

**Notice of Determination**

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

**From:**  
Department of Fish and Wildlife  
Bay Delta Region  
2825 Cordelia Road, Suite 100  
Fairfield, CA 94534  
Contact: Kristin Garrison  
Email: Kristin.Garrison@wildlife.ca.gov  
Phone: (707) 944-5534



Lead Agency  
Midpeninsula Regional Open Space District  
330 Distel Circle  
Los Altos, CA 94022  
Contact: Lisa Bankosh  
Email: lbankosh@openspace.org  
Phone: (650) 691-1200

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

**State Clearinghouse Number:** 2015062029

**Project Title:** The Bear Creek Redwoods Phase II Trails Project (Lake or Streambed Alteration Agreement No. EPIMS-SCL-19680-R3)

**Project Location (Santa Clara County):** The Project is located Bear Creek Redwoods Open Space Preserve, Los Gatos, Santa Clara County, California 95033. The Assessor's Parcel Number for Slide 3, Crossing 3, and Crossing 4 is 544-32-001. The Assessor's Parcel Number for Crossing 6 and Crossing 7 is 544-33-001.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-SCL-19680-R3), pursuant to Fish and Game Code section 1602, to the project Applicant, Midpeninsula Regional Open Space District (Permittee), as represented by Scott Reeves.

At Slide 3 bank erosion on the north bank of Briggs Creek will be repaired. There will be grading within a 1,600 square feet area and rip rap will be installed. At Crossing 3, the existing 36-inch diameter culvert along an unnamed channel will be replaced with a 60-inch diameter culvert with concrete headwalls. There will be a total of 25 cubic yards of rip rap placed. At Crossing 4, the existing degraded culvert will be removed. Along 70 lineal feet of stream, riffle-pool-weir structures will be constructed of 65 cubic yards of rock boulders and gravel. At Crossing 6, a 12-foot wide by 65-foot long free-span vehicular bridge will be constructed over Briggs Creek. A total of 12 cubic yards of rip rap will be placed below each abutment. At Crossing 7, a 12-foot wide by 55-foot long free-span vehicular bridge will be constructed over Briggs Creek. A total of 33 cubic yards of rip rap will be placed below each abutment.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on 6/20/2023 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.

DocuSigned by:  
*Craig Weightman*  
Signature: \_\_\_\_\_ Date: 6/20/2023  
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Craig J. Weightman, Environmental Program Manager

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