

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:

California Department of Fish and Wildlife (CDFW)
 Bay Delta Region
 2825 Cordelia Road, Suite 100, Fairfield, CA 94534
 Contact: James Hansen
 Phone: (707) 576-2869

Lead Agency (if different than CDFW)
 City of Calistoga
 414 Washington Street, Calistoga, CA 94515
 Contact: Derek Rayner
 Phone: (707) 942-2828

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

State Clearinghouse Number: 2019089100

Project Title: Calistoga Riverside Ponds Relocation Project (California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2022-088-03 (ITP))

Project Location: The Calistoga Riverside Ponds Relocation Project (Project) is located along the Napa River and Simmons Creek within the City of Calistoga, County of Napa. The Project is located approximately 1.2 miles southeast of the intersection of Lincoln Avenue and Washington Street, City of Calistoga, at approximately 38.571349°N, -122.559073°W. The Project site is bounded by Dunaweal Lane to the east, agricultural land to the west, the Napa Valley Vine Trail to the north, and the Napa River to the south. The Project is located within the Calistoga, CA U.S. Geological Survey 7.5 Minute topographic quadrangle map and in Sections 5 and 6 of Township 8 North, Range 6 West.

Project Description: The Project is designed to protect riverside water treatment ponds and wastewater treatment plant infrastructure. The Project includes realignment of the Simmons Creek channel away from infrastructure, stabilization of Simmons Creek banks between the riverside ponds and the headworks structures, and stabilization of the adjacent active Napa River channel to protect the water treatment ponds and associated facilities from erosion. Project staging will occur in uplands on site and off site. The Project also includes relocating and replacing the four existing water treatment ponds with two new water treatment ponds and stabilizing and armoring the Oat Hill Mine Ditch tributary to the Napa River. Access will occur along an existing paved driveway that connects to Dunaweal Lane to the east.

The Project will result in impacts to 642 linear feet (0.164 acres) of California freshwater shrimp (*Syncaris pacifica*) habitat including permanent impacts to 130 linear feet (0.035 acres) and temporary impacts to 512 linear feet (0.129 acres). The Project is expected to result in incidental take of California freshwater shrimp, which is designated as an endangered species under CESA. The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation.

This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on 6/12/2024, and made the following determinations regarding the above-described project.

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. [An environmental impact report / A mitigated negative declaration] was prepared by the lead agency for the original project.
3. Additional 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 Public Resources Code § 21081(a). CDFW did, however, adopt findings to document its compliance with CEQA.

Notice of Determination

7. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):

Payment is submitted with this notice.

A copy of a receipt showing prior payment was submitted to CDFW.

Responsible Agency statement: The Mitigated Negative Declaration prepared by the lead agency for the Project is available to the general public at the office location listed above for the lead agency. CDFW's administrative record of proceedings related to the incidental take permit is available to the public for review at CDFW's regional office.

DocuSigned by:

Erin Chappell

Signature

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Date: 6/12/2024

Erin Chappell, *Regional Manager*

Date Received for filing at OPR: _____