


NOTICE OF DETERMINATION

<p>TO:</p> <p>Office of Planning and Research 1400 Tenth Street Sacramento, CA 95814</p> <hr/> <p>Alameda County Clerk 1106 Madison Street Oakland, CA 94607</p> <hr/> <p>Sacramento County Clerk 3636 American River Drive, Suite 110 Sacramento, CA 95864</p> <hr/> <p>Yolo County Clerk 625 Court Street, Room B-01 Woodland, CA 95695</p> <hr/> <p>San Joaquin County Clerk 44 North San Joaquin Street Second Floor, Suite 260 Stockton, CA 95202</p> <hr/> <p>Contra Costa County Clerk 555 Escobar Street Martinez, CA 94553</p> <hr/> <p>Solano County Clerk 675 Texas Street, Suite 2700 Fairfield, CA 94533</p> <hr/> <p>San Luis Obispo County Clerk 1055 Monterey Street, Suite D120 San Luis Obispo, CA 93408</p>	<p>FROM: Responsible Agency:</p> <p>San Luis Obispo County Flood Control and Water Conservation District 1055 Monterey Street San Luis Obispo, CA 93408</p> <p>Wes Thomson (805) 788-2101</p> <p>Filed Doc #: 39-03042025-037 Tue Mar 04 15:10:03 PST 2025 Page: 1 of 11 Fee: \$50.00 Steve J. Bestolarides San Joaquin County Clerk</p> <p>By Deputy: kmchugh</p> 
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SUBJECT: Filing of Notice of Determination in compliance with 21152 of the Public Resources Code.

State Clearinghouse Number:	2020010227	
Project Title:	Delta Conveyance Project	
Lead Agency and Project Applicant:	California Department of Water Resources ("DWR") 1516 9th Street, Sacramento, CA 95814	Contact: Marcus Yee Phone: (916) 699-8405
Responsible Agency:	San Luis Obispo County Flood Control and Water Conservation District ("District") 976 Osos Street, Room 206 San Luis Obispo, CA 93408	Contact: Wes Thomson Phone: (805) 788-2101
Project Location:	Pre-Construction Work for the Delta Conveyance Project will occur within the Sacramento-San Joaquin Delta ("Delta") in Alameda, Contra Costa,	

	Sacramento, Solano, San Joaquin, and Yolo Counties. See Attachment 1 and Figure 1.
Project Description:	<p>On December 21, 2023, DWR certified the environmental impact report (“EIR”) for, and approved, the Delta Conveyance Project. (State Clearinghouse No. 2020010227). The Delta Conveyance Project consists of the construction, operation, and maintenance of new State Water Project (“SWP”) water diversion and conveyance facilities in the Delta that would be operated in coordination with existing SWP facilities.</p> <p>The Delta Conveyance Project includes the following key components and actions:</p> <ul style="list-style-type: none"> • Two intake facilities along the Sacramento River in the north Delta near the community of Hood with on-bank intake structures that would include fish screens. • A concrete-lined tunnel, and associated vertical tunnel shafts, to convey flow from the intakes about 45 miles to the south of the Bethany Reservoir Pumping Plant and Surge Basin at a location south of the existing SWP Clifton Court Forebay. • A Bethany Reservoir Pumping Plant to lift the water from inside the tunnel below ground into the Bethany Reservoir Aqueduct for conveyance to the Bethany Reservoir Discharge Structure and into the existing Bethany Reservoir. • Other ancillary facilities to support construction and operation of the conveyance facilities including, but not limited to, access roads, concrete batch plants, fuel stations, and power transmission and/or distribution lines. • Efforts to identify geotechnical, hydrogeologic, agronomic, and other field conditions that will guide appropriate construction methods and monitoring programs for final engineering design and construction data collection and field work investigations, including ground-disturbing geotechnical work, water quality and hydrogeologic investigations, agronomic testing, the installation of monitoring equipment, construction test projects, pre-construction design work, and engineering work (“Pre-Construction Work”) <p>The District, as a responsible agency, has issued a limited approval relating to the additional funding for Pre-Construction Work for the Delta Conveyance Project. Apart from funding for the Pre-Construction Work, the District has not issued any other approval for the Delta Conveyance Project.</p>
Person or entity undertaking the project pursuant to Public Resources Code section 21065	DWR is undertaking the Delta Conveyance Project.

