

## Notice of Determination

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To:  
 Office of Planning and Research  
For U.S. Mail:  
P.O. Box

Sacramento, CA 95812-3044

Street Address:  
1400 Tenth  
Street  
Sacramento, CA 95814

From:  
Department of Fish and Wildlife (CDFW)  
North Central Region  
1701 Nimbus Road  
Rancho Cordova, CA 95670  
Contact: Juan Lopez Torres  
Phone: (916) 247-0327

Lead Agency (if different than CDFW)  
Glenn County Planning & Public Works Agency  
777 North Colusa Street, Willows, CA 95988  
Contact: Matthew J. Gomes  
Phone: (530) 934-6530

**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108**  
State Clearinghouse Number (if submitted to State Clearinghouse): 2016012036

Project Title: County Road Bridge Replacements (California Endangered Species Act Incidental Take Permit No. 2081-2019-015-02 (ITP))

Project Location (include county): The Project is located at 4 locations on County Road 67 over Branch Howard Slough in the County of the Glenn, State of California. The Project is located approximately 1.5 miles east of Road Z in Sections 7 and 18, Township 18, North, Range 1 East of the Butte City United States Geological Survey (USGS) 7.5-minute quadrangle map.

Project Description: The Project will replace four existing deficient low water crossings over the Branch Howard Slough with four new two-lane multi-span continuous concrete slab bridges. The project also includes the replacement and reconstruction of roadway approaches that will allow a smooth transition between the new bridge construction and the existing roadway.

The Project will result in impacts to 2.9 acres of Giant garter snake (*Thamnophis gigas*) habitat including temporary impacts to 2.48 acres; the Project will permanently remove 0.62 acres of Giant garter snake habitat. The project is expected to result in incidental take of Giant garter snake 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 February 13, 2020 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.
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.
- Responsible Agency statement: 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 is available at the CDFW office identified above.

*Signature*  *Date:* 2/13/2020  
Kevin Thomas, *Regional Manager* Governor's Office of Planning & Research

Date Received for filing at OPR: FEB 13 2020  
**STATE CLEARINGHOUSE**

## INSTRUCTIONS FOR THE NOTICE OF DETERMINATION FORM

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A Notice of Determination (NOD) should be completed and filed with the Office of Planning and Research in Sacramento every time the Department of Fish and Game (DFG) carries out, funds or approves a project that is not exempt under the California Environmental Quality Act (CEQA). The following template was created to simplify the process of NOD completion.

### Instructions:

- The project location and project description should be very short (2-4 lines) but should provide an accurate summary of the location and nature of the project. Ensure the completed form is not more than 2 pages in length.
- Change the default selections on the NOD form to match the document. The default selections on the form assume that: 1) DFG is acting as a responsible agency, 2) the lead agency prepared a negative declaration, and 3) no significant effects were identified by DFG. These default settings can easily be changed by double-clicking on the appropriate boxes and changing the "default value" from "checked" to "not checked" or vice-versa.
- Item 6 on the form should state that findings were made pursuant to Public Resources Code section 21081(a) only when DFG is approving the ITP in reliance on an environmental impact report (EIR). In all other cases where DFG is relying on a negative declaration or mitigated negative declaration to issue the permit, the form should indicate findings under Public Resources Code section 21081(a) were not made. Where DFG is relying on a negative declaration or mitigated negative declaration to approve the permit and findings under Public Resources Code section 21081(a) were not made, the next sentence stating that other findings were adopted by DFG to document compliance with CEQA should be included. Where DFG is relying on an EIR and findings were made under Public Resources Code section 21081(a), the sentence regarding the adoption of other findings to document compliance with CEQA should be deleted.
- Remember to attach the project proponent's receipt showing payment of environmental filing fees to the Department. If fees have not yet been paid and DFG has not issued a no effect determination for the project, payment in the appropriate amount must be provided before the NOD can be filed.

If you have questions regarding completion of the form, feel free to contact the Office of General Counsel (OGC) at (916) 654-3821. OGC can also assist you with filing of a NOD at the Office of Planning and Research's State Clearinghouse. The notice must be filed within five working days of when DFG decides to carry out or fund a project, or of when it issues a permit or otherwise approves the project.