

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: Annalise Metzger
Phone: (916) 358-1097

Lead Agency

Department of Water Resources
3310 El Camino Avenue, Room 140
Sacramento, CA 95821
Contact: Jeff Schuette
Phone: (916) 574-1355

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108
State Clearinghouse Number: 2015052035.

Project Title: Sutter Bypass Collecting Canal Culvert Rehabilitation – McClatchy Road
(California Endangered Species Act Incidental Take Permit No. 2081-2018-079-02 (ITP).)

Project Location (include county): The Sutter Bypass Collecting Canal Culvert Rehabilitation – McClatchy Road Project (Project) is located on McClatchy Road within the County of Sutter. The Project is located approximately 1 mile south of the Wadsworth Canal inlet to the Sutter Bypass and approximately 5.5 miles north of Pumping Plant #2, at approximately 39.1023, -121.756764.

Project Description: This proposed Project involves the removal of an existing 30-inch corrugated metal culvert and placement of four 5 feet wide x 3 feet tall x 6 feet long precast concrete box culverts and associated wingwalls (total linear length of 36 feet), with placement of 18-inch minus rock revetment around each inlet and outlet. The Project will be implemented because the existing corrugated metal culvert is deteriorating and undersized for the amount of water conveyance necessary within the Collecting Canals. Project activities include establishing staging areas, constructing earthen cofferdams, excavating existing culvert, installing concrete box culverts, installing concrete wingwalls, placing new revetment around inlet and outlet, removing cofferdams, restoring the disturbed area, and other activities.

The Project will result in impacts to 0.017 acres of Giant grater snake (*Thamnophis gigas*; GGS) habitat including temporary impacts to 0.007 acres; the Project will permanently remove 0.01 acres of GGS habitat. The Project is expected to result in incidental take of GGS, which is designated as a threatened species under the California Endangered Species Act. 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.

This is to advise that CDFW, acting as the lead agency / a responsible agency] approved the above-described project on October 9, 2019, 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.

Notice of Determination

- 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.
- 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.

Signature 

Date: 10/9/19

Kevin Thomas, *Regional Manager*

Governor's Office of Planning & Research

Date Received for filing at OPR: _____

OCT 09 2019

STATE CLEARINGHOUSE