

Notice of Determination**- 1 -****To:**Office of Planning and Research
For U.S. Mail:

P.O. Box 3044

Sacramento, CA 95812-3044

Street Address:1400 Tenth Street
Sacramento, CA 95814**From:**Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 95434
Contact: Will Kanz
Phone: (707) 337-1187**Lead Agency**Santa Cruz County Resource Conservation
District (RCD)
820 Bay Ave., Ste. 128
Capitola, CA 95010
Contact: Ian Rowbotham
Phone: (650) 949-1453**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108****State Clearinghouse Number:** 2004112063**Project Title:** Mill Creek Lower Dam Removal Project (Lake or Streambed Alteration Agreement No. EPIMS-SCR-19754-R3)**Project Location (include county):** The Project is located at Mill Creek, a tributary to San Vicente Creek, on an 8500 acre property known as San Vicente Redwoods in Davenport, in the County of Santa Cruz, State of California; Latitude 37.04225, Longitude -122.16791; Assessor's Parcel Number 063-071-01**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number EPIMS-SCR-19754-R3, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Santa Cruz County Resource Conservation District (RCD).

The project is limited to the removal of a 2.3 foot wide by 30-foot-long concrete dam. The dam at 0.45 miles upstream of the confluence with San Vicente Creek is called the Mill Creek Lower Dam and was never used as a water supply for the town of Davenport and has suffered from structural integrity issues. Temporary diversion and dewatering will take place in order for construction to proceed. Vegetation removal will take place for temporary access. This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on May 12, 2021 and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will not have a significant effect on the environment. This determination is limited to effects within CDFW's permitting jurisdiction as a Responsible Agency.
2. CDFW considered the mitigated negative declaration / negative declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures were / were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan was / was not adopted by CDFW for this project.
5. A statement of overriding considerations was not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to California Code of Regulations section 15091.

The mitigated negative declaration / negative declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as Responsible Agency is available at CDFW's regional office.

DocuSigned by:

Signature Craig WeightmanDate: 8/18/2021

Craig J. Weightman, Environmental Program Manager

Date Received for filing at OPR: _____