



State of California - Department of Fish and Wildlife  
**2022 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

RECEIPT NUMBER:  
 44 — 03/01/2022 — 070  
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY <b>San Lorenzo Valley Water District</b>	LEAD AGENCY EMAIL	DATE <b>03/01/2022</b>
COUNTY/STATE AGENCY OF FILING <b>Santa Cruz</b>	DOCUMENT NUMBER <b>069-22</b>	

PROJECT TITLE  
**Fall Creek Fish Ladder Project**

PROJECT APPLICANT NAME <b>San Lorenzo Valley Water District/Rick Rogers</b>	PROJECT APPLICANT EMAIL	PHONE NUMBER <b>(831) 430-4639</b>
PROJECT APPLICANT ADDRESS <b>13060 Hwy 9</b>	CITY <b>Boulder Creek</b>	STATE <b>CA</b>
		ZIP CODE <b>95006</b>

PROJECT APPLICANT (Check appropriate box)

Local Public Agency   
  School District   
  Other Special District   
  State Agency   
  Private Entity

CHECK APPLICABLE FEES:

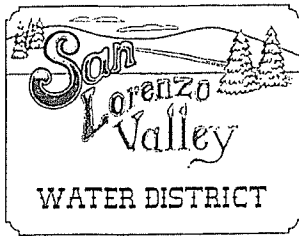
<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,539.25	\$	<u>0.00</u>
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,548.00	\$	<u>0.00</u>
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,203.25	\$	<u>0.00</u>
<input checked="" type="checkbox"/> Exempt from fee			
<input checked="" type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	<u>0.00</u>
<input checked="" type="checkbox"/> County documentary handling fee		\$	<u>50.00</u>
<input type="checkbox"/> Other		\$	<u>          </u>

PAYMENT METHOD:

Cash   
  Credit   
  Check   
  Other

TOTAL RECEIVED    \$ 50.00

SIGNATURE <b>X</b> <i>Emiko White</i>	AGENCY OF FILING PRINTED NAME AND TITLE <b>Emiko White, Administrative Aide</b>
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# SAN LORENZO VALLEY WATER DISTRICT

13060 Highway 9 • Boulder Creek, CA 95006-9119  
Office (831) 338-2153 • Fax (831) 338-7986  
Website: www.slvwd.com

## CERTIFICATE OF DETERMINATION OF EXEMPTION/EXCLUSION FROM ENVIRONMENTAL REVIEW

Project Title: Fall Creek Fish Ladder Project  
Project Location: Fall Creek, a tributary to San Lorenzo River  
Assessor's Parcel Numbers: 065-013-34  
City and County: City of Felton, Santa Cruz County

Received  
CLERK OF THE BOARD  
  
MAR 01 2022  
  
BOARD OF SUPERVISORS  
COUNTY OF SANTA CRUZ

### Description of Nature and Purpose of Project:

The San Lorenzo Valley Water District (District) currently operates a water diversion and fish ladder structure on Fall Creek, approximately 0.41 miles upstream of the confluence with the San Lorenzo River (Latitude 37.053223°N, Long - 122.079656°W), and approximately one-half mile from the town of Felton, California. The water diversion structure was constructed approximately 30 years ago as the primary water intake for the town of Felton. The fish ladder has been suffering from performance issues related to subsurface piping below the existing concrete slabs. In addition, under low flow conditions, the average drop height between existing concrete and timber flashboard weirs is approximately 18 inches, impeding passage of juvenile and adult salmonids.

Proposed project activities include improvements to the existing fish ladder through modifying the four existing concrete weirs; constructing two additional concrete weirs downstream of the existing weirs to meet new design profile (12-inch vertical drops); and placing concrete grade control weir upstream of intake screen. These actions would reduce average drop height and concentrate flow toward the center of the channel and promote plunging flow into the pool and help maintain sediment transport through the pool.

The proposed project would not result in expansion of use. Project implementation would improve fish passage conditions of the fish ladder to be consistent with the fish passage variance issued by National Marine Fisheries Service (NMFS) and California Department of Fish and Wildlife (CDFW) (dated April 19, 2019). Proposed activities would not alter the amount of water intake being diverted to the town of Felton.

### Name of Person, Board, Commission or Department Proposing to Carry Out Project:

Santa Cruz County Resource Conservation District

### EXEMPT STATUS:

- CEQA Categorical Exemption, Class 1 California Public Resources Code § 15301
- CEQA Categorical Exemption, Class 2 California Public Resources Code § 15302
- CEQA Categorical Exemption, Class 33 California Public Resources Code § 15333

THIS NOTICE HAS BEEN POSTED AT THE CLERK  
OF THE BOARD OF SUPERVISORS OFFICE FOR A

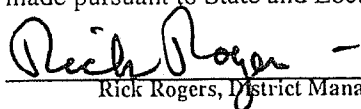
### REMARKS: See next page.

