

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS FOR
LAKE OR STREAMBED ALTERATION AGREEMENT EPIMS NOTIFICATION NO. SUT-
24991-R2**

Introduction

The California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.) and the State CEQA Guidelines (Guidelines) (Cal. Code Regs., Title 14, § 15000 et seq) require that no public agency shall approve or carry out a project for which an Environmental Impact Report (EIR) has been completed that identifies one or more significant effects, unless the agency makes the following finding as to each significant effect. The following finding is relevant to the California Department of Fish and Wildlife's (CDFW) project approval:

- Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

CDFW is a responsible agency under CEQA with respect to the project because prior environmental review and approval of the project by the lead agency, Sutter County (County), (see generally Pub. Resources Code, § 21067; CEQA Guidelines, § 15367). The County analyzed the environmental impacts associated with implementation of the project in an EIR (SCH No. 2007032157) and approved the project on November 17, 2020. In so doing, the County imposed mitigation and avoidance measures for impacts to biological resources as conditions of project approval and concluded that project-related impacts to biological resources could be substantially lessened with implementation of mitigation and avoidance measures, such that the impacts would be less than significant.

CDFW is entering into Lake or Streambed Alteration Agreement (Agreement) EPIMS Notification No. SUT-24991-R2 with Lennar Homes of California, Inc. (Lennar). The project is located at multiple unnamed irrigation and drainage ditches which are tributary to the North Drainage Canal, in the County of Sutter, State of California, located at Latitude 38.751306°, Longitude -121.494429°.

The project consists of the fill of several segments of irrigation and drainage ditches as part of the clearing and grading of an approximately 874-acre site in preparation for its future development as a mixed-use community within the Sutter Pointe Specific Plan. The segments of ditches to be filled have a combined total area of 4.62 acres. Lennar plans to participate in the Natomas Basin Habitat Conservation Plan.

Findings

CDFW has considered the EIR, certified by the County and has independently concluded that the Agreement should be issued under the terms and conditions specified therein. In this regard, CDFW hereby adopts the findings of the County, as set forth in the EIR insofar as they pertain to the project's impacts on biological resources within CDFW's discretionary authority pursuant to Fish and Game Code sections 1600-1616.

DocuSigned by:
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Signed: _____ Date: 4/27/2022
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