as represented by Dan Gonzales. The project is located on Little Chico Creek, in the County of Butte, State of California, located in portions of Latitude 39.7344823, Longitude -121.78786, Section 30, Township 22, Range 02, USGS "Chico" quadrangle.

The project is limited to two (2) phases. Phase 1 includes the placement of approximately 700 cubic yards of fill (soil) into adjacent wetland features to facilitate construction of a roadway, thereby connecting Notre Dame Blvd. and a low-income residential apartment project east to Bruce Road. Phase 2 includes grading and permanently filling the remaining wetland features throughout the 30.7-acre Meriam Park Development Area project footprint in anticipation of future residential, commercial, and institutional developments. No work will occur within the bed, bank, channel, or riparian corridor of Little Chico Creek. There will be no tree removal as part of the project. Access to the site will occur from Notre Dame Blvd and Bruce Road and there will be no construction, staging or access within the adjacent Preserve.

Findings

CDFW has considered the EIR, adopted by the City. The Department has independently concluded that the Agreement should be issued under the terms and conditions specified therein. In this regard, the Department hereby adopts the findings of the City, as set forth in the EIR insofar as they pertain to the project's impacts on biological resources within CDFW's discretionary authority pursuant to Fish and Game Code sections 1600-1616.

Signed:  _____ Date: 2/16/2022
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Kelley Barker
Environmental Program Manager
North Central Region