SOUTHERN REGIONAL OFFICE
FAPP2 CEQA Review Routing Form

Funding Recipient:	City of Calexico
Project Proponent:	City of Calexico
CEQA Lead Agency:	City of Calexico
Proposition:	68 and General Funds
Agreement Number:	4600014089
Project Title:	New River Improvement Project – Calexico Reach
CEQA Documentation at:	Project file path: P:\Current Projects\IRWM_GrantProgram\GeneralFund\2020 City of Calexico\Deliverables\CEQA

Routing:	Title:	Signatures:	Date
Thang Nguyen	Manager, Southern Region Office	Thang (Vic) Nguyen	7/18/2023
Mary Guerin	CEQA Lead	Mary Guerin	7/18/2023
Michael Weil	Project Manager	Michael Weil	7/18/2023

Notes:

CEQA Responsible Agency Review for the New River Improvement Project

<u>Note to Grant Manager:</u>

Upon return of signed FAPP2 Documents:

1. Update FAB CEQA Tracker on DRA FAB Fiscal Reporting
2. Save the signed FAPP2 documents in the project file.
3. Inform the Grantee they can now submit an invoice that includes the applicable construction costs (see the grant agreement requirements).

NOTICE OF DETERMINATION

TO: Office of Planning and Research
P.O. Box 3044
Sacramento, CA 958112-3044
(If submitted; otherwise address to project file ☐)

FROM: CA. Dept. of Water Resources
770 Fairmont Ave., Suite 200
Los Angeles, CA 91203

SUBJECT: Filing of Notice of Determination in compliance Public Resources Code section 21108.

PROJECT TITLE: New River Improvement Project - Calexico Reach

LEAD AGENCY: City of Calexico (City) **SCH#:** 2020049056

CONTACT PERSON: David Dale , City Manager **PHONE NUMBER:** (760) 768-2110

PROJECT LOCATION: The intersection of 2nd St. and New River to east of the All American Canal

PROJECT DESCRIPTION:

(1) Construction of a trash screen at the International Boundary with Mexico; (2) Divert and encase the river from a point downstream of the International Border to a point downstream of the eastern boundary of Calexico in order to bypass the populated southern area of the City; and, (3) A pump-back system to take treated wastewater from the existing City Wastewater Treatment Plant and discharge it into the New River channel at a point near the river diversion and encasement structure.

FINDINGS:

This is to advise that the California Department of Water Resources Salton Sea Management Prog. approved the project described above and awarded **a Grant** in the amount of $28,000,000, on 4/27/2021 .

The Department of Water Resources has made the following determinations regarding the project.

1. The project **will not** have significant effects on the environment.
2. A **Mitigated Negative Declaration** was prepared for this project by the City of Calexico.
3. Additional mitigation measures **were not** made a condition of the issuance of the funding agreement.
4. A Statement of Overriding Considerations **was not** adopted for this project.

The California Department of Water Resources is a "Responsible Agency" not a "Lead Agency for this project and the DFW fees for this project were paid on 06/23/2020.

Signature: Thang (Vic) Nguyen Date: 7/18/2023

Thang Nguyen
Manager, Southern Regional Office
818-207-9487

DATE RECEIVED FOR FILING AND POSTING AT OPR: 06/23/2023

☑ DFW Filing has been paid. (Attach Receipt)

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CEQA FINDINGS FOR A MITIGATED NEGATIVE DECLARATION

CALIFORNIA DEPARTMENT OF WATER RESOURCES
CEQA RESPONSIBLE AGENCY FINDINGS
NEW RIVER IMPROVEMENT PROJECT

I. ENVIRONMENTAL REVIEW PROCESS

The California Department of Water Resources ("Department"), as a Responsible Agency under the California Environmental Quality Act ("CEQA"), makes the following findings with regard to the application submitted to the Department by the City of Calexico (The City) for state funding for the costs of constructing the New River Improvement Project – Calexico Reach (Project). The City, as the Lead Agency under CEQA, in April 2020 prepared and adopted an Initial Study/Mitigated Negative Declaration ("IS/MND") for the Project and a Mitigation Monitoring and Reporting Plan ("MMRP"). On June 23, 2020, The City filed a Notice of Determination ("NOD").

In April 2020, The City prepared an IS/MND to address minor impacts and mitigation measures as a result of the Project. On June 23, 2020, the City filed an NOD in compliance with Section 21152 of the Public Resources Code to fulfill its CEQA responsibilities.

