

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
Contact: Tami Schane
Email: tami.schane@wildlife.ca.gov
Phone: (415) 710-0711



Lead Agency
Marin County Flood Control and Water
Conservation District
3501 Civic Center Drive, Room 304
San Rafael, CA 94903
Contact: Roger Leventhal
Email: rleventhal@marincounty.org
Phone: (415) 473-3249

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

State Clearinghouse Number: 2023030749

Project Title: Deer Island Basin Complex Tidal Wetland Restoration Project (Streambed Alteration Agreement No. EPIMS-MAN-42501-R3)

Project Location (Marin county): The project is located along three main areas of Novato Creek (Duck Bill Pond and Heron's Beak Pond, collectively referred to as the "Bird Ponds") and Farmers Basin. The project lies within the limits of the city of Novato, northeast of the State Route 37/U.S. 101 interchange.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-MAN-42501-R3), pursuant to Fish and Game Code section 1602, the project Applicant, Roger Leventhal/Marin County Flood Control and Water Conservation District.

The project is limited to Phase 1 of the Deer Island Basin Complex Tidal Wetland Restoration Project to restore tidal wetlands for special-status species and improve tidal connectivity to diked areas that were historically tidal wetlands along Novato Creek. The project includes channel widening and side channel creation in Novato Creek, lowering and breaching of levees at the Bird Ponds, levee raising and creation of an ecotone levee at Lynwood Levee and Farmers Basin, and restoration of tidal wetland habitat for special-status species.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on August 6, 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 **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** 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 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.

Notice of Determination

DocuSigned by:

Craig Weightman

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8/6/2024

Signature: _____

Date: _____

Craig Weightman, Environmental Program Manager

Date Received for filing at OPR: _____