

## Notice of Determination

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

**From:**  
Department of Fish and Wildlife  
Bay Delta Region  
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Fairfield, CA 94534  
Contact: Kristin Garrison  
Email: R3LSA@wildlife.ca.gov; or  
Kristin.Garrison@wildlife.ca.gov  
Phone: 707-428-2002 or 707-944-5534



Lead Agency  
Santa Clara Valley Habitat Agency  
535 Alkire Ave, Suite 100  
Morgan Hill, CA 95037  
Contact: Terah Donovan  
Email: tdonovan@scv-habitatagency.org  
Phone: (408) 779-7261

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

**State Clearinghouse Number:** 2010122059

**Project Title:** Pajaro River Riparian Habitat Restoration Project (Lake or Streambed Alteration Agreement No. EPIMS-SCL-29372-R3)

**Project Location (Santa Clara County):** The Project is located along a 3,800-foot-long reach of the Pajaro River upstream of the confluence with Llagas Creek. The coordinates are 36.972141° N latitude and -121.501875° W longitude (NAD 83 or WGS 84). The Assessor's Parcel Number is 841-39-024.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-SCL-29372-R3), pursuant to Fish and Game Code section 1602, to the project Applicant, Santa Clara Valley Habitat Agency.

The Project is limited to restoration through grading and planting of vegetation along Pajaro River. The Project includes approximately 1.17 acres of grading conducted along approximately 1,000 linear feet of river to create a floodplain area and to widen the channel by approximately 85 feet. There will be approximately 5,650 cubic yards of soil removed to create the floodplain. Soil removed due to grading will be spread across 4.25 acres, including a 50-foot-wide area along the top of bank that will be planted with riparian vegetation.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on 7/21/2023 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 not 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.

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Signature: \_\_\_\_\_ Date: 7/21/2023

Craig J. Weightman, Environmental Program Manager

Date Received for filing at OPR: \_\_\_\_\_