

## Notice of Determination

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**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, Suite 1A  
Rancho Cordova, CA 95670  
Contact: Melissa Stanfield  
Phone: (916) 597-6417

Lead Agency (if different than CDFW)  
Butte County Public Works  
7 County Center Drive, Oroville CA 95965  
Contact: Terry Edwards, Assistant Director Public  
Works - Engineering  
Phone: (530) 552-5710

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

State Clearinghouse Number: 2019049055

Project Title: Ord Ferry Road over Little Chico Creek Bridge Replacement (Project) (California Endangered Species Act Incidental Take Permit No. 2081-2021-065-02-A1 (ITP))

Project Location (include county): The Project is located on Ord Ferry Road in unincorporated Butte County approximately 1 mile west of the intersection of Ord Ferry Road and 7 Mile Road at approximately 39.6306, -121.9330 (WGS 84 datum, decimal degrees). The Project site is bounded by the Little Chico Creek riparian corridor to the north and south and agricultural cropland to the east and west.

Project Description: The Project includes removal of the structurally deficient existing bridge and construction of a new wider bridge on the existing alignment. The new bridge cast-in-place reinforced concrete slab bridge will be founded on cast-in-steel-shell piles and will be 640 feet long by approximately 43 feet wide. Ord Ferry Road will be widened to 40 feet for a length of approximately 400' feet to the west and 500' to the east of the proposed bridge. Existing electrical, telephone, and fiber optic utilities located on the west side of the Ord Ferry Road will need to be relocated as part of the project. Phasing of the bridge and roadway approach construction is required to keep the road open to conventional traffic during construction operations. This phased bridge construction alternative would require two construction seasons and approximately 18 months of single lane traffic control utilizing a temporary traffic signal system. A temporary access road will need to be installed to facilitate construction access. The access road will require installing a clear water diversion within Little Chico Creek from May 1 through October 31 in both seasons of construction. The field northwest of the existing bridge will serve as a staging area for equipment and materials. Tree removal and impacts to riparian and grassland habitats are anticipated the California Department of Fish and Wildlife (CDFW) is approving an amendment to the ITP that includes the following changes: First, this Amendment updates the methods of compensatory mitigation to fully mitigate Project impacts to CVSR. Second, this Amendment updates the required Security amount to reflect the costs of both proposed and completed compensatory mitigation.

The Project will result in impacts to 2.36 acres of giant garter snake (GGS, *Thamnophis gigas*) habitat including temporary impacts to 1.71 acres; the Project will permanently remove 0.65 acres of GGS habitat. In addition, the Project will result in impacts to 0.0613 acres of Central Valley spring-run Chinook salmon (CVSR, *Oncorhynchus tshawytscha*) habitat including temporary impacts to 0.06 acres; the Project will permanently remove 0.0013 acres of CVSR habitat. The project is expected to result in incidental take of GGS and CVSR, which are designated as threatened species under the California Endangered Species Act.

The Amendment to the ITP as issued by CDFW changes the CVSR compensatory mitigation method from purchase of credits at a conservation bank to a habitat restoration project on conserved lands. This Amendment also reduces the Security amount required as the County has completed the purchase of GGS credits at a CDFW-approved conservation bank and provided a bill of sale as proof.

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

**Notice of Determination****2**

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.  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). CDFW did, however, adopt findings to document its compliance with CEQA.
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 Amendment of the ITP is available to the public for review at CDFW's regional office.

DocuSigned by:  
  
Signature A2A0A9C574C3445 Date: 3/24/2023  
Kevin Thomas, *Regional Manager*