

Notice of Determination

Appendix D

To:

Office of Planning and Research
 U.S. Mail: _____ Street Address: _____
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk
 County of: _____
 Address: _____

From:

Public Agency: California Department of Water
 Address: 3500 Industrial Blvd
 West Sacramento, CA, 95691
 Contact: Christopher Wilkinson
 Phone: (916) 873-4301

Lead Agency (if different from above): _____
 Address: _____
 Contact: _____
 Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2023060467

Project Title: Long-term Operation of the State Water Project

Project Applicant: California Department of Water Resources (DWR)

Project Location (include county): Various Counties. See Figure 1.

Project Description:

The California Department of Water Resources is proposing changes to the long-term operations of the State Water Project facilities in the Sacramento-San Joaquin Delta, Suisun Marsh, and Suisun Bay. Please see Attachment 1.

This is to advise that the California Department of Water Resources has approved the above
 (Lead Agency or Responsible Agency)

described project on August 22, 2025 and has made the following determinations regarding the above
 (date)
 described project.

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

The DWR website and the contact person listed above. <https://water.ca.gov/News/Public-Notices/2024/>

Signature (Public Agency): Lenny Grimaldo Title: Asst. Environmental Director

Date: 8/22/2025 Date Received for filing at OPR: _____

Attachment 1

Project Description and Purpose: DWR published an EIR and approved the long-term operations of the State Water Project (SWP) facilities in the Delta, Suisun Marsh, and Suisun Bay on September 28, 2024 to continue to provide water supply for agricultural, municipal, and industrial uses, along with benefits to the environment in compliance with all applicable laws and regulations, including contractual obligations. On November 4, 2024, the California Department of Fish and Wildlife issued an Incidental Take Permit pursuant to the California Endangered Species Act authorizing the incidental take of four fish species listed under the act and one candidate species. The Proposed Project included multiple elements that characterized long-term operations of SWP facilities, modified ongoing programs being implemented as part of SWP operations, improved specific activities to enhance protection of special-status fish species, and supported ongoing studies and research on these special-status species to improve the basis of knowledge and management of these species. DWR's EIR evaluated potential impacts associated with long-term operations of the SWP including:

1. Updated operating criteria, including operations of SWP facilities in the Delta such as pumps, the Suisun Marsh Salinity Control Gates, and the North Bay Aqueduct.
2. Operational measures that may be adopted to avoid, minimize, or mitigate impacts to listed species resulting from SWP long-term operations pursuant to the California Endangered Species Act.

DWR is proposing to amend its Incidental Take Permit and modify some components of its Suisun Marsh Facility operations to include the following:

- Off-ramp implementation of the September and October Fall X2 requirement (80 km) as described in the 2024 LTO ITP;
- Prior to the conclusion of the 60-day SMSCG action, DWR, in coordination with CDFW, will evaluate biological and physical conditions to determine if any additional SMSCG operation days in August would be necessary to support suitable rearing conditions through the end of September. Key biological and physical conditions considered include:
 - Salinity (1-6 PSU) and resulting habitat area
 - Delta Smelt distribution and abundance in context of FWS supplementation modeling memo (USFWS 2025a)
 - Food abundance;
- Operate to SWRCB D-1641 for September and October;
- Develop a science and funding plan for implementation of pilot food enhancement actions in WY 2026 to be scaled up through WY 2028, involving optimizing operations of managed wetlands during summer and fall to increase food export into the channels of Suisun Marsh;
- Commit funding to support additional hatchery production of Delta Smelt in WY 2026. Collectively, the revisions to the Summer-Fall Action are referred to hereafter as the Proposed Alternative Action; and
- Operate the SMSCG for three additional days in August from August 23 through August 25, 2025 following the 2025 SMSCG Gate Action.

No new infrastructure facilities are included in the proposed project and long-term SWP operations would not change DWR's water rights or affect the water rights of any other legal user of water.