This is to advise that, on or about February 25, 2025, the District, as a Responsible Agency, considered the EIR certified for the Delta Conveyance Project (State Clearinghouse No. 2020010227); made CEQA Findings of Fact pursuant to State CEQA Guidelines sections 15091 and 15096 for the Delta

Conveyance Project; adopted a Statement of Overriding Considerations specific to Pre-Construction Work pursuant to State CEQA Guidelines section 15093; approved Resolution No. 2025-028 authorizing the District's Director of Public Works to execute a letter agreement to provide funding for Pre-Construction Work for the Calendar Years 2026-2027 in an amount not to exceed \$1,860,000; and made the following determinations regarding the Pre-Construction Work:

1.	The Pre-Construction Work will have a significant effect on the environment.
2.	An EIR was previously prepared and certified by DWR for the Delta Conveyance Project, which included an analysis of the Pre-Construction, pursuant to the provisions of CEQA.
3.	Mitigation measures were made a condition of the approval of the Delta Conveyance Project, including the Pre-Construction Work, by DWR.
4.	A mitigation monitoring or reporting plan was adopted by DWR.
5.	Findings were made pursuant to State CEQA Guidelines section 15091 and the provisions of CEQA for the Delta Conveyance Project.
6.	A Statement of Overriding Considerations was adopted for the Pre-Construction Work.

This is to certify that the above-referenced EIR and the record of proceedings relating to the District's above-described action is available to the General Public at the following location:

San Luis Obispo County Flood Control and Water Conservation District
 c/o Public Works Department, County of San Luis Obispo
 976 Osos Street, Room 206
 San Luis Obispo, CA 93408

Project Website: <https://www.deltaconveyanceproject.com/>

Date: February 27, 2025



Kate Shea, Environmental Programs Division Manager
 Public Works, County of San Luis Obispo

Date Received for Filing: _____

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

Attachment 1 Project Location

The project area consists of the construction footprint of the project facilities. The physical footprint of the Project would lie primarily within the boundaries of the statutorily defined Delta. Additionally, certain facilities that would be constructed under the Project would be located southeast of the statutory Delta (see Figure 1, Project Location).

