



Bay Delta Region
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To:

Office of Land Use and
Climate Innovation
[CEQA Submit](#)

From:

California Department of Fish and Wildlife
Bay Delta Region
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Fairfield, California 94534
Contact: Nick Wagner, Senior
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Lead Agency (if different than CDFW)
Napa County Flood Control and Water District
804 First Street
Napa, CA, 94559
Contact: Richard Thomasser, District Manager
Email: Richard.Thomasser@countyofnapa.org
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NOTICE OF DETERMINATION

Subject: Filing of Notice of Determination pursuant to Section 21108 of the Public Resources Code

State Clearinghouse Number: 1997044002

Project Title: Napa River/Napa Creek Flood Protection Project – Floodwalls North of the Bypass (California Endangered Species Act Incidental Take Permit No. 2081-2024-047-03 (ITP))

Project Location (Napa County): The Napa River/Napa Creek Flood Protection Project – Floodwalls North of the Bypass (Project) is located along the Napa River and Napa Creek in the City and County of Napa. The Project site is generally bounded by high density residential and commercial development to the east and west and the Napa River and associated riparian corridor to the north and south. The Project is located at the below three locations within Townships 5N and 6N, Range 4W, Sections 2, 3, 10, 34, and 35 of the Napa U.S. Geological Survey 7.5-minute quadrangle map:

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- Dry Bypass, located along Napa Creek, within and adjacent to the Oxbow Commons between Soscol Avenue and the Napa Valley Railroad at approximately 38.301509°N, 122.283898°W.
- Lincoln Avenue Bridge, located along the Napa River, between the intersections of Lincoln Avenue and Tonbridge Way to the west and Lincoln Avenue and Silverado Trail to the east at approximately 38.310433°N, 122.278000°W.
- Napa River Floodwalls, on the right (west) bank of the Napa River between approximately 38.319653°N, 122.282540°W at the upstream end and 38.305477°N, 122.282658°W at the downstream end, then a gap, and another section along the Dry Bypass and Napa Creek between approximately 38.302629°N, 122.283176°W and 38.300176°N, 122.285343°W.

Project Description: The California Department of Fish and Wildlife (CDFW) has issued an ITP (No. 2081-2024-047-03), pursuant to Section 2081 (b) of the Fish and Game Code, to Napa County Flood Control and Water District.

The Project includes the development of 19.76 acres of developed and undeveloped land into various flood control and associated structures. Project activities include the construction of floodwalls, an outfall, and associated structures at the Dry Bypass; the installation of rock scour protection around existing Lincoln Avenue Bridge (bridge) piles; the installation and removal of temporary work and access structures at the bridge; and the construction of floodwalls and portions of an adjacent pedestrian trail, including installation of gates and replacement of eight outfalls and other pipes at the Napa River Floodwalls. Dewatering and in-water work will occur at the Dry Bypass and Lincoln Avenue Bridge, respectively. No pile driving will occur during the Project.

All staging will occur on uplands and construction access will occur from existing surface streets.

The Project will result in impacts to 0.685 acres of longfin smelt (*Spirinchus thaleichthys*) and Delta smelt (*Hypomesus transpacificus*) habitat including temporary impacts to 0.641 acre; the Project will permanently remove 0.044 acre of longfin smelt and Delta smelt habitat. The project is expected to result in incidental take of longfin smelt, which is designated as a threatened species under the California Endangered Species Act (CESA) and Delta smelt, which is designated as an endangered species under CESA. The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on 3/11/2026, and has made the following determinations regarding the above-described project:

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. An environmental impact report **was** prepared by the lead agency for the original project.
3. Additional 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** made by CDFW pursuant to Public Resources Code § 21081(a).
7. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4: **A copy of a receipt showing prior payment was submitted to CDFW.**

The environmental impact report 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.

Signature:  _____ Date: 3/11/2026

Erin Chappell, Regional Manager