

**CEQA DECISIONS REGARDING
THE JUVENILE SALMONID COLLECTION SYSTEM PILOT PROJECT
FINAL MITIGATED NEGATIVE DECLARATION
[SCH. 2022050544]**

**ADOPTION OF THE FINAL MITIGATED NEGATIVE DECLARATION; APPROVAL OF
THE PROJECT; AND EXECUTION OF A NOTICE OF DETERMINATION**

If, after review and consideration of the Final Mitigated Negative Declaration (MND) for the Juvenile Salmonid Collection System Pilot Project (Project), attached as Exhibit A, you decide that DWR can adopt the Final MND as being in compliance with the California Environmental Quality Act (CEQA), you should indicate that decision by adopting the Final MND in accordance with the following statutes and regulations as stated below:

ADOPTION OF THE FINAL MND

Section 21082.1(c) of the Public Resources Code states:

The lead agency shall do the following:

- (1) Independently review and analyze any report or declaration required by this division.*
- (2) Circulate draft documents that reflect its independent judgement.*
- (3) As part of the adoption of a mitigated negative declaration, find that the report or declaration reflects the independent judgement of the lead agency.*

Section 15070 of the CEQA Guidelines states:

A public agency shall prepare or have prepared a proposed negative declaration or mitigated negative declaration for a project subject to CEQA when:

- (a) The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or*
- (b) The initial study identifies potentially significant effects, but:*
 - (1) Revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and*
 - (2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.*

Section 15074(b) of the CEQA Guidelines states:

(b) Prior to approving a project, the decision-making body of the lead agency shall consider the proposed mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed mitigated negative declaration only if it finds on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment and that the mitigated negative declaration reflects the lead agency's independent judgement and analysis.

Compliance with CEQA

I find that the Final MND, attached as **Exhibit A**, has been completed in compliance with CEQA, that DWR is the lead agency for the Final MND, that the Final MND was presented to me in my capacity as DWR's decision-maker, and that the Final MND reflects DWR's independent judgement and analysis. I have reviewed and considered the information contained in the Final MND, including the initial study, proposed MND and comments received during the public review process and responses to those comments, prior to approval of the Project.

Mitigation Measures Part of a Project Before Public Review

There is no substantial evidence that the Project may have a significant impact on the environment. To the extent that measures are necessary to mitigate the effects of the Project to a point where there is no substantial evidence that the Project may have a significant impact on the environment, these measures were included as revisions in the Project plan or proposals before the initial study and proposed mitigated negative declaration were released for public review.

Changes to Mitigation Measures

To the extent that changes have been made to the mitigation measures proposed in the IS/proposed MND, they clarify, amplify or make insignificant modifications

Therefore, I hereby adopt the Final MND, attached as **Exhibit A**.

Randy Beckwith
Randy Beckwith, Senior Engineer
Division of Regional Assistance
Department of Water Resources

8/8/2022
Date

ADOPTION OF MITIGATION, MONITORING, AND REPORTING PROGRAM; APPROVAL OF THE PROJECT; AND EXECUTION OF A NOTICE OF DETERMINATION

If after review and consideration of the adopted Final MND, you desire to move forward with the Project, you should adopt the Mitigation, Monitoring, and Reporting Program (MMRP), attached as **Exhibit B**, approve the Project pursuant to CEQA, and authorize the execution and filing of the Notice of Determination (NOD), attached as **Exhibit C**.

1. Adoption of the Mitigation, Monitoring, and Reporting Program

Section 21081.6(a)(1) of the California Public Resources Code (PRC) and Section 15097 of the State CEQA Guidelines require a public agency to adopt a reporting and monitoring program on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental impacts on the physical environment.

Section 15074 of the CEQA Guidelines states:

(d) When adopting a mitigated negative declaration, the lead agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects.

DWR has prepared a MMRP for the Project, attached as **Exhibit B**, that meets the requirements of CEQA. In accordance with CEQA, I hereby adopt the MMRP.

2. Approval of the Proposed Project and Execution of a Notice of Determination

I have determined that there is no substantial evidence that the Project may have a significant impact on the environment. Therefore, after considering the adopted Final MND, including all issues raised by commenters and in conjunction with adopting the MMRP, attached as **Exhibit B**, I approve the Juvenile Salmonid Collection System Pilot Project.

As required under CEQA Guidelines, section 15075, I further direct DWR staff to complete, execute, and file the Notice of Determination, attached as **Exhibit C**, with the State Clearinghouse, Governor's Office of Planning and Research (OPR) within five (5) business days of this decision to approve the project and to pay any necessary Department of Fish and Wildlife filing fee at the time of filing the NOD with OPR.

Randy Beckwith

Randy Beckwith, Senior Engineer
Division of Regional Assistance
Department of Water Resources

8/8/2022

Date

As required by CEQA Guidelines Section 15091(e), the custodian and location of the Final MND and other documents or other materials which constitute the record of the proceedings are as follows:

Special Restoration Initiatives

Division of Regional Assistance

Department of Water Resources

715 P Street, Sacramento, CA 95814

Other documents included in the record of the proceedings may be found in other locations, but can be obtained by contacting the custodian of record identified above

Attachment(s):

Exhibit A Final MND

Exhibit B Mitigation, Monitoring and Reporting Program

Exhibit C Notice of Determination