The Project consists of three primary components: (1) construction of a trash screen at the International Boundary with Mexico; (2) divert and encase the river from a point downstream of the International Boundary to a point downstream of the easter boundary of Calexico in order to bypass the populated southern area of the City; and, (3) a pump-back system to take treated wastewater from the existing City of Calexico Wastewater Treatment Plant and discharge it into the New River channel at a point near the river diversion and encasement structure.

The Project is described at length in the IS/MND completed by The City. Construction of the Project has commenced.

The Department, as a Responsible Agency under CEQA, has reviewed and considered the documentation prepared by The City, the Lead Agency. The Department has carefully considered the environmental effects of the Project and has reached its own independent conclusion on whether and how to approve the provision of state funding for a portion of the costs of constructing the Project.

The Department's role in the Project would be to provide funding to The City pursuant to a Funding Agreement for the Project construction costs. The Department has no police power authority over the Project, and it has no authority over the Project as a permitting or regulatory agency.

Based on its independent review of the Project, the Department makes the following findings.

II. NO SIGNIFICANT IMPACTS

The City determined that there is no substantial evidence that the Project, as mitigated by the mitigation measures included in the IS/MND, would have a significant impact on the environment. The City adopted an MMRP to ensure that the mitigation measures are implemented.

Based on the Department's independent judgment and analysis, the Department concurs in the determination by The City that there is no substantial evidence that the Project, as mitigated by the mitigation measures adopted and incorporated into the Project by The City, would have a significant effect on the Environment.

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III. NO STATEMENT OF OVERRIDING CONSIDERATIONS OR FINDINGS REGARDING ALTERNATIVES ARE REQUIRED

Because the Project, as mitigated, would not have a significant effect on the environment, CEQA does not require the Department to consider alternatives to the Project or adopt a statement of overriding considerations.

VI. NO SUPPLEMENTAL OR SUBSEQUENT ENVIRONMENTAL REVIEW IS REQUIRED

The Department finds that no supplemental or subsequent environmental review is required. In particular, the Department finds that there are no substantial changes in the Project, no substantial changes in the circumstances surrounding the Project, and no new information of substantial importance, which gives rise to a new significant environmental impact or otherwise triggers the need for additional CEQA review under Section 15162 of the CEQA Guidelines.

The City in April 2020 prepared an IS/MND to address minor impacts and mitigation measures as a result of the project. Based on the Department's independent review, the Department concurs in the determination by The City.

VII. ADOPTION OF FINDINGS BY THE DEPARTMENT

The Department hereby formally adopts the findings set forth herein.

Thang (Vic) Nguyen

Thang Nguyen
Manager, Southern Region Office
Division of Regional Assistance
Department of Water Resources

7/18/2023

Date

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ENVIRONMENTAL INFORMATION FORM

4. If the project will require CEQA compliance, identify the Lead Agency.
   CEQA Lead Agency: City of Calexico

5. Please check types of CEQA documents that have been or are to be prepared:

   ✓ Initial Study

   ✓ Negative Declaration / Mitigated Negative Declaration

   Environmental Impact Report

6. Please describe the status of the CEQA documents, expected date of completion, and estimated cost, if requesting DWR funds relating to CEQA compliance:
   Status: **Initial Study, Mitigated Negative Declaration, NOC have been completed and filed with SCH**
   Date of Completion: 04/21/2020
   Estimated Costs: $25,000

7. If the CEQA document has been completed, please provide the name of the document and the State Clearinghouse number, if available.
   Mitigated Negative Declaration **SCH # 2020049056**

8. Please list all environmental permits that must be obtained to complete the project: (attach additional pages, as necessary)

TYPE OF PERMIT REQUIRED/PERMITTING AGENCY*	DATE RECEIVED OR EXPECTED
Clean Water Act Sec. 401 Water Quality Certification/CRWQCB R7	1/04/2022
CFGC Sec. 1602 Permit/CDFW	8/20/2021
General Stormwater NPDES Permit for Construction Activities/SWRCB	5/15/2023[1]
General NPDES Permit for Dewatering Activities/CRWQCB R7	6/15/2023[2]
Revised NPDES Permit for City Wastewater Treatment Plant/CRWQCB R7	10/30/2023[3]
Clean Water Act Sec. 404 Permit from USACOE	3/03/2022
Consent from Department of Homeland Security (Border Patrol)	3/10/2022
Encroachment and Grading Permit from City of Calexico	7/28/2021

* Unless otherwise noted, all permits have been obtained. Please see Attachment A for notations and additional Permits

9. This form was completed by:

Esperanza Colio-Warren
Print or Type Name

(760) 768-2110
Phone Number

05/22/23
Signature

Date

Please send the completed and signed form to DWR Grant Manager. Use of Electronic Mail and Electronic Signature (with Appropriate Written Consent) is Recommended.

