

## Notice of Determination

## Appendix D

**To:**

☒ **Office of Planning and Research**

U.S. Mail:

P.O. Box 3044

Sacramento, CA

95812-3044

Street Address:

1400 Tenth St., Rm 113

Sacramento, CA

95814

**From:**

**Public Agency:** Department of Water Resources

**Address:** P.O. 942836

Sacramento, CA 94236-0001

**Contact:** Dean F. Messer, Chief

**Email:** ROConLTO@water.ca.gov

☐ **County Clerk**

**County of:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Lead Agency (if different from above):**

**Address:** \_\_\_\_\_

**Contact:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**SUBJECT:** *Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.*

**State Clearinghouse Number (if submitted to State Clearinghouse):** 2019049121

**Project Title:** Long-term Operation of the California State Water Project

**Project Applicant:** Department of Water Resources (DWR)

**Project Location (include county):** State Water Project (SWP) storage and export facilities located within the Delta and vicinity, including the SWP service areas (multiple counties). Figure 1 presents the locations of these facilities.

**Project Description:**

The underlying purpose of the Project is to obtain incidental take authorization from the California Department of Fish and Wildlife (CDFW) pursuant to the California Endangered Species Act to allow DWR to continue the long-term operation of the SWP consistent with applicable laws, contractual obligations, and agreements. Consistent with this underlying purpose, DWR's project objectives are to store, divert, and convey water in accordance with DWR's existing water rights to deliver water pursuant to water contracts and agreements up to full contract quantities and to optimize water supply and improve operational flexibility while protecting fish and wildlife based on the best available scientific information.

The Project (referred to as "Refined Alternative 2b" in the Final Environmental Impact Report) consists of multiple elements that characterize future operations of SWP facilities including Banks Pumping Plant, Skinner Fish Protection Facility, Clifton Court Forebay, Barker Slough Pumping Plant, and Suisun Marsh facilities; modify ongoing programs being implemented as part of SWP operations; improve specific activities that would enhance protection of special-status fish species; and support ongoing studies and research on these special-status species to improve the basis of knowledge and management of these species.

The Project includes a dedicated "block" of water for summer or fall Delta outflow and spring maintenance flows, which through the adaptive management plan could be shifted for use in the summer-fall period of the current year or spring-fall of the subsequent year. In addition, the Project would: (1) result in the total amount of SWP water exported from the Delta to generally be expected to remain the same as under existing conditions; (2) provide CDFW with authority in the real-time decision making process and implement decisions from the Water Operations Management Team or CDFW; (3) include a behavioral modification barrier at Georgiana Slough to minimize emigrating juvenile Chinook Salmon entrance into the Central Delta; (4) include Spring-run Chinook Salmon loss thresholds to manage flows at Old and Middle rivers and minimize entrainment at the SWP export facilities; and (5) and include adaptive management actions.

This is to advise that the Department of Water Resources has approved the above described  
(☒ Lead Agency or ☐ Responsible Agency)  
project on March 27, 2020 and has made the following determinations regarding the above  
(date)

described project:

1. The project [ ☐ will ☒ will not] have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [ ☐ were ☒ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ ☐ was ☒ was not] adopted for this project.
5. A statement of Overriding Considerations [ ☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