Rick Rogers (831) 430-4624  
Contact Person: Telephone:  
3/1/2022

PERIOD COMMENCING 3/01/2022  
AND ENDING 3/31/2022

Date of Determination:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

  
Rick Rogers, District Manager

## **PROJECT DESCRIPTION:**

### Existing Conditions

The District's Fall Creek Fish Ladder currently consists of four concrete weirs spanning the entirety of the channel (see attached Exhibit for 65% design drawings). The diverted water is pumped up the bank to the District's distribution pipes. The distribution pipes are covered by a layer of rock slope protection which extends from the toe of the slope to the top of bank.

### Project Description

The District proposes to improve fish passage conditions through minor modification of the existing fish ladder located on Fall Creek. The proposed project footprint includes 0.049 acres of stream channel, 0.044 acres of riparian habitat and an additional 0.16 acre of temporary staging/stock piling along Fall Creek Road. The project will include the following project actions, with additional details provided in the attached Exhibit.

- Remove the intake pipes, pumps, screens and concrete pad, laying back slope in vicinity of existing access stairs and intake pipes to improve slope stability and provide temporary access for construction.
- Modify the four existing concrete weirs and constructing two additional concrete weirs downstream of the existing weirs to meet new design profile with 12-inch vertical drops.
- Construct grade control weir upstream of the intake screens.
- Excavate approximately 300 cubic yards (cyd) of sediment from the creek bed.
- Grade slope to lower the existing intake screen system by 3.1 feet (ft).
- Replace associated distribution pumps and pipes.
- Remove approximately 25 cyd (approximately 231 ft<sup>2</sup>) of existing rock slope protection and install 81 cyd of ¼ ton rock slope protection along newly graded slope, mostly above the 100-year water surface.
- Replace existing ladder, catwalks, and railings to maintain access for operations and maintenance.
- Remove existing 6-inch diameter water line from the site and rerouting it to the underside of the existing pedestrian bridge.
- Upgrade existing foundation elements along existing concrete walls and weirs that may be exposed during excavation work.

### Construction Sequence

The following is an inclusive list of all construction related activities that would occur during a 20-week period between June 15 and October 15, 2021.

1. Establish staging area next to Fall Creek Road.
2. Install BMPS, erosion control, silt fencing, etc.
3. Install on-site concrete wash out area with silt fence along downslope perimeter.
4. Remove the existing sand filter and associated concrete foundation, remove the water distribution pipe and associate valves.
5. Qualified biologist will install block nets and relocate aquatic organisms from the work area.
6. Install diversion dam, sufficient to create 12-inches of freeboard with screened pipe passing design flow, upslope of project area.
7. Begin demolition.
8. Perform grading of slope.
9. Form and pour concrete for weirs and other improvements.
10. Apply sealant to concrete or allow concrete to cure.
11. Install new piping, stairway, screens, pumps, weir plates.
12. Install rock slope protection.
13. Remove existing portions of the existing piping for connection to the new distribution pipes.
14. Remove the existing concrete stairs; and 12-inch diameter steel pipe.
15. Remove 8-inch diameter corrugated metal pipe and valves and re-align.
16. Remove 24-inch tree stump.
17. Relocate 6" pipe to bridge.

18. Install new pump controls and lighting.
19. Seed all disturbed areas not receiving rock treatments with a native seed mix and covered with weed-free straw mulch to a depth of 1.5 inches.
20. Remove temporary stream diversion with biologist present.

#### Construction Monitoring

The District will provide a qualified fish biologist to install the block nets and be present during cofferdam construction and dewatering, and remain on call and or on site as needed in case issues arise until the project is completed, at which point the biologist would monitor the removal of the cofferdam and channel re-watering. The fish biologist will ensure all permit conditions are implemented during the proposed activities.

#### Post Construction Monitoring

The District will conduct visual inspections once every two weeks for a full first year after construction is complete. Each subsequent year, the District will conduct visual inspections on an annual basis. During storm events, the District will provide daily inspections for to keep the ladder operable during optimum salmonid passage conditions. Typical inspections may be performed remotely, through use of video cameras, provided that the cameras are positioned to view all weirs, pools, and screens to ensure the absence of obstructions. Storm event inspections will be performed in person. Inspection logs will be maintained for all inspections, whether performed in person or by way of video.

