



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4593
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



December 3, 2020

Steven White
County of Fresno
2220 Tulare Street, 6th Floor
Fresno, California 93721
stwhite@fresnocountyca.gov

The California Department of Fish and Wildlife did not issue a draft streambed alteration agreement by the deadline of November 24, 2020, so this project was authorized to proceed under operation of law. This means the project will be constructed as described in our LSAA Notification and attachments.

THE LSAA NOTIFICATION MAY BE OBTAINED FROM THE FRESNO COUNTY WEBSITE AS SUPPLEMENTAL INFORMATION AT:
[HTTP://WWW.CO.FRESNO.CA.US/PLANHOLDERS](http://www.co.fresno.ca.us/planholders)

Subject: Notification of Lake or Streambed Alteration No. 1600-2020-0116-R4
Bridge No. 42C0099 Ennis Road over Sand Creek
Sand Creek – Fresno County

Dear Mr. White:

The California Department of Fish and Wildlife (Department) received your Notification of Lake or Streambed Alteration (Notification) on May 21, 2020 and the Notification became complete by operation of law on September 25, 2020. The Department had until November 24, 2020 to submit a draft Lake or Streambed Alteration Agreement (Agreement) to you or inform you that an Agreement is not required. The Department did not meet that date. As a result, by law you may complete the project described in your Notification without an Agreement.

Please note that pursuant to Fish and Game Code section 1602(a)(4)(D), if you proceed with this project, it must be the same as described and conducted in the same manner as specified in the Notification and any modifications to that Notification received by the Department in writing prior to November 24, 2020. This includes completing the project within the proposed term and seasonal work period and implementing all avoidance and mitigation measures to protect fish and wildlife resources specified in the Notification and all attachments to the Notification. If the term proposed in your Notification will expire, authorization by operation of law without an Agreement will no longer be possible, because an operation of law authorization may not be extended. Please contact the Department as soon as possible if you will not be able to implement your project as described in the Notification, including the project term. Beginning or completing a project that differs in any way from the one described in the Notification may constitute a violation of Fish and Game Code section 1602.

Also note that while you are entitled to complete the project without an Agreement, you are still responsible for complying with other applicable local, State, and federal laws. These include, but are not limited to, Fish and Game Code sections 2080 *et seq.* (species listed as threatened or endangered, or a candidate for listing under the California Endangered Species Act); section 1908 (rare native plants); sections 3511, 4700, 5050, and 5515 (fully protected species); section 3503 (bird nests and eggs);

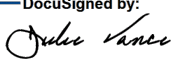
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section 3503.5 (birds of prey); section 5650 (water pollution); section 5652 (refuse disposal into water); section 5901 (fish passage); section 5937 (sufficient water for fish); and section 5948 (obstruction of stream).

Finally, if you decide to proceed with your project without an Agreement, you must have a copy of this letter and your Notification with all attachments available at all times at the work site.

If you have any questions regarding this matter, you may contact the CDFW Central Region Lake and Streambed Alteration Program, at (559) 243-4593 or R4LSA@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Julie A. Vance
Regional Manager

ec: Alexis Rutherford
ARutherford@fresnocountyca.gov