

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: Santa Clara
 Address: 70 W Hedding Street
San Jose, CA 95110

From:

Public Agency: Santa Clara Valley Water District
 Address: 5750 Almaden Expressway
San Jose, CA 95118
 Contact: Ryan Heacock
 Phone: (408) 630-3202

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): 2015022008

Project Title: Fish and Aquatic Habitat Collaborative Effort (FAHCE)

Project Applicant: Santa Clara Valley Water District

Project Location (include county): Stevens Creek and Guadalupe River Watersheds, Santa Clara County

Project Description:

The Proposed Project implements a Fish Habitat Restoration Plan, and includes habitat restoration measures specified in a 2003 FAHCE Settlement Agreement intended to resolve a water rights complaint filed with the State Water Resources Control Board. It includes both flow measures (reservoir re-operations rule curves) and non-flow measures such as fish barrier remediation, and measures to increase spawning and rearing habitat.

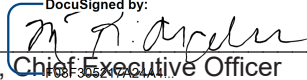
This is to advise that the Santa Clara Valley Water District has approved the above
 Lead Agency or Responsible Agency)

described project on 08/08/2023 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:

5750 Almaden Expressway, San Jose, CA 95118

Signature (Public Agency):  Title: Assistant Chief Executive Officer
 Acting for Rick L. Callender, Chief Executive Officer
 Date: 8/8/2023 Date Received for filing at OPR: _____

Certificate Of Completion

Envelope Id: EAB415BF92CC4A4397B90A5826FDAD76	Status: Completed
Subject: Complete with DocuSign: FAHCE_NOD_080723.pdf	
Source Envelope:	
Document Pages: 1	Signatures: 1
Certificate Pages: 4	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope Stamping: Enabled	Ryan Heacock
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	5750 Almaden Expressway
	San Jose, CA 95123
	RHeacock@valleywater.org
	IP Address: 64.190.101.20

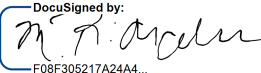
Record Tracking

Status: Original	Holder: Ryan Heacock	Location: DocuSign
8/7/2023 4:10:16 PM	RHeacock@valleywater.org	
Security Appliance Status: Connected	Pool: StateLocal	
Storage Appliance Status: Connected	Pool: Valley Water	Location: DocuSign

Signer Events

Melanie Richardson
 mrichardson@valleywater.org
 Chief Operating Officer
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

 F08F305217A24A4...
 Signature Adoption: Drawn on Device
 Using IP Address: 64.190.101.20

Timestamp

Sent: 8/8/2023 2:39:29 PM
 Viewed: 8/8/2023 2:41:55 PM
 Signed: 8/8/2023 2:43:09 PM

Electronic Record and Signature Disclosure:
 Accepted: 8/8/2023 2:41:55 PM
 ID: a74b22a9-a665-4006-9357-f339e6bb7c1b

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	8/8/2023 2:39:29 PM
Certified Delivered	Security Checked	8/8/2023 2:41:55 PM
Signing Complete	Security Checked	8/8/2023 2:43:09 PM
Completed	Security Checked	8/8/2023 2:43:09 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Santa Clara Valley Water District (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Santa Clara Valley Water District:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by phone call: (408) 630-2360

To contact us by email send messages to: RecordsStaff@valleywater.org

To contact us by paper mail, please send correspondence to:

Santa Clara Valley Water District

5750 Almaden Expressway

San Jose, CA 95123

To advise Santa Clara Valley Water District of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at RecordsStaff@valleywater.org and in the body of such request you must state: your previous email address, your new email address. Please contact the requesting department or our main Front Desk at (408) 630-2600 to be transferred to the appropriate department.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from Santa Clara Valley Water District

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to mcook@valleywater.org and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Santa Clara Valley Water District

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to RecordsStaff@valleywater.org and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. Please contact the requesting department or our main Front Desk at (408) 630-2600 to be transferred to the appropriate department..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Santa Clara Valley Water District as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Santa Clara Valley Water District during the course of your relationship with Santa Clara Valley Water District.