

Notice of Determination

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

From:
Department of Fish and Wildlife
Bay Delta Region
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Lead Agency
County of Santa Clara
Planning and Development Department
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San Jose, CA 95110
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2016032080

Project Title: Los Gatos Creek Watershed Maintenance Program (Lake or Streambed Alteration Agreement No. 1600-2016-0069-R3) Extension and Major Amendment #1

Project Location (Santa Clara County): The Project is located at various locations within the Los Gatos Creek Watershed, Santa Clara County. The approximate center of project coordinates is 37.16107° N latitude and - 121.97446° W longitude (NAD 83). Assessor's Parcel Numbers are listed in Tables A-3 and A-4 within the Notification of Lake or Streambed Alteration supporting materials.

Project Description: The California Department of Fish and Wildlife (CDFW) has issued an Extension and Major Amendment #1 to Lake and Streambed Alteration Agreement number 1600-2016-0069-R3, pursuant to Fish and Game Code section 1605 and section 1602, to the project Applicant, San Jose Water Company.

The Extension includes an additional five-year term to the Agreement and the Amendment includes a change in the applicant's name from Andrew Gere to Jared Lewis, the addition of facilities to be maintained (Howell Intake, Aldercroft Heights County Water District Extraction Well facilities, and a culvert along Vina Drive), addition of vegetation mowing, change in work period, and removal of measures for work activity that will no longer occur. The Amendment includes a minor increase in impacts (approximately 0.022 acres of permanent impacts and 0.101 acres of temporary impacts to riparian vegetation and 0.092 acres of temporary impacts to wetland 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.

DocuSigned by:

Signature: 7988F6C4FDC24F2...

Date: 7/21/2023

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