

Appendix D: Notice of Determination

To: Office of Planning and Research
1400 Tenth St., Rm 113
Sacramento CA, 95814

From: CA Department of Water Resources
715 P Street
Sacramento, CA 95814
Contact: Katherine Marquez, (916) 820-7810

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): 2019119073

Project Title: Modifications to the MMRP for the CEQA IS/MND for Soil Investigations for Data Collection in the Delta

Project Applicant: CA Department of Water Resources

Project Location (include county): Alameda, Contra Costa, Sacramento, San Joaquin, Solano, and Yolo Counties

Project Description: The primary objective of the Soil Investigations for Data Collection in the Delta project is to determine the composition, location, and geotechnical properties of soil materials commonly found in the Delta which would further inform the design, environmental analysis, and development of alternatives for a potential Delta conveyance project and contribute to DWR's overall understanding of Delta geology. The decision document under consideration in this Notice of Determination provides modifications to the Mitigation Monitoring and Reporting Program that consist of revisions to mitigation measures BIO-1b and BIO-1d to clarify how the measures have been, and will continue to be, implemented by DWR. These modifications apply to the adoption of the 2020 MMRP in support of the 2020 IS/MND approval and the 2021 and 2022 addenda. The modifications do not affect the analysis of impacts or conclusions after mitigation set forth in the 2020 IS/MND approval and the 2021 and 2022 addenda. These modifications respectively clarify the buffer distances for necessitating a wetland delineator in the field and references to the special status species specific buffers required for adjustment of proposed boring locations.

This Notice of Determination is to advise that the CA Department of Water Resources, as the Lead Agency, has approved the adoption of the modified MMRP on January 9, 2023, and has made the following determinations regarding the above-described project. This determination has been made considering the previously adopted Initial Study/Mitigated Negative Declaration along with the 2021 Addendum to the IS/MND and the 2022 Addendum to the IS/MND.

1. The project will not have a significant effect on the environment.
2. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan, as modified on January 9, 2023, was adopted for this project.

Authority cited: Sections 21083, Public Resources Code. Reference Section 21000-21174, Public Resources Code. Revised 2011

5. A statement of Overriding Considerations was not adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the modified MMRP, final mitigated negative declaration with comments and responses, along with the 2021 and 2022 addenda and record of project approval, is available to the General Public at: <https://water.ca.gov/Programs/State-Water-Project/Delta-Conveyance/Environmental-Planning>



January 9, 2023

Carolyn Buckman, Environmental Program Manager
California Department of Water Resources

Date

Date Received for filing at OPR: _____