For DWR internal use:

☐ DWR received environmental documents.
☐ DWR made findings.

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ENVIRONMENTAL INFORMATION FORM - DEPARTMENT OF WATER RESOURCES

Grant Recipients are responsible for complying with all applicable laws and regulations for their projects, including the California Environmental Quality Act (CEQA). Work that is subject to the California Environmental Quality Act (CEQA) shall not proceed under this Agreement until documents that satisfy the CEQA process are received by the Department of Water Resources (DWR) and DWR has completed its CEQA compliance determination. Work that is subject to CEQA shall not proceed until and unless approved by DWR. Such approval is fully discretionary and shall constitute a condition precedent to any work for which it is required. Once CEQA documentation has been completed, DWR will consider the environmental documents and decide whether to continue to fund the project or to require changes, alterations or other mitigation.

Grant Recipient: City of Calexico

Agreement #: _____

Project Name: New River Improvement Project - Calexico Reach

Project Manager: Miguel Figueroa

Address: 608 Heber Avenue, Calexico CA 92231

Phone Number: (760) 768-2110

1. List the source of any other grants or funds received from DWR to implement a portion of this project.

   None

2. Is this a project as defined by CEQA? Yes ☑ No ☐ (if "yes", skip to #3) If "no", please explain below then skip to #8.

3. Is this project exempt from CEQA compliance? Yes ☐ No ☑ (if "no", skip to #4) If "yes", provide reasons for exemption. Cite the CEQA Article, Section and Title of the CEQA exemption, if appropriate. A partial list of the statutory exemptions is found in Cal. Code Regs., tit.14, art. 18 (sections 15260 – 15285) and a list of categorical exemptions is found in Cal. Code Regs., tit. 14, art. 19 (sections 15300 – 15332). A copy of CEQA and the applicable regulations may be found at: http://resources.ca.gov/ceqa/docs/2016_CEQA_Statutes_and_Guidelines.pdf

   Check appropriate box below:

   ☐ Lead Agency has already filed a Notice of Exemption (NOE) with the State Clearinghouse and/or County Clerk. Attach copy of NOE and, if applicable, a copy of Board Resolution.

   ☐ Lead Agency will file a NOE with the State Clearinghouse and/or County Clerk. Provide estimated date: _____

   ☐ Lead Agency will NOT file a NOE with the State Clearinghouse and/or County Clerk.

   If Lead Agency chooses not to file a NOE, sufficient documentation and information must be submitted to the DWR Grant Manager, along with this form, to allow DWR to make its own determination that the project is exempt from CEQA.

   Reason for exemption:

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EIF – ATTACHEMENT A

Notations and Additional Permits Required

Item 8 Notes:

1. City already applied for coverage under the SWRCB General NPDES Permit for Stormawater Runoff from Construction activities. Permit coverage is expected anytime.
2. City is submitting its Notice of Intent on 5/12/2023 for coverage under the California Regional Water Quality Control Board (Region 7) General NPDES Permit for Low Threat Discharge to Surface Waters for the discharge of wastewater from dewatering activities. This permit does not affect the start of construction but it is required before any discharge of wastewater from dewatering activities can take place.
3. Revised NPDES Permit for WWTP. City filed ROWD with Region 7 for a revised permit to add WWTP Effluent Outfall 002 into the New River, immediately downstream of Diversion Structure. Region 7 staff requested additional information in support of ROWD. City will submit additional information in July 2023. This permit does not affect the start of construction, but it is required before any discharge of wastewater from dewatering activities can take place.

Additional Permit Required

1. Temporary Encroachment and Occupancy Permit from USGSA. Permit obtained and executed on 7/14/2022.
2. SWRCB Division of Water Rights Approval for New WWTP Effluent Outfall 002.
3. On June 4, 2021, the SWRCB issued a letter to the City, which in substantive part informs the City that it can proceed with the change of location of the City WWTP effluent outfall as part of the Project's Pump-back System.
4. Encroachment Permit from private property owner of Bluff parcel at northwest end of 72-in bypass pipe and Energy Dissipater. City needs to grade property for erosion control to protect pipe and Energy Dissipater. City is negotiating the permit and expects the permit in July 2023. This permit does not affect the start of construction but it is required before any construction activity takes place on that property.

