

By Deputy: jstevens

## 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: San Joaquin

Address: 44 North San Joaquin Street

Stockton, CA 95202

**From:**

Public Agency: Reclamation District No. 38

Address: P.O. Box 2382

Stockton, CA 95201

Contact: Martin Berber

Phone: (916) 441-6850

Lead Agency (if different from above):

Same

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): 2026060465

Project Title: Mokelumne River Confluence Multi-Benefit Project

Project Applicant: Reclamation District No. 38

Project Location (include county): Staten Island, San Joaquin County

**Project Description:**

The Project consists of approximately 21,600 linear feet of levee rehabilitation to the Delta-Specific PL 84-99 standard, construction of a setback levee between Stations 857+00 and 864+00, construction of a habitat bench above Mean Lower Low Water (MLLW), and establishment of approximately 1 acre of Delta Levee Waterside Habitat.

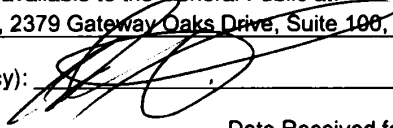
This is to advise that the Reclamation District No. 38 has approved the above  
(☒ Lead Agency or ☐ Responsible Agency)

described project on 08/11/2026 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:

Wagner & Bonsignore, 2379 Gateway Oaks Drive, Suite 100, Sacramento, CA 95833

Signature (Public Agency):  Title: President

Date: 08/11/2026

Date Received for filing at OPR:

**RECLAMATION DISTRICT NO. 38  
P.O. BOX 2382  
STOCKTON, CA 95201  
(916) 776-1531  
FAX (916) 776-1018**

**RESOLUTION NO. 2026-1**

**APPROVING AND ADOPTING A MITIGATED NEGATIVE DECLARATION ON THE  
ENVIRONMENTAL IMPACT OF THE MOKELUMNE RIVER CONFLUENCE MULTI-  
BENEFIT PROJECT**

WHEREAS, Reclamation District No. 38 (District) is a reclamation district organized and existing under California Water Code Sections 50000 et seq.; and

WHEREAS, as part of its duties as a reclamation district, the District operates and maintains the levee system surrounding Staten Island; and

WHEREAS, the District received funding from the California Department of Water Resources (Project Funding Agreement ST-24-1.0-SP) for the Mokelumne River Confluence Multi-Benefit Project (Project); and

WHEREAS, the Project seeks to rehabilitate the levee section along the South and North Mokelumne River from Station 822+00 – 1038+00 to the Delta Specific PL 84-99 Standard, construct a setback levee and habitat bench between Station 857+00 and 864+00, and enhance riparian habitat through native vegetation restoration; and

WHEREAS, the District's engineer has prepared an Initial Study and Mitigated Negative Declaration for the Project; and

WHEREAS, public Notice of Intent to adopt the Mitigated Negative Declaration for the Project was posted at the District office and with the San Joaquin County Clerk for the required 30 days, from June 10, 2026, to July 10, 2026; and

WHEREAS, the proposed Mitigated Negative Declaration was circulated (State Clearinghouse #2026060465) for the required 30 days for public review and comment, from June 10, 2026, to July 10, 2026; and

WHEREAS, at the meeting held on August 11, 2026, the District Board considered the comments received during the public review period, the Mitigated Negative Declaration and all of its supporting documentation.

NOW, THEREFORE, RECLAMATION DISTRICT NO. 38 hereby finds, determines and resolves as follows:

1. A Notice of Intent to adopt a Mitigated Negative Declaration was properly publicized within the meaning of 14 CCR 15072.
2. The Mitigated Negative Declaration was subject to proper public review as provided in 14 CCR

15073.

3. The Mitigated Negative Declaration was completed in compliance with the CEQA Guidelines.
4. The Board has considered all comments received during the public review process and that no further modifications to the Project are necessary or required.
5. The Board hereby finds and determines that there is no substantial evidence, in light of the whole record before it, that the approval of the Project may have a significant effect on the environment, and that the Mitigated Negative Declaration, attached hereto as Exhibit A and incorporated by reference herein, as provided for under Section 21080(c) of the Public Resources Code, is hereby approved; and that the Mitigated Negative Declaration reflects the Board's independent judgment and analysis.
6. The Board hereby approves and adopts the Mitigated Negative Declaration and authorizes and directs its President to execute the Mitigated Negative Declaration and cause the filing of a Notice of Determination with the San Joaquin County Clerk and State Clearinghouse.
7. A Mitigation, Monitoring and Reporting Program for reporting on or monitoring the changes which the Board has either required in the Project or made a condition of approval to mitigate or avoid significant environmental effects is provided in Exhibit B to this resolution and is hereby adopted.

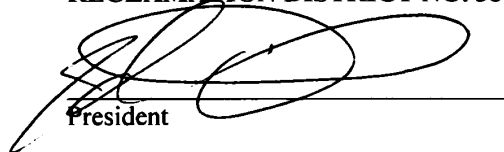
Approved and adopted this 11<sup>th</sup> day of August 2026, by the following vote:

AYES: 2 Directors: Jerred Dixon, Frank Holloway

NOES: Directors:

ABSENT: 1 Directors: Derek Hitchcock

**RECLAMATION DISTRICT NO. 38**

  
President

\*\*\*\*\*

I hereby certify that the foregoing is a full, true, and correct copy of a resolution passed and adopted by the Board of Trustees of Reclamation District No. 38 at a meeting held on August 11, 2026, and that this Resolution has not been revoked and is now in full force and effect.

  
District's Secretary

Date: 8-11-2026