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Notice of Determination

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
North Central Region
1701 Nimbus Road
Rancho Cordova, CA 95670
Contact: Gabriele Quillman
Phone: (916) 358-2955

Lead Agency:
Yuba Water Agency
122 F Street
Marysville, CA 95901
Contact: Tim Truong
Phone: (530) 740-7081

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

State Clearinghouse Number: 2020080441

Project Title: Cottage Creek Dam Modification Project (Lake and Streambed Alteration Agreement No. YUB-13128-R2)

Project Location (include county): The project is located at the Cottage Creek Dam, approximately one quarter mile upstream of New Bullards Bar Dam, in the County of Yuba, State of California; Latitude 39.393889°, Longitude -121.148333°; Assessor's Parcel Number 064-260-010-000.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number YUB-13128-R2, pursuant to section 1602 of the Fish and Game Code to the project Applicant, the Yuba Water Agency, as represented by Tim Truong.

The project consists of implementing several modifications to the existing Cottage Creek Dam to prevent potential future public safety issues associated with aging infrastructure. The modifications consist of removing the existing corrugated metal pipe spillway and downstream culvert, excavating a portion of the dam down to a lower elevation, and installing a large concrete box culvert sized to pass all Cottage Creek flows downstream past the Cottage Creek Dam and into New Bullards Bar Reservoir. This will result in the drainage of Cottage Creek Reservoir and conversion of the existing open water habitat into wetland and streambed. The portion of the dam embankment not impacted by the new box culvert will remain in place, as will the existing water treatment facilities.

This is to advise that CDFW, acting as a Responsible Agency, approved the above-described project on the date signed below 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.

Signature: DocuSigned by: Kelley Barker 778EDA8AE45F4C9... *Date:* 4/20/2021
Kelley Barker, Environmental Program Manager