

**Notice of Determination****- 1 -**

To:	From:
<input checked="" type="checkbox"/> Office of Planning and Research <i>For U.S. Mail:</i>	California Department of Fish and Wildlife (CDFW) Bay Delta Region
P.O. Box 3044	2825 Cordelia Road, Suite 100, Fairfield, CA 95434
Sacramento, CA 95812-3044	Contact: Melissa Farinha
	Phone: (707) 944-5579
<i>Street Address:</i>	Lead Agency
1400 Tenth Street	San Joaquin Area Flood Control Agency
Sacramento, CA 95814	22 East Weber Avenue, Room 301, Stockton, CA 95202
	Contact: Chris Elias
	Phone: (209) 937-8866

**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108**  
State Clearinghouse Number: 2014062079

Project Title: Smith Canal Gate Project [Amendment No. 1 to California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2018-077-03 (ITP)]

Project Location: The project is located at the mouth of Atherton Cove upstream to Smith Canal, a Perennial drainage and tributary to the San Joaquin River, City of Stockton, San Joaquin County, State of California; Latitude of 37.9579, Longitude: -121.3527; County Assessor's Parcel Numbers: 109-02-006, 133-06-001, and 121-040-27.

Project Description: The project consists of a Minor Amendment to CDFW's ITP No. 2081-2018-077-03 and consists of providing an allowance for pile driving within a wetted cofferdam.

This is to advise that CDFW, acting as [ the lead agency /  a responsible agency] approved the above-described project on 8/5/2020 and made the following determinations regarding the above described project:

- The project [ will /  will not] have a significant effect on the environment (This determination is limited to effects within CDFW's permitting jurisdiction as a responsible agency).
- [ An environmental impact report /  A negative declaration] was prepared by the lead agency for the original project.
- Additional mitigation measures [ were /  were not] made a condition of CDFW's approval of the project.
- A mitigation reporting or monitoring plan [ was /  was not] adopted by CDFW for this project.
- A Statement of Overriding Considerations [ was /  was not] adopted by CDFW for this project.
- Findings [ were /  were not] made by CDFW pursuant to Public Resources Code § 21081(a).
- Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):
  - Payment is submitted with this notice.
  - A copy of a receipt showing prior payment was submitted to CDFW.

Responsible Agency statement: The EIR prepared by the lead agency for the Project is available to the general public at the office location listed above for the lead agency. CDFW's administrative record of proceedings related to the incidental take permit is available to the public for review at CDFW's regional office.

DocuSigned by:  
*Gregg Erickson*  
Signature BE74D4C93C604EA... Governor's Office of Planning & Research Date: 8/5/2020

Gregg Erickson, Regional Manager **Aug 05 2020**

Date Received for filing at OPR: **STATE CLEARINGHOUSE**