#### Maintenance and Operation

##### Minor Maintenance

Minor maintenance activities include removal of up to 1 cyd of sediment and debris from channel during routine inspections (described above). The debris removal activities will maintain favorable passage conditions and fish ladder function. Maintenance activities will be implemented with hand tools only. No fish relocation and/or dewatering will occur during minor maintenance of fish ladder.

##### Major Maintenance

Large-scale maintenance includes removal of up to 200 cyd of sediment and debris from the channel. Large-scale fish ladder maintenance would occur at most twice during a 5 year period. Prior to major maintenance the District would implement fish relocation activities, including the installation of temporary block nets upslope and downslope of project area and relocation of fish by a qualified biologist. All maintenance and fish relocation will be conducted in accordance with all applicable permit conditions.

#### **REMARKS:**

As described below, the project meets the CEQA criteria for exemption from environmental review under Class 1 (15301) Existing Facilities; Class 2 (15302) Replacement or Reconstruction; Class 3 (15303) New Construction or Conversion of Small Structures; and Class 33 (15333) Small Habitat Restoration Projects.

##### Class 1 Categorical Exemption 15301 – Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use.

Example of a Class 1 exemption from 2020 CEQA Guidelines:

(i) Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, streamflows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources.

*The proposed project consists of minor alteration to an existing fish ladder to be consistent with the fish passage variance issued by National Marine Fisheries Service and California Department of Fish and Wildlife. There would be no expansion of use by the District or expansion in water diverted by the District as a result of the proposed improvements to fish passage.*

Class 2 Categorical Exemption 15302 Replacement or Reconstruction

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

(c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

*The proposed project would replace an existing fish ladder to be consistent with the fish passage variance issued by National Marine Fisheries Service and California Department of Fish and Wildlife. There would be no expansion of capacity of water diverted by the District as a result of the proposed project.*

Class 33 Categorical Exemption 15333 – Small Habitat Restoration Projects

Class 33 consists of projects not to exceed five acres in size to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife provided that:

- (a) There would be no significant adverse impact on endangered, rare or threatened species or their habitat pursuant to section 15065.
- (b) There are no hazardous materials at or around the project site that may be disturbed or removed.
- (c) The project will not result in impacts that are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The proposed project activities would disturb approximately 0.25 acres of ground, including temporary staging. The project would not result in a significant impact on endangered, rare or threatened species or their habitat. The project would improve habitat conditions for salmonid species. Temporary and localized impacts to sensitive habitats would be minimized by using hand labor, observing in-water construction work windows, and implementing construction-related best management practices. Construction would occur between June 15 and October 15, or prior to first stream flows, to accommodate in-water work windows for fish. Construction during the dry season would also minimize the potential for erosion and any construction-related effects on aquatic species. The District would implement all conservation measures required in project permits (e.g., 404/401 permits; biological opinions from USFWS and NMFS; Lake and Streambed Alteration Agreement from CDFW). Additionally, erosion control measures, such as silt fencing, fiber rolls, jute mats and mulch would be installed to further reduce the risk of sedimentation resulting from project activities.

The project does not have the potential to degrade the quality of the environment and would not substantially reduce the habitat or threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of any endangered, rare or threatened species; or eliminate important examples of the major periods of California history or prehistory.

(b) No hazardous materials are known to the site or project vicinity. The Hazardous Waste and Substances Sites (Cortese) List is a planning document that provides location of hazardous materials release sites. As of March 2020, there were no sites on the Cortese List located in the town of Felton or in Santa Cruz County.

(c) The project would not result in adverse impacts that are significant when viewed in connection with effects of past, current and probable future projects because all such projects would comply with requirements of regulatory permits issued for the purpose of protecting natural resources. There are no overlapping projects in the vicinity that would have environmental impacts to which the proposed project would contribute to a cumulative adverse impact. Short-term construction related impacts would last approximately 20 weeks during summer/fall months. The project would not adversely affect farmland, public services, geologic stability, soils, or increase health risks. Overall, the project would result in cumulatively beneficial improvements to spawning habitat for special-status fish.

The project does not have the potential to degrade the quality of the environment and would not substantially reduce the habitat or threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of any endangered, rare or threatened species; or eliminate important examples of the major periods of California history or prehistory.

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. *As described above, there are no unusual circumstances surrounding the proposed project that would suggest a reasonable possibility of a significant environmental effect. For all the above reasons, the proposed project is appropriately exempt from environmental review.*