

Notice of Determination

To:
Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
Sacramento, CA 95814

From:
Department of Fish and Wildlife
Bay Delta Region
7329 Silverado Trail, Napa, CA 94558
Contact: Kristin Garrison
Phone: 707-944-5534



Lead Agency
City of Milpitas
455 E. Calaveras Blvd.
Milpitas, CA 95035
Contact: Fernando Bravo
Phone: (408) 586-3328

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2011012016

Project Title: Wrigley, Ford, and Wrigley-Ford Creeks Routine Maintenance Project (Lake or Streambed Alteration Agreement No. 1600-2019-0280-R3)

Project Location: The Project is located on 3 creeks within Milpitas, Santa Clara County, California, 95035. The coordinates are 37°25'41" N latitude and 121°54'28" W longitude (NAD 83 or WGS 84). The Assessor's Parcel Numbers are 08626036, 08626032, 08626029, 08626030, 02823021, 02823019, 02823017, 02823011, 02823012, 02231030, 02231008, and 02231029.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number 1600-2019-0280-R3, pursuant to section 1602 of the Fish and Game Code to the project Applicant, City of Milpitas.

The Project includes annual vegetation and sediment removal to maintain 100-year event capacity. The maximum amount of annual vegetation removal for all three creeks is a total of 0.22 acres of riparian vegetation and 0.21 acres of wetland vegetation. Vegetation removal will occur through mowing, weed whacking, pruning, and/or herbicides. Within the eastern bank of Wrigley-Ford Creek, vegetation control will only include willow pruning. A maximum amount of annual sediment removal at culverts for all three creeks is a total of 200 cubic yards per year.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on August 20, 2020, and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

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. CDFW considered the mitigated negative declaration / negative declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures were / were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan was / was not adopted by CDFW for this project.
5. A statement of overriding considerations was not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to California Code of Regulations section 15091.

The mitigated negative declaration / negative declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as Responsible Agency is available at CDFW's regional office.

DocuSigned by:
Craig J. Weightman
Signature _____ **Date:** August 20, 2020
7988F6C4FDC24F2
Craig J. Weightman, Environmental Program Manager
Governor's Office of Planning & Research

Date Received for filing at OPR: _____ **Aug 20 2020**