

Notice of Determination**- 1 -****To:**

Office of Planning and Research

For U.S. Mail:

P.O. Box 3044

Sacramento, CA 95812-3044

Street Address:

1400 Tenth Street

Sacramento, CA 95814

From:

Department of Fish and Wildlife

Bay Delta Region

2825 Cordelia Road, Suite 100

Fairfield, CA 94534

Contact: Kristin Garrison

Phone: 707-944-5534

**Lead Agency**

Santa Clara County

70 West Hedding Street,

East Wing, 7th Floor

San Jose, CA 95110

Contact: Marina Rush

Phone: (408) 299-5770

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108**State Clearinghouse Number:** 2010042063**Project Title:** Yeager Yard Settlement Basin Project (Lake or Streambed Alteration Agreement No. 1600-2019-0322-R3)**Project Location (include county):** The Project is located in Santa Clara County, California. The coordinates are 37.317935° N latitude and 122.117838° W longitude (NAD 83 or WGS 84). The Assessor's Parcel Number is 351-09-023.**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number 1600-2019-0322-R3, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Lehigh Hanson, Inc.

During May 2019, the Permittee excavated an area at the toe of the Yeager Yard to capture sediment-laden water and to prevent this water from entering Permanente Creek. The Project includes construction to complete the settlement basin including 101 cubic yards of rip rap, excavation of 517 cubic yards, placement of a 60mil HDPE liner, and construction of a concrete access ramp. Water runoff will be pumped out of the basin into the quarry pit, treated using the existing water treatment equipment, and released out of existing outfall to Permanente Creek.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on [Date] and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will / 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 / were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan was / was not adopted by CDFW for this project.
5. A statement of overriding considerations was / was not adopted by CDFW for this project.
6. Findings were / were not made by CDFW pursuant to California Code of Regulations section 15091.

The final environmental impact report 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 Responsible Agency is available at CDFW's regional office.

DocuSigned by:

Craig J Weightman

9/14/2020

Signature**Date:**

Craig J. Weightman, Environmental Program Manager

Governor's Office of Planning & Research

Date Received for filing at OPR: _____

Sep 14 2020

CDFW Responsible – EIR – Rev. 12/29/2014

STATE CLEARINGHOUSE