California Department of Water Resources

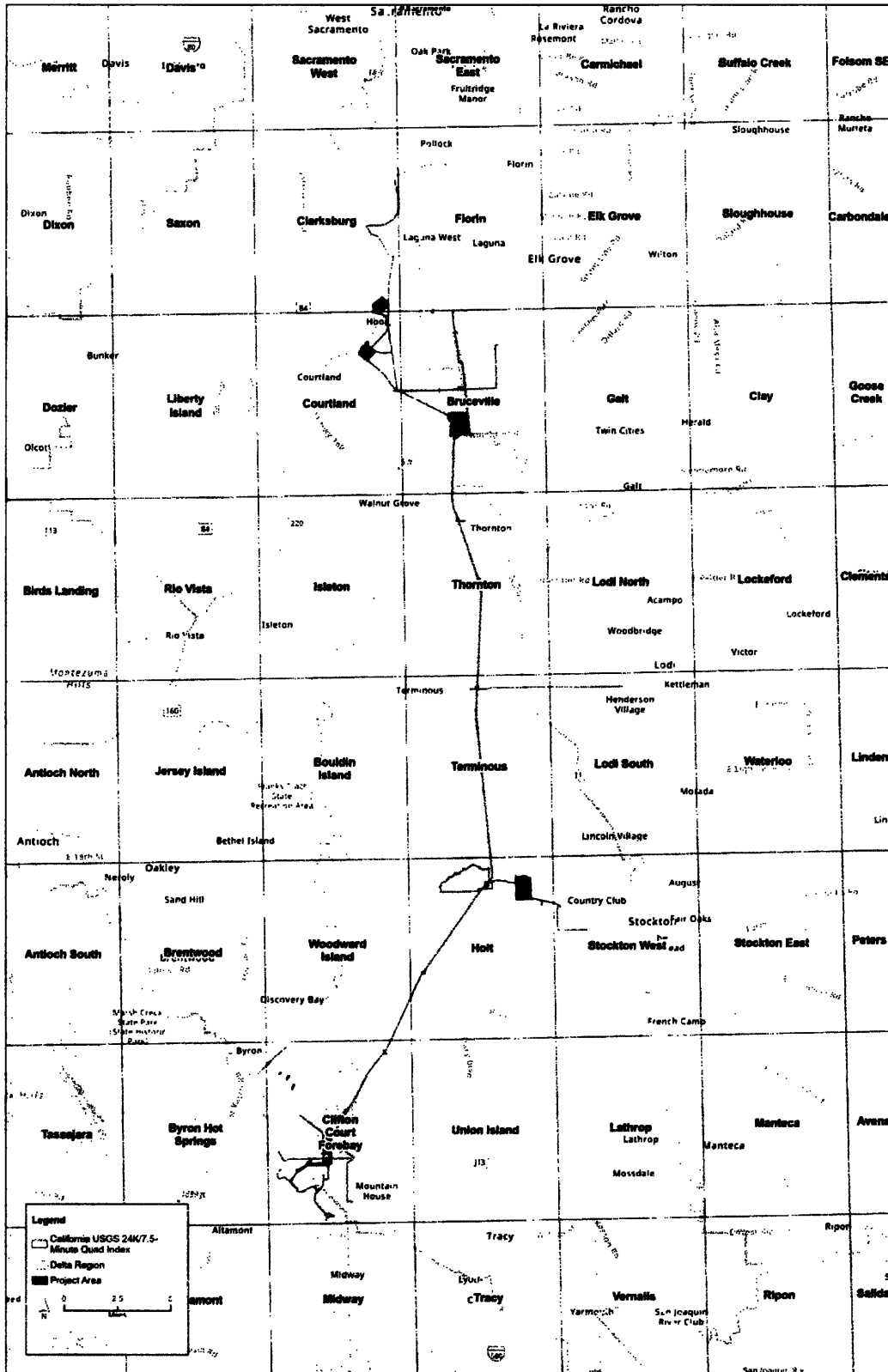


Figure 1. Project Location



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

Print



Save

RECEIPT NUMBER:
 59 — 12/21/2023 — 111
 STATE CLEARINGHOUSE NUMBER (If applicable)
 2020010227

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY California Department of Water Resources (DWR)	LEAD AGENCY EMAIL marcus.yee@water.ca.gov	DATE 12/21/2023
COUNTY/STATE AGENCY OF FILING OPR/SCH		DOCUMENT NUMBER

PROJECT TITLE

Delta Conveyance Project

PROJECT APPLICANT NAME Marcus Yee	PROJECT APPLICANT EMAIL marcus.yee@water.ca.gov	PHONE NUMBER (916) 651-6726
PROJECT APPLICANT ADDRESS 1516 9th St	CITY Sacramento	STATE CA
		ZIP CODE 95814

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- | | | | |
|---|------------|----|-----------------|
| <input checked="" type="checkbox"/> Environmental Impact Report (EIR) | \$3,839.25 | \$ | <u>3,839.25</u> |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,764.00 | \$ | <u>0.00</u> |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,305.25 | \$ | <u>0.00</u> |

- Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 Fee previously paid (attach previously issued cash receipt copy)

