

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: _____

From: (Public Agency): Sacramento-San Joaquin Delta
1450 Halyard Dr. Suite #6

West Sacramento, Ca 95691

(Address)

Project Title: Wetland Restoration Project on Staten Island

Project Applicant: The Nature Conservancy

Project Location - Specific:
38.121782, -121.503254

Project Location - City: Eagle Tree Project Location - County: San Joaquin County

Description of Nature, Purpose and Beneficiaries of Project:
The Wetland Restoration Project on Staten Island project will restore approximately 745.9 acres of fish and wildlife habitat, including about 241.4 acres of managed seasonal wetlands and about 504.5 acres of semi-permanent wetlands.

Name of Public Agency Approving Project: Sacramento-San Joaquin Delta Conservancy

Name of Person or Agency Carrying Out Project: _____

Exempt Status: (check one):


- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemptions. State code number: Section 21080.56

Reasons why project is exempt:
The Project is 1) intended to conserve, restore, protect, or enhance populations of California native fish and wildlife and the habitat on which they depend, and the Project will 2) restore and provide habitat for California native fish and wildlife. The Project 1) results in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery and 2) includes procedures and ongoing management for protection of the enviro.

Lead Agency Contact Person: Rachel Wigginton Area Code/Telephone/Extension: (916)634-3682

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  Date: Oct twenty-five Title: Board Chair
2023

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR: _____
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.



RESOLUTION NO. 2023-03

A RESOLUTION OF THE BOARD OF THE SACRAMENTO-SAN JOAQUIN DELTA CONSERVANCY FINDING THE WETLAND RESTORATION PROJECT ON STATEN ISLAND PROJECT EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Whereas, the Wetland Restoration Project on Staten Island Project (Project) will restore approximately 745.9 acres of fish and wildlife habitat, including about 241.4 acres of managed seasonal wetlands (i.e., flooded for at least six months annually for migratory birds) and about 504.5 acres of semi-permanent wetlands (i.e., drained only as needed for management and flooded for at least ten months annually as habitat for breeding shorebirds, waterfowl, and listed species); and

Whereas, Governor Newsom signed Senate Bill (SB) 155, on September 23, 2021, adding Section 21080.56 to California Public Resources Code; this section provides a new California Environmental Quality Act (CEQA) statutory exemption until January 1, 2025, for fish and wildlife restoration projects that meet certain requirements (SERP); and

Whereas, the Project does not have the potential to significantly affect the environment or otherwise present any unusual circumstances; and

Whereas, the Sacramento-San Joaquin Delta Conservancy is the lead agency for the Project, and its governing Board is the decision-making body for the Project; and

Whereas, the Sacramento-San Joaquin Delta Conservancy has determined the Project is both 1) intended to conserve, restore, protect, or enhance populations of California native fish and wildlife and the habitat on which they depend, and the Project will 2) restore and provide habitat for California native fish and wildlife; and

Whereas, the Sacramento-San Joaquin Delta Conservancy has determined that the project may have some incidental benefits to public health and safety; and

Whereas, the Sacramento-San Joaquin Delta Conservancy has determined that the Project does both of the following: (1) results in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and (2) includes procedures and ongoing management for the protection of the environment; and

Whereas, the Sacramento-San Joaquin Delta Conservancy has determined that the Project does not include any construction activities, except for construction activities solely related to habitat restoration; and

Whereas, consistent with Public Resources Code Section 21081.6(a)(2), the documents that constitute the

record for the Project may be viewed on the Sacramento-San Joaquin Delta Conservancy's website for 30 days or inspected at its office by any person.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE SACRAMENTO-SAN JOAQUIN DELTA CONSERVANCY AS FOLLOWS:

- a. The Board of the Sacramento-San Joaquin Delta Conservancy finds, based on the whole record before it in its independent judgment, that the Project is exempt pursuant to Section 21080.56 of the California Public Resources Code, and that there are no exceptions, including unusual circumstances, that apply to the Project nor any evidence to suggest that the Project will have a significant effect on the environment; and
- b. The Board of the Sacramento-San Joaquin Delta Conservancy hereby authorizes and directs its staff to file a Notice of Exemption with the California State Clearinghouse; and
- c. The documents and materials that constitute the record of proceedings for this Resolution are located on the Delta Conservancy's website (<http://deltaconservancy.ca.gov/>).

PASSED, APPROVED, AND ADOPTED BY THE SACRAMENTO-SAN JOAQUIN DELTA CONSERVANCY BOARD THIS OCTOBER 25, 2023.

VOTE

Ayes: 7

Noes: 0

Abstentions: 0

Absent: 3



Mitch Mashburn, Board Chair