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Filed in County Clerk's Office, IMPERIAL COUNTY
CHUCK STOREY
COUNTY CLERK/RECORDER

06/23/2020
02:58 PM
Elise Puyot

Deputy Elise Puyot

File#: 13-2020-044

Doc Type: EIR
Fees: N/A

THIS SPACE RESERVED FOR CLERK USE ONLY

DOCUMENT TITLE (S): ENVIRONMENTAL DOCUMENT FILING

DocuSign Envelope ID: FAE2EDCB-BD94-4CD7-B08B-C5CDCEAD189D

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

RECEIPT NUMBER:	13-2020-044
STATE CLEARINGHOUSE NUMBER *(if applicable)*	2020049056

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
CITY OF CALEXICO		06/23/2020
COUNTY/STATE AGENCY OF FILING		DOCUMENT NUMBER
IMPERIAL COUNTY		13-2020-044

PROJECT TITLE

NEW RIVER IMPROVEMENT PROJECT

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL		PHONE NUMBER
CITY OF CALEXICO			
PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
608 HEBER AVE	CALEXICO	CA	92231

PROJECT APPLICANT *(Check appropriate box)*

[X] Local Public Agency [ ] School District [ ] Other Special District [ ] State Agency [ ] Private Entity

CHECK APPLICABLE FEES:

[ ] Environmental Impact Report (EIR)	$3,343.25	$	0.00
[X] Mitigated/Negative Declaration (MND)(ND)	$2,406.75	$	2,406.75
[ ] 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
[X] County documentary handling fee	$62.00	$	62.00
[ ] Other		$	0.00

PAYMENT METHOD:

[ ] Cash [ ] Credit [X] Check [ ] Other **019606 & 1002**

TOTAL RECEIVED $ 2,468.75

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
X Elise Puyot	**Elise Puyot Deputy Clerk**

ORIGINAL - PROJECT APPLICANT COPY - CDFW/ASB COPY - LEAD AGENCY COPY - COUNTY CLERK

DocuSign Envelope ID: FAE2EDCB-BD94-4CD7-B08B-C5CDCEAD189D

Notice of Determination

City of Calexico, California

FILE # 13-2020-044
IMPERIAL COUNTY, CALIFORNIA
JUN 23 2020
Chuck Storey - County Clerk
By: Deputy

TO:
Recorder/County Clerk
County of Imperial
940 W. Main Street, Suite 202
El Centro, CA 92243

FROM:
City of Calexico
City Manager's Office
608 Heber Avenue
Calexico, CA 92331

Subject: Filing of Notice of Determination in compliance with Public Resources Code, Sections 21108 and 21152.

SCH No: 2020049056

Lead Agency: City of Calexico

Project Manager: David Dale, PE, PLS; City Manager

Applicant: City of Calexico

Address: 608 Heber Avenue, Calexico, CA 92331

POSTED
JUN 23 2020
IMPERIAL COUNTY CLERK-RECORDER
CALIFORNIA

Project Location: The project site generally follows the alignment of the New River starting at the intersection of 2nd Street and New River to just east of the All-American Canal.

Project Title: New River Improvement Project

Description: The New River flows north from Mexico into the United States where it crosses the City of Calexico, California. The State of California's Clean Water Act Section 303(d) lists the New River as impaired by numerous constituents and is a State of California priority for cleanup purposes. The proposed project consists of three primary components: (1) construction of a trash screen at the International Boundary with Mexico; (2) divert and encase the river from a point downstream of the International Boundary to a point downstream of the eastern boundary of Calexico in order to bypass the populated southern area of the City; and (3) a pump-back system to take treated wastewater from the existing City of Calexico Wastewater Treatment Plant and discharge it into the New River channel at a point near the proposed river diversion and encasement structure.

The City Council of the City of Calexico, as Lead Agency, approved the above described project on June 17, 2020 and determined that:

1. The project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared and approved pursuant to the provisions of CEQA.
3. Mitigation Measures were established as conditions of approval and a Mitigation Monitoring Reporting Program was adopted.
4. A Statement of Overriding Consideration was not required.
5. Findings of fact were made pursuant to CEQA.

The Mitigated Negative Declaration and the record of project approval are available to the general public at the City Manager's Office in City Hall located at 608 Heber Avenue, Calexico, CA 92331.

David Dale PE, PLS; City Manager

Date: June 23, 2020

SIGNATURE 6/23/20 DATE

HEREBY CERTIFY THAT THIS IS A TRUE COPY
OF THE ORIGINAL RECORD ON FILE IN THIS OFFICE