

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 95434
Contact: Cristina Autry
Email: cristina.autry@wildlife.ca.gov
Phone: (209) 234-3453



Lead Agency
Reclamation District No. 2028
343 East Main Street, Suite 815
Stockton, CA 95202
Contact: David Forkel
Email: dforkel@dafconsultants.com
Phone: (510) 693-9977

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

State Clearinghouse Number: 2022030744

Project Title: Bacon Island Levee Rehabilitation Project (Streambed Alteration Agreement No. EPIMS-SJN-23093-R3)

Project Location (San Joaquin): The project is located at Connection Slough and Santa Fe Cut on Old River, in the County of San Joaquin, State of California; Latitude 37.941111, Longitude -121.547583.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-SJN-23093-R3), pursuant to Fish and Game Code section 1602, the project Applicant, David Forkel/Reclamation District #2028.

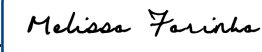
The project is limited to the north and south sides of Bacon Island's levee system (Connection Slough and Santa Fe Cut), approximately 3.5 miles in length total, to sustainably achieve the minimum requirements of the Bulletin 192-82 standard. Levee rehabilitation consists of widening and raising the levee crest, armoring the raised portion of the levee crest, flattening the landside levee slope, and placing an all-weather surface on the finished levee crest. Soil fill material may be sourced from within Bacon Island (on-site borrow) or as import from regional off-site commercial locations. Existing levee encroachments or penetrations within the levee such as siphon pipes, drainpipes, and unused structures or remnants of structures may be removed or relocated to facilitate the levee rehabilitation. Pipes within the borrow site will be avoided.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on July 8, 2022, 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** 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 not** made by CDFW pursuant to California Code of Regulations section 15091.

Notice of Determination

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

Signature:  _____ Date: _____
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Melissa Farinha, Environmental Program Manager

Date Received for filing at OPR: _____