

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
Contact: James Hansen
Email: james.hansen@wildlife.ceqa.gov
Phone: (707) 576-2869



Lead Agency
City of Petaluma
11 English Street
Petaluma, CA 94952
Contact: Tiffany Robbe
Email: trobbe@cityofpetaluma.org
Phone: (707) 778-4318

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

State Clearinghouse Number: 2007072041

Project Title: Sid Commons Apartment Project (Lake or Streambed Alteration Agreement No. EPIMS-SON-15385-R3)

Project Location (Sonoma County): The project is located at the Petaluma River, in the County of Sonoma, State of California; Latitude 38.24996°, Longitude -122.64184°; terminus of Graylawn Avenue, Petaluma, CA, 95616; Assessor's Parcel Number 019-010-006-000.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement EPIMS-SON-15385-R3, pursuant to Fish and Game Code section 1602, to the project Applicant, Acclaim Homes.

The project is limited to terracing of the floodplain of the Petaluma River, above the ordinary high-water mark (OHWM), to increase flood capacity as part of a residential development project. The terracing will involve grading the western bank of the Petaluma River, preserving native riparian vegetation where feasible, removing invasive Himalayan blackberry (*Rubus ameniacus*), and restoring and creating additional riparian habitat on-site. Grading the terrace areas includes an approximately 5% slope from the OHWM rising 5 to 10 feet in elevation with a steeper 2:1 slope meeting the existing grade at the upland portions of the site. No work will occur below the OHWM.

The project will result in temporary impacts of approximately 0.92 acres of invasive Himalayan blackberry within the riparian corridor, 2.05 acres of non-native grassland within the 100-year floodplain, and approximately 0.01 acres of connected seasonal wetland habitat. The project will also result in a permanent impact of approximately 0.05 acres of invasive Himalayan blackberry within the riparian corridor and 0.24 acres of non-native grassland within the 100-year floodplain. Impacts to riparian habitat include removal of small clusters of arroyo willow (*Salix lasiolepis*) thickets, with trunks smaller than 6 inches in diameter at breast height (DBH).

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on January 18, 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.

Notice of Determination

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 J Weightman 1/20/2023
Signature: _____ Date: _____
7988F6C4FDC24F2...
Craig J. Weightman, Environmental Program Manager

Date Received for filing at OPR: _____