

Notice of Determination

To:

XX 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

XX County Clerk

County of: San Joaquin
Address: 44 North San Joaquin St., Suite 260
Stockton, CA 95202

From:

Public Agency: San Joaquin Area Flood Control Agency
Address: 22 East Weber Avenue, Suite 301
Stockton, CA 95202
Contact: Roger Churchwell
Phone: (209) 937-7900

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): 2014062079

Project Title: Addendum to Smith Canal Gate Project Final Environmental Impact Report

Project Applicant: San Joaquin Area Flood Control Agency

Project Location (include county): Atherton Cove adjacent to Louis Park, Stockton, San Joaquin County

Project Description:

The San Joaquin Area Flood Control Agency (SJAFCA), in partnership with Reclamation Districts 1614 and 828, is proposing the Smith Canal Gate Project (the "Project") to build, operate, and maintain a fixed wall with a gate structure near the mouth of Smith Canal. The Project is located in the vicinity of Smith Canal and the San Joaquin River in and adjacent to the city of Stockton, county of San Joaquin. SJAFCA is proposing to construct the wall and gate structure to remove the area from the 100-year floodplain and meet the Federal Emergency Management Agency's minimum acceptable level of performance of withstanding a 100-year flood, which is the regulatory standard specified by the National Flood Insurance Program.

An Addendum has been prepared pursuant to the California Environmental Quality Act (CEQA) to address design changes in the Project since SJAFCA approved the Project and certified the associated Final Environmental Impact Report on November 19, 2015 (the "2015 Final EIR"). Since certification of the 2015 Final EIR, SJAFCA's engineering team has proposed design changes and refinements to address specific project conditions and technical issues, including a revised wall alignment, a slight increase in the fixed-wall height, an increase in the size of tidal culverts, the addition of planter boxes with vegetation, an increase in the gate structure pile size and the number of pile strikes per day during construction, the addition of dolphin and fender piles, the addition of riprap in several locations, a single sheet pile flood wall along Dad's point instead of a reinforced concrete wall, and dredging in two additional locations. In addition, SJAFCA proposes eliminating an unnecessary gate control building and certain non-essential culverts. The changes and refinements are described in more detail in the Addendum.

This is to advise that SJAFCA, the CEQA Lead Agency for the Project, approved the above-described modifications to the Project and the Addendum to the 2015 Final EIR on November 16, 2017, and that SJAFCA has made the following determinations regarding Project:

1. SJAFCA is the CEQA Lead Agency for the Project.
2. SJAFCA prepared an Addendum to the 2015 Final EIR pursuant to CEQA Guidelines section 15164.
3. The Addendum to the 2015 Final EIR concluded that implementation of the design refinements would not require preparation of a subsequent or supplemental environmental impact report pursuant to California Public Resources Code section 21166 and CEQA Guidelines section 15162.
4. No new mitigation measures were made a condition of the approval of the Project.
5. A Mitigation Monitoring and Reporting Program was originally adopted for the Project in conjunction with certification of the 2015 Final EIR. No changes are required to the originally approved mitigation measures as a result of the modifications to the Project.
6. Findings of Fact and a Statement of Overriding Considerations were previously adopted for this Project but do not need to be modified as a result of the modifications to the Project.

This is to certify that the Addendum and the 2015 Final EIR for the Project are available to the General Public at: the SJAFCA office, located at 22 East Weber Ave., Suite 301, Stockton, CA 95202.

Signature (Public Agency):  Title: Acting Executive Director, SJAFCA

Date Signed: November 22, 2017 Date Received for filing at OPR: NOV 22 2017

Governor's Office of Planning & Research
NOV 27 2017
STATE CLEARINGHOUSE

Governor's Office of Planning & Research
NOV 27 2017
STATE CLEARINGHOUSE

FILED

Print Form

ASSESSOR RECORDER
COUNTY CLERK
STEVE

Notice of Determination

Appendix D

2015 NOV 19 PM 2:09

To:

☒ Office of Planning and Research
U.S. Mail: 1400 Tenth St., Rm 13
P.O. Box 3044 Sacramento, CA 95812-3044

From:

Public Agency: SJAFCA
Address: 22 East Weber Avenue, Room 301
Stockton, CA 95202
Contact: Roger Churchwell
Phone: (209)937-7900

☒ County Clerk

County of: San Joaquin
Address: 44 North San Joaquin Street, 2nd Floor
Suite 260, Stockton, CA 95202

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): 2014062079

Project Title: Smith Canal Gate ProjectProject Applicant: San Joaquin Area Flood Control Agency (SJAFCA)Project Location (include county): Atherton Cove adjacent to Louis Park, Stockton, San Joaquin County

Project Description:

The Smith Canal Gate Project, located in the vicinity of Smith Canal and the San Joaquin River in and adjacent to the city of Stockton, county of San Joaquin, will construct an 800-foot gated fixed wall structure from the north tip of Dad's Point to the right bank of the San Joaquin River. The structure will include a 50-foot-wide gate that will be closed during high flow events forecast to approach or exceed design operating water surface elevations. During high flow and tide events, the gate structure would isolate Smith Canal from the San Joaquin River and allow existing levees to function as a secondary flood risk-reduction measure.

