

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: NA

From: (Public Agency): Delta Protection Commission
2101 Stone Boulevard, Suite 200
West Sacramento, CA 95691

(Address)

Project Title: Sacramento-San Joaquin Delta National Heritage Area Management Plan

Project Applicant: NA

Project Location - Specific:

Contra Costa, Solano, Yolo, Sacramento, and San Joaquin Counties

Project Location - City: NA

Project Location - County: See above

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: Delta Protection Commission

Name of Person or Agency Carrying Out Project: Delta Protection Commission

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: PRC sections 21080 and 21084

Reasons why project is exempt:

Lead Agency

Contact Person: Blake Roberts Area Code/Telephone/Extension: 530-650-6572

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: *Dan Ray* Date: 4/3/2025 Title: Executive Director
Dan Ray (Apr 3, 2025 16:03 PDT)

▪ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Attachment – Notice of Exemption, Delta Protection Commission, Sacramento-San Joaquin Delta National Heritage Area Management Plan

This attachment provides an explanation of why the project is exempt from the California Environmental Quality Act (Cal. Public Resources Code Section 21000 et seq., “CEQA”).

The CEQA guidelines identify a variety of situations where California public agency actions are exempt from CEQA. This project falls under the statutory exemption process provided in the CEQA Guidelines Section 15061(b)(1), which states that CEQA review does not apply if “*the project is exempt by statute.*”

The CEQA Guidelines provide the following statutory exemption:

A project involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded does not require the preparation of an EIR or negative declaration but does require consideration of environmental factors. This section does not apply to the adoption of a plan that will have a legally binding effect on later activities (Cal. Code of Regulations Section 15262).

Consideration of Environmental Factors Consistent with Section 15262

The Delta Protection Commission (Commission) was directed by federal law (Public Law 116-9, Section 6001(a)(4)) to prepare the *Sacramento-San Joaquin Delta National Heritage Area Management Plan* (Plan). The Plan provides a framework of strategies to enhance the interpretation, preservation, and public awareness of the natural and cultural resources of the Sacramento-San Joaquin Delta (Delta). To further this general policy, the Plan provides an organized set of goals, objectives, and strategies. While future actions under the plan may involve projects subject to CEQA, approval of the Plan does not make these future projects inevitable. The approval of the plan does not constrain or limit how the Commission may carry out any future projects. The approval of the Plan does not include approval of any physical “on-the-ground” activities. All future work that could affect the physical environment would be subject to independent environmental review. The Plan explicitly states that:

If, or when, future projects of the NHA are developed that have a direct effect on cultural or natural resources in the region, the entity responsible for the individual project will review the project through appropriate pathways, such as the CEQA processes as applicable (Delta Protection Commission 2025:48).

This language is a prescriptive statement that means that the Commission and other public agency partners as relevant, shall not carry out physical work under the Plan that may be identified to implement the goals and strategies of the plan, without screening that work to determine if environmental review is required. For any future work that constitutes a CEQA

project, the Commission will either prepare a notice of exemption, a negative declaration, or an environmental impact report (in addition to satisfying any other applicable state and federal environmental laws and permitting requirements)

References Cited:

Delta Protection Commission. 2025. *Sacramento-San Joaquin Delta National Heritage Area Management Plan, Final Draft.*


NHA-Mgmt-Plan-NOE-2025-04-03


Final Audit Report


2025-04-03


Created:	2025-04-03
By:	Blake Roberts (adobe.roberts@delta.ca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAUu82idv1CQCfOr3WNESE0aa1AdjDVjZ

"NHA-Mgmt-Plan-NOE-2025-04-03" History


 Document created by Blake Roberts (adobe.roberts@delta.ca.gov)
2025-04-03 - 8:00:03 PM GMT

 Document emailed to dan.ray@delta.ca.gov for signature
2025-04-03 - 8:01:58 PM GMT

 Email viewed by dan.ray@delta.ca.gov
2025-04-03 - 8:07:08 PM GMT

 Signer dan.ray@delta.ca.gov entered name at signing as Dan Ray
2025-04-03 - 11:03:48 PM GMT

 Document e-signed by Dan Ray (dan.ray@delta.ca.gov)
Signature Date: 2025-04-03 - 11:03:50 PM GMT - Time Source: server

 Agreement completed.
2025-04-03 - 11:03:50 PM GMT