

Notice of Determination

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)
North Central Region
1701 Nimbus Road,
Rancho Cordova, CA 95670
Contact: Harvey Tran
Phone: (916) 358-4035

Lead Agency:

California Department of Transportation
703 B Street
Marysville, CA 95901
Contact: Dustin Miller
Phone: (530) 741-4191

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

State Clearinghouse Number: 2016062001

Project Title: Sutter Bypass Widening and Rehabilitation Project (California Endangered Species Act Incidental Take Permit No. 2081-2018-058-02 [ITP] Amendment #3)

Project Location: The Project is located between Post Miles 5.0 to 11.3 along State Route (SR) 20 between West Butte Road east to Lytle Road, Sutter County, State of California.

Project Description: As described in the original ITP, the Project will result in impacts to 7.23 acres of giant garter snake (*Thamnophis gigas*) (GGS) habitat including temporary impacts to 4.62 acres; the Project will permanently remove 2.58 acres of GGS habitat. ITP Amendment #3, referenced above, modifies the type of mitigation required for temporary impacts to GGS habitat. ITP Amendment #3 allows the Permittee to mitigate for the 4.62 acres of temporary impacts with 13.86 GGS aquatic habitat credits by August 31, 2021 and removes the on-site restoration requirement.

This is to advise that CDFW, acting as the lead agency / a responsible agency executed the above-described ITP Amendment on the date below and made the following determinations regarding the above-described Amended ITP:

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 mitigated 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 Amended ITP.
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).
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.

The Mitigated Negative Declaration 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 ITP Amendment is available to the public for review at CDFW's regional office.

DocuSigned by:
Kelley Barker for
Signature _____
Kevin Thomas, Regional Manager

Date: 7/21/2021