This is to advise that the San Joaquin Area Flood Control Agency has approved the above
(☒ Lead Agency or ☐ Responsible Agency)

described project on November 19, 2015 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:

SJAFCA, 22 East Weber Avenue, Suite 301, Stockton, CA 95202-2317

Signature (Public Agency): J B Smith Title: Executive Director

Date: 11/19/2015 Date Received for filing at OPR: NOV 19 2015



State of California—Natural Resources Agency
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
2015 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT#

39-2015-000231

STATE CLEARING HOUSE # (If applicable)

2014062079

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY

SJAFCA

DATE

11/19/2015

COUNTY/STATE AGENCY OF FILING

San Joaquin

DOCUMENT NUMBER

N/A

PROJECT TITLE

SMITH CANAL GATE PROJECT

PROJECT APPLICANT NAME

SJAFCA

PHONE NUMBER

(209) 937-7900

PROJECT APPLICANT ADDRESS

22 EAST WEBER AVE ROOM 301

CITY

STOCKTON

STATE

CA

ZIP CODE

95202

PROJECT APPLICANT (Check appropriate box):



Local Public Agency



School District



Other Special District



State Agency



Private Entity

CHECK APPLICABLE FEES:



Environmental Impact Report (EIR)

\$3,069.75

\$

0.00



Mitigated/Negative Declaration (MND)(ND)

\$2,210.00

\$

2,210.00



Application Fee Water Diversion (State Water Resources Control Board only)

\$850.00

\$

0.00



Projects Subject to Certified Regulatory Programs (CRP)

\$1,043.75

\$

0.00



County Administrative Fee

\$50.00

\$

50.00



Project that is exempt from fees



Notice of Exemption (attach)



CDFW No Effect Determination (attach)



Other

\$

PAYMENT METHOD:



Cash



Credit



Check



Other

TOTAL RECEIVED

\$

2,260.00

SIGNATURE

Kelley Mchugh

PRINTED NAME AND TITLE

KELLEY MCHUGH - DEPUTY COUNTY CLERK

San Joaquin County Recorders

Steve J. Bestolandes
44 N. San Joaquin Street Room 260
Stockton, Ca 95202

Receipt: 0703314

Product	Name	Extended
CND	Clerk Negative Declaration	\$2 210 00
CCA	Clerk Admin Fee	\$50 00
Total		\$2 260 00

Tender (On Account (Charge or Prepay))	\$2 260 00
Account#	DC
Account Name	Debit Card
Balance	\$5 912 00
Comments	52998027

Thank You!

11/19/15 2:18 PM kmchugh

Payment Type: Credit
Card Type: Visa
Approval Code: 015614
Transaction Ref: 465323002210306

Card #: *****2249
Expiration Date: 11/11/11
Transaction Type: Purchase \$2260.00
Transaction Date: 11/19/15 2:17 PM PST
Payment Type: Credit
Card Type: Visa
Approval Code: 015612
Transaction Ref: 355323002225711

Counter Payment \$2260.00

Agency Account \$2260.00

LexisNexis Service Fee \$2.00

Net Fee \$2262.00

Total \$2262.00



State of California - Department of Fish and Wildlife

2017 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 01/01/17) Previously DFG 753.5a

RECEIPT NUMBER:
39-11222017-444STATE CLEARINGHOUSE NUMBER (If applicable)
2014062079

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY SAN JOAQUIN AREA FLOOD CONTROL AGENCY	LEAD AGENCY EMAIL	DATE 11/22/2017
COUNTY/STATE AGENCY OF FILING SAN JOAQUIN	DOCUMENT NUMBER 39-11222017-444	

PROJECT TITLE
ADDENDUM TO SMITH CANAL GATE PROJECT FINAL ENVIRONMENTAL IMPACT REPORT

PROJECT APPLICANT NAME SAN JOAQUIN AREA FLOOD CONTROL AGENCY	PROJECT APPLICANT EMAIL	PHONE NUMBER (209) 937-7900
PROJECT APPLICANT ADDRESS 22 E WEBER AVE SUITE 301	CITY STOCKTON	STATE CA
		ZIP CODE 95202

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	\$3,078.25	\$	
☐ Mitigated/Negative Declaration (MND)(ND)	\$2,216.25	\$	
☐ Certified Regulatory Program document (CRP)	\$1,046.50	\$	

☐ Exempt from fee☐ Notice of Exemption (attach)☐ CDFW No Effect Determination (attach)☒ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	
☒ County documentary handling fee		\$	\$50.00
☐ Other		\$	

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☒ Other

TOTAL RECEIVED \$ \$50.00

SIGNATURE

x Amy M Rivera

AGENCY OF FILING PRINTED NAME AND TITLE

Amy Rivera ,Deputy

