

**Notice of Determination****- 1 -****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: Zach Kearns  
 Phone: 916-358-1134

**Lead Agency:**

Sutter County  
 1130 Civic Center Boulevard  
 Yuba City, CA 95993  
 Contact: Doug Libby  
 Phone: (530) 822-7400

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

State Clearinghouse Number: 2019012057

**Project Title:** Kent Avenue Bridge Replacement (California Endangered Species Act Incidental Take Permit No. 2081-2020-004-02 (ITP))

**Project Location:** The Project is located in the Sutter Butte Canal, an indirect tributary to the Sacramento River, approximately 0.5 miles east of State Route 99, and 0.05 miles south of McDonald Avenue on Kent Avenue in the County of Sutter, State of California; Latitude 39.246114, Longitude -121.639949.

**Project Description:** The California Department of Fish and Wildlife (CDFW) is approving an Amendment to the ITP that includes an update to the Principal Officer's title and agency name, a minor adjustment in the permanent and temporary impacts to GGS habitat, and an update to the corresponding mitigation and cost estimates.

The project will result in the permanent loss of 0.10-acres and no temporary loss of Giant garter snake (*Thamnophis gigas*)(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 (CESA). 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 a responsible agency executed the above-described ITP Amendment on the date signed 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). 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 ITP is available to the public for review at CDFW's regional office.

**Notice of Determination**

DocuSigned by:  
*Kevin Thomas*  
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Signature

Date: 7/28/2022

Kevin Thomas, *Regional Manager*