



Gavin Newsom  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Samuel Assefa  
Director

## Memorandum

**Date:** July 24, 2024  
**To:** All Reviewing Agencies  
**From:** Samuel Assefa, Director  
**Re:** SCH # **2019119073**  
**Modifications to the MMRP for the CEQA IS/MND for Soil  
Investigations for Data Collection in the Delta**

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The Lead Agency requests to withdraw the above referenced project from review until further notice. Please disregard the Notice of Determination document posted on **January 10, 2023**.

**DEPARTMENT OF WATER RESOURCES**

1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 94236-0001 (916) 653-5791



July 10, 2024

Office of Planning and Research  
1400 Tenth Street  
Sacramento, California 95814

State Clearinghouse Number – 2019119073:

(1) June 30, 2022 Addendum to the IS/MND for Soil Investigations for Data Collection in the Delta (<https://ceqanet.opr.ca.gov/2019119073/11>); and

(2) June 30, 2022 Notice of Determination for the June 30, 2022 Addendum to the IS/MND for Soil Investigations for Data Collection in the Delta (<https://ceqanet.opr.ca.gov/2019119073/13>)

To Whom it may concern:

**PLEASE TAKE NOTICE:** On July 10, 2024, the Department of Water Resources (DWR) exercised its discretion to withdraw its adoption of the June 30, 2022 Addendum to the Initial Study/Mitigated Negative Declaration for the Soil Investigations for Data Collection in the Delta (2022 Addendum) because DWR has completed the last real property entry and associated soil investigation that will rely on the 2022 Addendum and the 2022 Addendum will not be used as CEQA compliance for any future real property entries or associated soil investigations. As DWR has withdrawn the 2022 Addendum, DWR requests that the Governor's Office of Planning and Research remove the 2022 Addendum and associated Notice of Determination filed with the Governor's Office of Planning and Research on June 30, 2022, from the State Clearinghouse website.

Should you have questions regarding the foregoing, please contact me at (916) 820-7637.

Sincerely,

*Chris Butcher*

Christopher Butcher, Attorney IV  
Office of the General Counsel



DEPARTMENT OF WATER RESOURCE'S ACTION WITHDRAWING THE JUNE 30, 2022 ADDENDUM TO THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR SOIL INVESTIGATIONS FOR DATA COLLECTION IN THE DELTA BECAUSE ALL PLANNED SOIL INVESTIGATIONS PURSUANT TO THE ADDENDUM HAVE BEEN COMPLETED

**Whereas**, on July 9, 2020, the Department of Water Resources (DWR) adopted the July 2020 Soil Investigations for Data Collection in the Delta (Project) Final Initial Study Mitigated Negative Declaration (IS/MND) and approved the Project;

**Whereas**, on February 19, 2021, DWR adopted an Addendum to the Initial Study/Mitigated Negative Declaration for the Soil Investigations for Data Collection in the Delta (2021 Addendum) and approved modifications to the Project described in the 2021 Addendum;

**Whereas**, on June 30, 2022, DWR adopted an Addendum to the Initial Study/Mitigated Negative Declaration for the Soil Investigations for Data Collection in the Delta (2022 Addendum) and approved the removal of 30 previously approved soil investigation sites and the addition of 30 modified soil investigation sites;

**Whereas**, on August 1, 2022, several parties filed a petition for writ of mandate under the provisions of the California Environmental Quality Act against the DWR challenging DWR's June 30, 2022, approval and adoption of the 2022 Addendum.

**Whereas**, after adopting the 2022 Addendum and litigation commenced challenging the 2022 Addendum, DWR proceeded with real property entries and associated soil investigations covered by the 2022 Addendum;

**Whereas**, as of December of 2023, DWR completed soil investigations on 28 of the 30 modified soil investigation sites included in the 2022 Addendum;

**Whereas**, based on the geotechnical data collected to date from the completed soil investigations and in consideration of DWR's December 21, 2023 certification of the Delta Conveyance Project Final Environmental Impact Report (EIR), DWR has determined that it has completed all soil investigations that will be pursued in reliance on the 2022 Addendum and the 2022 Addendum will not be used as CEQA compliance for any future real property entries or associated soil investigations;

**Whereas**, DWR maintains that the science that supported the analysis in the 2022 Addendum remains adequate and the conclusions in the 2022 Addendum complies fully with CEQA;

**Whereas**, because DWR has determined that it has completed all soil investigations that will be pursued in reliance on the 2022 Addendum, there is no longer an underlying project for which the 2022 Addendum is needed;

**Now therefore**, DWR takes the following action:

DWR, the lead agency under CEQA, hereby withdraws the 2022 Addendum and rescinds its June 30, 2022, approval of the two soil investigations that have not been completed under the 2022 Addendum (see attached map identifying the locations of the 2022 Addendum soil investigations that have not been completed). DWR has completed the last real property entry and associated soil investigation that will rely on the 2022 Addendum and the 2022 Addendum will not be used as CEQA compliance for any future real property entries or associated soil investigations.

DWR staff is directed to notify the Governor's Office of Planning and Research that DWR withdraws the 2022 Addendum and the Notice of Determination for the 2022 Addendum that was filed with the State Clearinghouse on June 30, 2022, pursuant to the requirements of the California Environmental Quality Act (CEQA).

*Carolyn Buckman*

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Carolyn Buckman, Environmental Program Manager  
California Department of Water Resources

July 10, 2024

Date