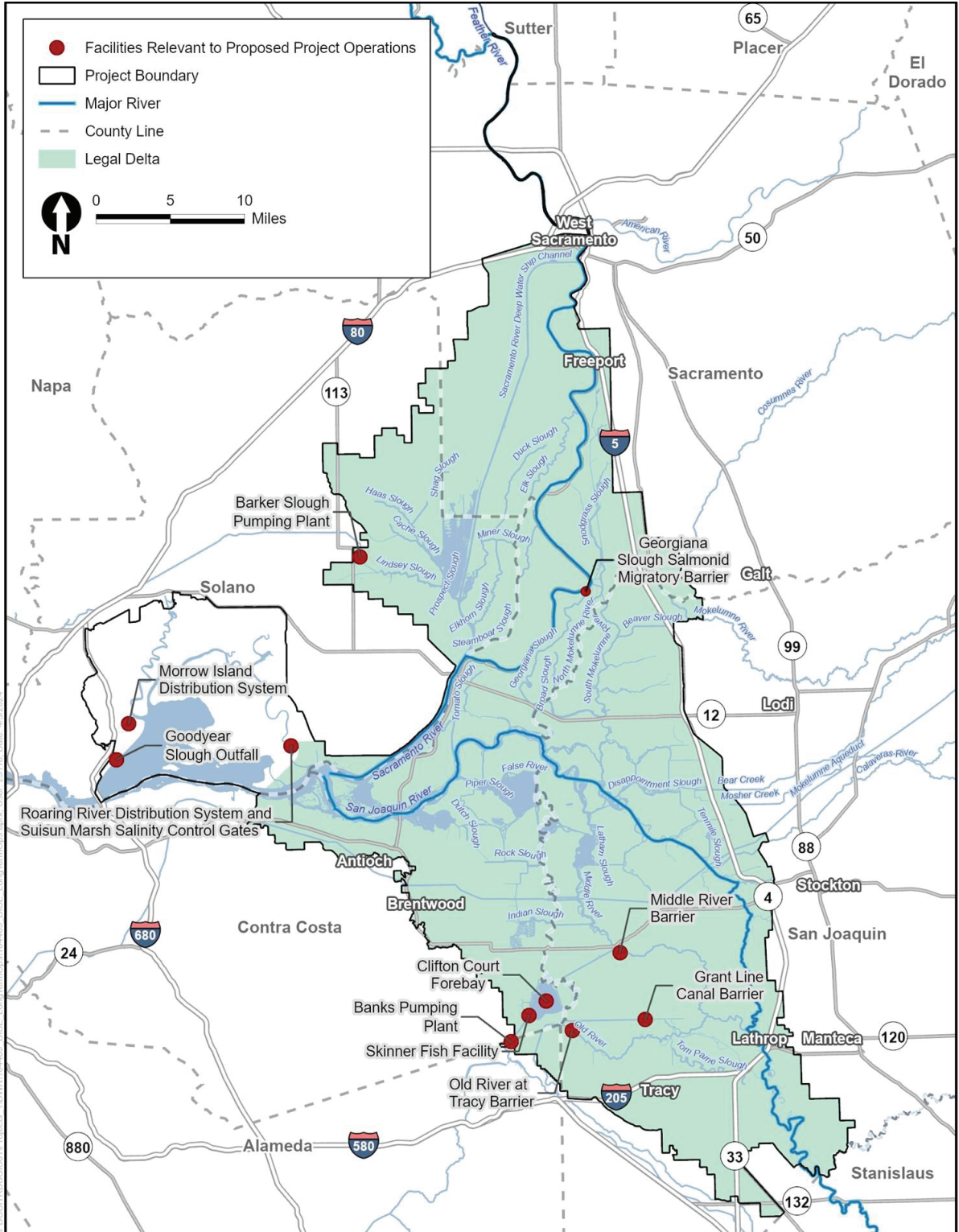


Figure 1 Locations of Facilities Relevant to Proposed Project Operations in the Delta, Suisun Marsh, and Suisun Bay