

Notice of Determination

To:
Office of Planning and Research
[CEQA Submit](#)

From:
Department of Fish and Wildlife
Region 3
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Fairfield, CA 94534
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Lead Agency
Santa Clara Valley Habitat Agency
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Morgan Hill, CA 95037
Contact: Edmund Sullivan
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2010122059

Project Title: Pacheco Creek Restoration Project (Lake or Streambed Alteration Agreement No. EPIMS-SCL-35691-R3)

Project Location (Santa Clara): The Pacheco Creek Restoration Project (Project) is located within the Pacheco Creek Reserve in the Diablo Range in the southeastern portion of the Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan (Habitat Plan) permit area. The Project site is located east of State route 152 between Los Banos and Gilroy; Latitude 37.018217, Longitude -121.334708; Assessor's Parcel Numbers 898-38-006, 898-38-007, and 898-53-004.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-SCL-35691-R3), pursuant to Fish and Game Code section 1602, to the project Applicant, Santa Clara Valley Habitat Agency as represented by Edmund Sullivan.

The Project was designed to preserve, enhance, and restore various sensitive habitats and habitats that support special status species. These include Central California Sycamore Alluvial Woodland (SAW), freshwater wetlands, riparian habitat, in-stream aquatic habitat, floodplain habitat, seasonal wetland habitat, and off-channel pond habitat. The Project also aims to improve on-site and downstream water quality and accommodate existing and new site infrastructure (small parking area, future trails). Activities to accomplish these goals include cattle and pig exclusion with fencing, stream restoration including grading, SAW planting, installation of in-stream Post-Assisted Log Structures (PALS), willow riparian forest and scrub and mixed riparian forest and woodland planting, coastal and valley freshwater marsh planting, seasonal wetland creation, invasive species removal, and installation of Western pond turtle basking structures.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on 6/14/2023 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 environmental impact report prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. 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 California Code of Regulations section 15091.

The Final EIR 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 a Responsible Agency is available at CDFW's regional office.

Signature: Craig Weightman Date: 6/14/2023

Craig Weightman, Environmental Program Manager
Date Received for filing at OPR: _____