

Notice of Determination



To:
Office of Planning and Research
For U.S. Mail:
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Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
Sacramento, CA 95814

From:
Department of Fish and Wildlife
North Central Region
1701 Nimbus Road
Rancho Cordova, CA 95670
Contact: Melissa Stanfield
Phone: (916) 597-6417

Lead Agency:
Butte County Dept. of Development Services
7 County Center Drive
Oroville, CA 95965
Contact: Tristan Weems
Phone: (530) 342-2954

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

State Clearinghouse Number: 2021040165

Project Title: Parrot-Phelan Diversion Dam Maintenance Project (Streambed Alteration Agreement Notification No. 1600-2020-0234-R2)

Project Location (include county): The project site is located within and adjacent to Butte Creek in unincorporated Butte County southeast of the City of Chico, in the Township 21 North, Range 2 East, Section 2, 3, and 4, Latitude 39.709138, Longitude -121.750902 on Assessor's Parcel Numbers 017-260-143 and 017-270-029.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Streambed Alteration Agreement Notification Number 1600-2020-0234-R2, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Les Heringer, M&T Ranch.

The project is limited to the removal of accumulated gravel, sediment, and other debris collectively referred to as "material," from Butte Creek to maintain channel capacity and protect the existing Parrot-Phelan Diversion Dam (PPDD). Within the project area gravel will be removed from two disjunct locations along the northern bank of Butte Creek, one upstream and one downstream of the PPDD. In-water work is required. Project activities are limited to July 1 through September 15 of any given year.

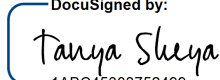
The project will only remove newly deposited material from the previous winter(s). The project limits removal of material down to an elevation of 266 feet +/- 0.2' at the upstream area, and to an elevation of 256 feet +/- 0.2' downstream of the weir near the fyke outfall pipe. The amount of material to be removed at each area will vary annually; however, no more than 1,200 cubic yards of material will be removed from Butte Creek annually. Total annual temporary impacts shall not exceed 660 linear feet and 0.8762 acres of streambed. The project will not result in permanent impacts.

This is to advise that CDFW, acting as a Responsible Agency, executed the above-described Lake and Streambed Alteration Agreement on the date signed below and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

Notice of Determination

1. The project 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. CDFW considered the mitigated negative declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures were made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan was not adopted by CDFW for this project.
5. A statement of overriding considerations was not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to California Code of Regulations section 15091.

The mitigated negative declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of execution of the above Streambed Alteration Agreement as Responsible Agency is available at CDFW's regional office.

DocuSigned by:

Signature: 1ABC45303752499... Date: 2/21/2024
Tanya Sheya, Environmental Program Manager