

**Notice of Determination**



**To:**  
Office of Planning and Research  
For U.S. Mail:  
P.O. Box 3044  
Sacramento, CA 95812-3044

**From:**  
Department of Fish and Wildlife  
Bay Delta Region  
2825 Cordelia Road, Suite 100  
Fairfield, CA 95434  
Contact: Monica Oey  
Phone: (707) 428-2088

*Street Address:*  
1400 Tenth Street  
Sacramento, CA 95814

Lead Agency  
City of Santa Cruz  
212 Locust Street, Suite C  
Santa Cruz, CA 905060  
Contact: Heidi Luckenbach  
Phone: (831) 420-5214

**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108**

**State Clearinghouse Number:** 2018062071

**Project Title:** Newell Creek Dam (NCD) Inlet-Outlet Replacement Project (Streambed Alteration Agreement No. 1600-2019-0050-R3)

**Project Location:** The project is located at Newell Creek, a tributary to the San Lorenzo River, in the County of Santa Cruz, State of California; Latitude 37.101808, Longitude -122.072977 or Section 34, Township 9S, Range 2W, U.S. Geological Survey (USGS) map Felton; Assessor's Parcel Number 076-251-24.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Streambed Alteration Agreement number 1600-2019-0050-R3, pursuant to section 1602 of the Fish and Game Code to the project Applicant, The City of Santa Cruz Water Department.

Currently, the NCD inlet/outlet is reaching the end of its useful life. Specifically, the inlet/outlet pipe is deteriorating, one of the inlet/outlet gates is inoperable, and the emergency valve at the toe of the dam is partially closed and is inoperable. The proposed project will make repairs to the NCD inlet/outlet.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on 01/15/2020 and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project  will /  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 environmental impact report 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 /  was not adopted by CDFW for this project.
6. Findings  were /  were not made by CDFW pursuant to California Code of Regulations section 15091.

The final environmental impact report 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.

*Signature*  \_\_\_\_\_ *Date: January 16, 2020* \_\_\_\_\_  
Craig J. Weightman, Environmental Program Manager

Governor's Office of Planning & Research

Date Received for filing at OPR: JAN 17 2020

**STATE CLEARINGHOUSE**