

Notice of Determination

To:
Office of Planning and Research
[CEQA Submit](#)

From:
Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
Contact: Emily Galli
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Lead Agency
City of Santa Cruz - Water Department
212 Locust Street, Suite C
Santa Cruz, CA 96060
Contact: Jessica Martinez-McKinney
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Phone: (831) 420-5322

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

State Clearinghouse Number: 2021010166

Project Title: Newell Creek Pipeline (NCP) Improvement Project Phase 1 (Lake or Streambed Alteration Agreement No. EPIMS-SCR-31570-R3)

Project Location (Santa Cruz County): The project is located at Zayante Creek, a tributary to the San Lorenzo River, accessed through Graham Hill Road and within existing City of Santa Cruz easements and road rights-of-way, in the County of Santa Cruz, State of California; Latitude 37.04969, Longitude -122.06572.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-SCR-31570-R3), pursuant to Fish and Game Code section 1602, to the project Applicant, City of Santa Cruz - Water Department, as represented by Jessica Martinez-McKinney.

The project is limited to pipeline crossing work at a single location along Graham Hill Road and within Zayante Creek associated with Phase 1 of the Newell Creek Pipeline (NCP) Improvement Project and temporary access road improvements at an unnamed tributary to Zayante Creek. Phase 1 of the Newell Creek Pipeline (NCP) Improvement Project includes replacement of 8.75 miles of the existing NCP with a new 24-inch ductile iron or polyvinyl chloride (PVC) pipeline. The purpose of the NCP is to convey untreated water from the City's water diversions to Loch Lomond Reservoir and water from the Reservoir to the City's Graham Hill Water Treatment Plant.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on March 22, 2024, 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 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** made a condition of CDFW's approval of the project.
4. A Mitigation Reporting or Monitoring Plan **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** made by CDFW pursuant to California Code of Regulations section 15091.

The Final EIR 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 a Responsible Agency is available at CDFW's regional office.

Signature:  **Date:** 5/28/2024
Craig J. Weightman, Environmental Program Manager

Date Received for filing at OPR: _____