

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:

Department of Fish and Wildlife (CDFW)
North Central Region
1701 Nimbus Road,
Rancho Cordova, CA 95670
Contact: CESA Desk
Phone: (916) 358-2900

Lead Agency:

City of Yuba City
1201 Civic Center Boulevard,
Yuba City, CA 95993
Contact: Katherine Willis
Phone: (530) 845-2438

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

State Clearinghouse Number: 2022010175

Project Title: Yuba City Wastewater Treatment Facility Outfall and Diffuser (California Endangered Species Act Incidental Take Permit No. 2081-2023-017-02 (ITP))

Project Location: The Yuba City Wastewater Treatment Facility Outfall and Diffuser (Project) is located in unincorporated Sutter County, California, approximately 5 miles south of Yuba City in the Feather River. The project is located within the U.S. Geological Survey (USGS) 7.5-minute Olivehurst quadrangle in Township 14 North, Range 03 East, Section 11, Mount Diablo Meridian at approximately latitude 39.07015, longitude -121.606381.

Project Description: This proposed project involves replacing an existing, damaged, wastewater outfall and diffuser by constructing a new outfall and diffuser. The existing diffuser will be abandoned in place, with the new diffuser located downstream of Shanghai Falls. The new diffuser structure will consist of 180 feet of new 36-inch welded steel pipe buried within the Feather River, with sixteen 12-inch diameter risers with ports extending above the riverbed.

The Project will result in impacts to a total of 0.628 acres of Spring-run Chinook salmon (*Oncorhynchus tshawytscha*) habitat, including temporary impacts to 0.559 acres and permanent impacts to 0.069 acres. The project is expected to result in incidental take of Spring-run Chinook salmon, which is designated as a threatened species under the California Endangered Species Act. 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 a responsible agency executed the above-described ITP on the date signed below and made the following determinations regarding the above-described project:

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. A mitigated negative declaration was prepared by the lead agency for the original project.
3. Additional mitigation measures were made a condition of CDFW's approval of the project.

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4. A mitigation reporting or monitoring plan was 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 Public Resources Code § 21081(a).
7. Proof of compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 was provided by a copy of a receipt showing prior payment was submitted to CDFW.

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:
Morgan Kilgour
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Signature

Date: 11/27/2024

Morgan Kilgour, *Regional Manager*