

# Notice of Determination

## Appendix D

**To:**

Office of Planning and Research  
*U.S. Mail:* \_\_\_\_\_ *Street Address:* \_\_\_\_\_  
 P.O. Box 3044 1400 Tenth St., Rm 113  
 Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk  
 County of: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

**From:**

Public Agency: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

Contact: \_\_\_\_\_  
 Phone: \_\_\_\_\_

Lead Agency (if different from above): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

Contact: \_\_\_\_\_  
 Phone: \_\_\_\_\_

***SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.***

State Clearinghouse Number (if submitted to State Clearinghouse): \_\_\_\_\_

Project Title: \_\_\_\_\_

Project Applicant: \_\_\_\_\_

Project Location (include county): \_\_\_\_\_

Project Description:

This is to advise that the \_\_\_\_\_ has approved the above  
 ( Lead Agency or  Responsible Agency)

described project on \_\_\_\_\_ and has made the following determinations regarding the above  
 (date)  
 described project.

1. The project [ will  will not] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [ were  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
5. A statement of Overriding Considerations [ was  was not] adopted for this project.
6. Findings [ were  were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Signature (Public Agency): Jeff Henderson Title: \_\_\_\_\_

Date: \_\_\_\_\_ Date Received for filing at OPR: \_\_\_\_\_

## NOTICE OF DETERMINATION (ATTACHMENT PAGE 1)

### Project Description

The Delta Plan, which is a long-term management plan for the Sacramento–San Joaquin Delta and Suisun Marsh (Delta) (defined in Water Code [Wat. Code] section 85058) prepared pursuant to the Sacramento–San Joaquin Delta Reform Act of 2009,<sup>1</sup> was adopted in 2013 and was last amended in 2018. The Project amends Chapter 4, Protect, Restore, and Enhance the Delta Ecosystem, of the Delta Plan to address a fundamental shift in how conservation is being planned and implemented in the Delta.

The Project consists of:

- ◆ An updated Chapter 4 of the Delta Plan narrative, including new and revised policies and recommendations that replace some recommendations that have been removed;
- ◆ Three regulatory appendices (Appendices 3A and 4A, which include new definitions; and Appendix 8A);
- ◆ Four technical appendices (Appendices Q1 through Q4); and
- ◆ An appendix updated with new and revised ecosystem performance measures pertinent to the coequal goal of protecting, restoring, and enhancing the Delta ecosystem and indicating performance measures that have been removed (Appendix E).

The Project analyzed in the PEIR also includes new mitigation measures as well as revisions to mitigation measures that were previously adopted and incorporated into the Delta Plan, as amended April 26, 2018, in order to incorporate updated formatting, best practices, and current standards, as relevant.

### Project Location

The location of the Proposed Project is defined by the purposes and uses of the Delta Plan, which are described in the Delta Reform Act, and for the purpose of this CEQA analysis includes the area affected by the Proposed Project, which consists of the Primary Planning Area and the Extended Planning Area. The “Primary Planning Area” is the Delta, which is defined in the Delta Reform Act (Wat. Code section 85058) as “the Sacramento–San Joaquin Delta as defined in [Wat. Code] section 12220, and the Suisun Marsh, as defined in section 29101 of the Public Resources Code.” The “Extended Planning Area” is defined by the watersheds that contribute flows to the Delta (including areas within the Delta watershed upstream of the Delta, and the Trinity River watershed) and areas of California with places of use receiving water from or conveyed through the Delta. The Primary and Extended Planning Areas for the PEIR are shown in Figure 1.

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<sup>1</sup> The Delta Reform Act is Division 35 of the Water Code.



Figure 1. Planning Areas for the Delta Plan Ecosystem Amendment PEIR  
 NOTICE OF DETERMINATION (ATTACHMENT PAGE 2)