- | | | | |
|---|----------|----|-----------------------------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | <u>0.00</u> |
| <input type="checkbox"/> County documentary handling fee | | \$ | <u> </u> |
| <input type="checkbox"/> Other | | \$ | <u> </u> |

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other
 TOTAL RECEIVED
 \$ 3,839.25

SIGNATURE xAOwens Digitally signed by AOwens Date: 2023.12.21 14:44:13 -08'00'	AGENCY OF FILING PRINTED NAME AND TITLE Alexandra Owens, SCH CEQA Technician
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State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
 Accounting Services Branch
 P.O. Box 944209
 Sacramento, California 94244-2090

Notice of Determination

Appendix D

To: [X] 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

[] County Clerk
County of:
Address:

From: Public Agency: Department of Water Resources
Address: 1516 9th St, Sacramento, CA 95814

Contact: Marcus Yee
Phone: 916-699-8405

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): 2020010227

Project Title: Delta Conveyance Project Final EIR

Project Applicant: California Department of Water Resources

Project Location (include county): See Attachment 1 and Figure 1

Project Description: See Attachment 2

This is to advise that the California Department of Water Resources has approved the above (X Lead Agency or [] Responsible Agency)

described project on 12/21/2023 and has made the following determinations regarding the above described project.

- 1. The project [X] will [] will not] have a significant effect on the environment.
2. [X] 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 [X] were [] were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [] was not] adopted for this project.
5. A statement of Overriding Considerations [X] was [] was not] adopted for this project.
6. Findings [X] 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: 1516 9th St, Sacramento, CA 95814 or https://www.deltaconveyanceproject.com

Signature (Public Agency): Karla Nemeth Title: Director

Date: 12/21/2023 Date Received for filing at OPR: 12/21/2023

Attachment 1 Project Location

The project area consists of the construction footprint of the project facilities. The physical footprint of the Project would lie primarily within the boundaries of the statutorily defined Delta. Additionally, certain facilities that would be constructed under the Project would be located southeast of the statutory Delta (see Figure 1, Project Location).

