

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 (if different than CDFW)
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 #2)

Project Location (include county): 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. Sutler County, State of California.

Project Description: This proposed Project involves road realignment, pavement rehabilitation and shoulder widening along 6.3 miles of SR 20 to be completed during three construction seasons between 2019 and 2021. As the new alignment of SR 20 proceeds east, the new centerline is shifted to the south slightly of the existing roadway.

The Project will result in impacts to 7.23 acres of giant garter snake (*Thamnophis gigas*) habitat including temporary impacts to 4.62 acres; the Project will permanently remove 2.58 acres of giant garter snake habitat. The Project is expected to result in incidental take of giant garter snake, which is designated as a threatened species under the California Endangered Species Act. The ITP Amendment #2 referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation. Amendment #2 modifies the 2020 construction window (May 1 to October 15) and incorporates a new measure that allows CDFW to approve future construction window modifications without an ITP amendment.

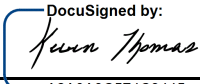
This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on the date below and made the following determinations regarding the above described project:

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 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 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).
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 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 incidental take permit amendment is available to the public for review at CDFW's regional office.

Signature  *Date:* 10/14/2020
Kevin Thomas, *Regional Manager*

Governor's Office of Planning & Research

Date Received for filing at OPR: ~~_____~~ **Oct 15 2020**

STATE CLEARINGHOUSE