

**Notice of Determination**

*Appendix D*

**TO:**

Office of Planning and Research

*For U.S. Mail:*

P.O. Box Box 3044

Sacramento, CA 95812-3044

*Street Address:*

1400 Tenth Street

Sacramento, CA 95814

County Clerk

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

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

\_\_\_\_\_

**FROM:**

Public Agency: \_\_\_\_\_

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

\_\_\_\_\_

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

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

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): \_\_\_\_\_

Project Title: \_\_\_\_\_

Project Location (include county): \_\_\_\_\_

Project Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This is to advise that the \_\_\_\_\_ has approved the above described

( Lead Agency or  Responsible Agency)

project on \_\_\_\_\_ 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:

Signature (Public Agency) \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_ Date Received for filing at OPR: \_\_\_\_\_

Authority cited: Section 21083, Public Resources Code.

Reference: Sections 21000-21174, Public Resources Code.

**Revised 2005**

## **Project Description**

The proposed project, or action, is the Department of Water Resources' (DWR) on-going and long-term operation of the State Water Project (SWP) in the manner consistent with the protection and conservation of the longfin smelt (*Spirincus thaleichthys*) in compliance with the California Endangered Species Act (CESA) as authorized by the California Department of Fish and Game (DFG) through issuance of a permit for take of longfin smelt under Section 2081 of CESA (California Fish and Game Code Section 2081). The action consists of operation of SWP facilities consistent with certain actions identified in the U.S. Fish and Wildlife Service Delta Smelt Biological Opinion of the Operating Criteria and Plan for the Coordinated Operations of the Central Valley Project and State Water Project (USFWS 2008). The action includes operation of SWP facilities from December through June to protect adult longfin smelt migration and spawning and larvae and juvenile rearing. The protection of longfin smelt is achieved through operations undertaken during the same period to protect delta smelt which are sufficient for the protection of longfin smelt because of adaptive management provisions and the substantial overlap in timing and distribution of these species in the Sacramento-San Joaquin Delta. The specific operations are described in detail in Chapter 2, Project Description (see section titled Proposed State Water Project Operations for Protection of Longfin Smelt) in the attached Initial Study (IS). Additional monitoring measures are described in the Minimization Measures for SWP Operations section of the IS.