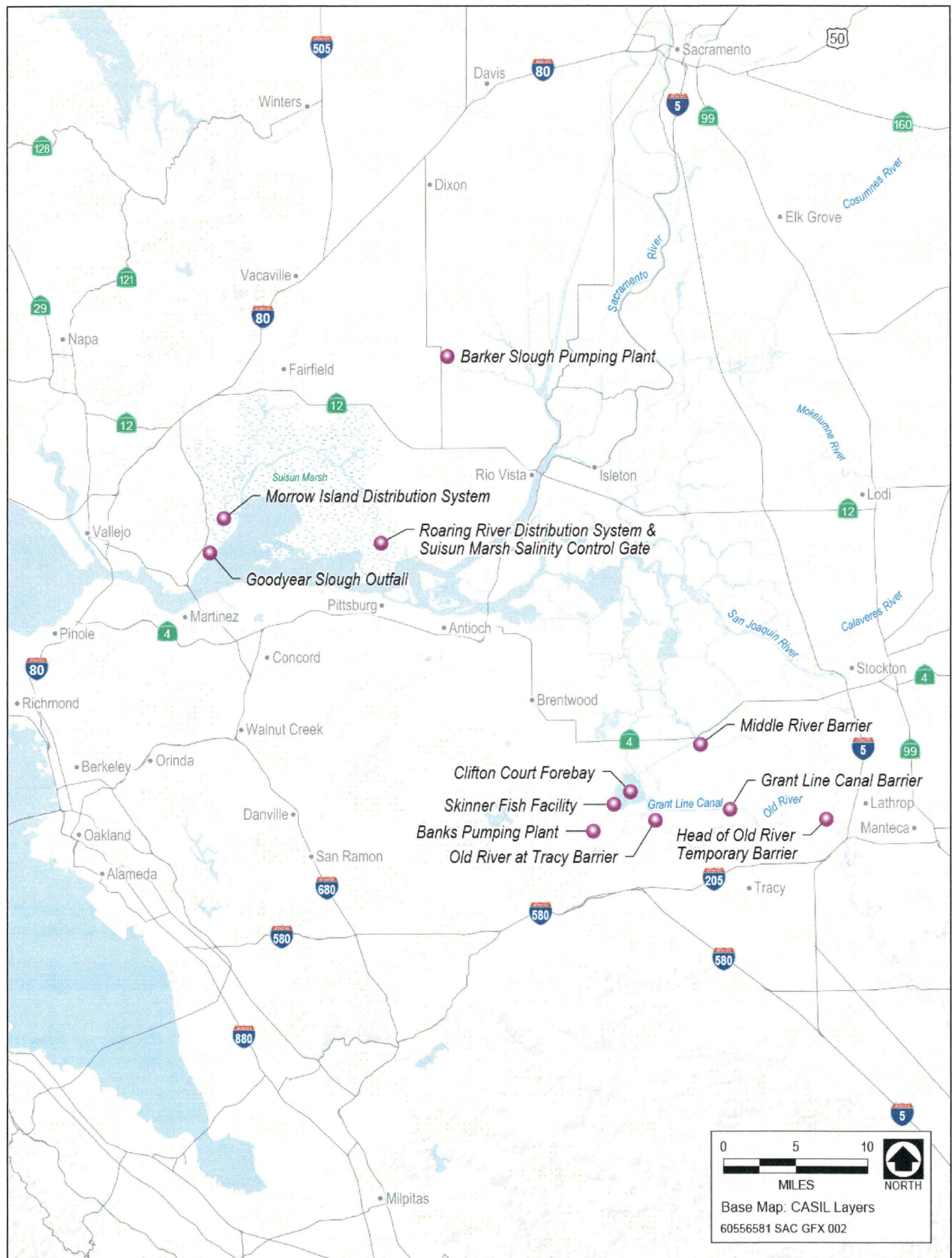
This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at: the DWR website  
http://www.water.ca.gov and from the DWR Lead CEQA contact person, identified above.

Signature (Public Agency): Karl A. Nemecek Title: Director

Date: 3-27-20 Date Received for filing at OPR: \_\_\_\_\_  
Governor's Office of Planning & Research

Authority cited: Sections 21083, Public Resources Code.  
Reference Section 21000-21174, Public Resources Code.

MAR 30 2020  
STATE CLEARINGHOUSE  
Revised 2011



**Figure 1. Locations of State Water Project Facilities in the Delta, Suisun Marsh, and Suisun Bay**



State of California - Department of Fish and Wildlife  
**2020 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
DFW 753.5a (REV. 12/01/19) Previously DFG 753.5a

Print

StartOver

Finalize&Email

RECEIPT NUMBER:

59 — 3/30/2020 — 039

STATE CLEARINGHOUSE NUMBER (If applicable)

2019049121

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

Department of Water Resources

LEAD AGENCY EMAIL

DATE

3/30/2020

COUNTY/STATE AGENCY OF FILING

OPR/SCH

DOCUMENT NUMBER

PROJECT TITLE

Long-term Operation of the State Water Project

PROJECT APPLICANT NAME

California Department of Water Resources

PROJECT APPLICANT EMAIL

PHONE NUMBER

(716) 3769700

PROJECT APPLICANT ADDRESS

PO Box 942836

CITY

Sacramento

STATE

CA

ZIP CODE

94236-0000

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency

☐ School District

☐ Other Special District

☒ State Agency

☐ Private Entity

CHECK APPLICABLE FEES:

☒ Environmental Impact Report (EIR)

\$3,343.25

\$

3,343.25

☐ Mitigated/Negative Declaration (MND)(ND)

\$2,406.75

\$

0.00

☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW

\$1,136.50

\$

0.00

☐ Exempt from fee

☐ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850.00

\$

0.00

☐ County documentary handling fee

\$

☐ Other

\$

PAYMENT METHOD:

☐ Cash

☐ Credit

☒ Check

☐ Other

TOTAL RECEIVED

\$

3,343.25

SIGNATURE

x Mikayla Vaba

Digitally signed by Mikayla Vaba  
Date: 2020.03.30 11:41:56  
-07'00'

AGENCY OF FILING PRINTED NAME AND TITLE

Mikayla Vaba