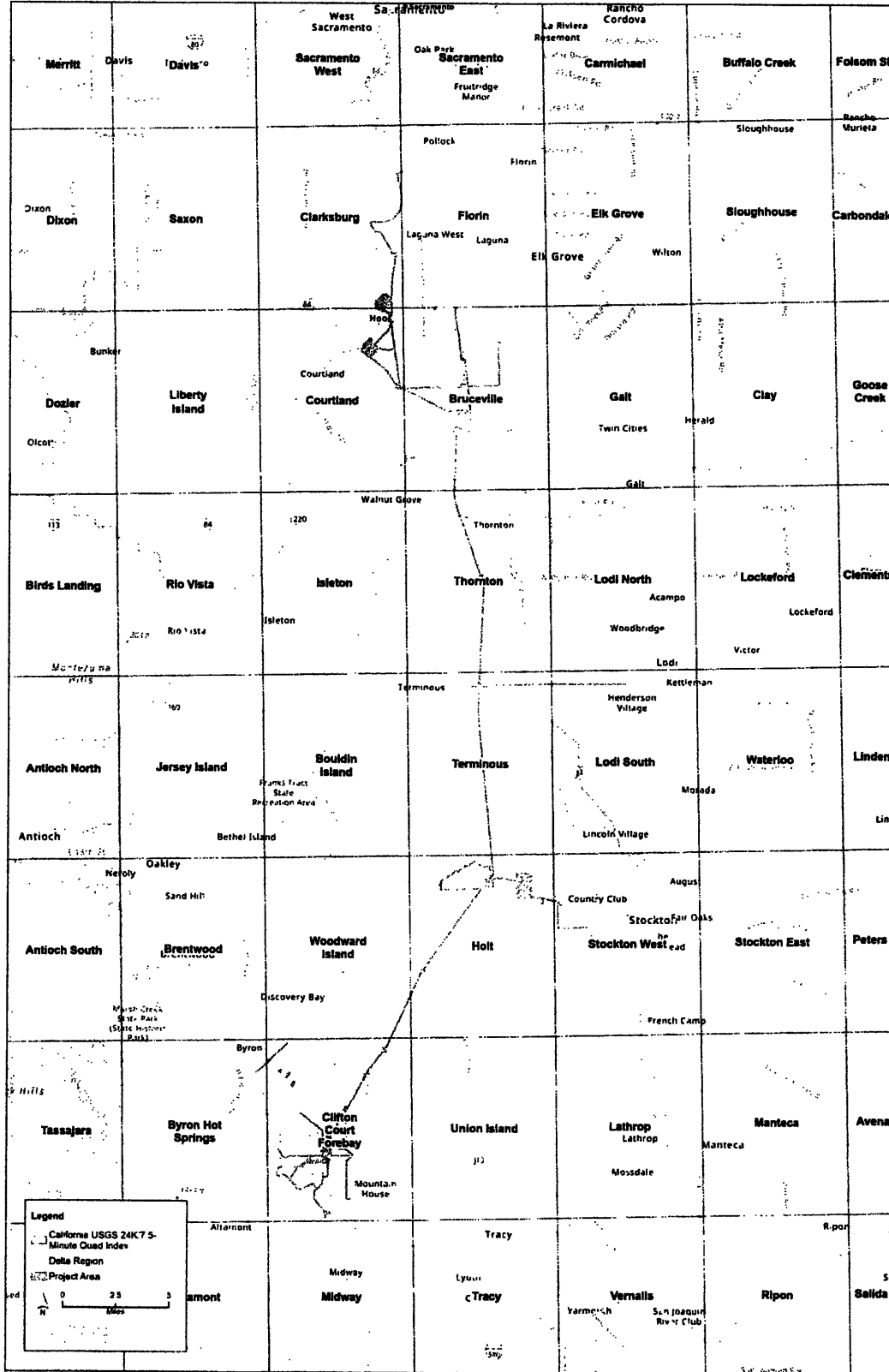


Figure 1. Project Location

Attachment 2 Project Description

The Project consists of the construction, operation, and maintenance of new State Water Project (SWP) water diversion and conveyance facilities in the Delta that would be operated in coordination with the existing SWP facilities.

The Project would include the following key components and actions.

- Two intake facilities along the Sacramento River in the north Delta near the community of Hood with on-bank intake structures that would include fish screens.
- A concrete-lined tunnel, and associated vertical tunnel shafts, to convey flow from the intakes about 45 miles to the south to the Bethany Reservoir Pumping Plant and Surge Basin at a location south of the existing SWP Clifton Court Forebay.
- A Bethany Reservoir Pumping Plant to lift the water from inside the tunnel below ground into the Bethany Reservoir Aqueduct for conveyance to the Bethany Reservoir Discharge Structure and into the existing Bethany Reservoir.
- Other ancillary facilities to support construction and operation of the conveyance facilities including, but not limited to, access roads, concrete batch plants, fuel stations, and power transmission and/or distribution lines.
- Efforts to identify geotechnical, hydrogeologic, agronomic, and other field conditions that will guide appropriate construction methods and monitoring programs for final engineering design and construction.

Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives*, of the Final Environmental Impact Report (EIR) provides further information on the above components and actions and related activities required as part of the Project (e.g. park-and-ride lots).

The EIR evaluates Project operations based on the Project design and what was known and reasonably foreseeable when the EIR was prepared, but DWR acknowledges that: (1) operations will not occur for well over 15 to 20 years due, in part, to the time required to complete construction of the project, and (2) new information of substantial importance or substantial changes could occur with respect to Project design or the circumstances under which the Project is undertaken. Under these conditions, prior to the commencement of operations, DWR would evaluate whether subsequent CEQA review is required before undertaking any discretionary actions that may be required to change Project design or operational criteria such that they are sufficiently protective to environmental resources.