

**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  
 Region 3, Bay Delta Region  
 2825 Cordelia Rd, Suite 100, Fairfield CA94534  
 Contact: Mayra Molina  
 Phone: (707) 428-2067

**Lead Agency**

Santa Clara Valley Water District  
 5750 Almaden Expy, San Jose, CA 95118  
 Contact: Michael Lee  
 Phone: (408) 630-3624

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

**State Clearinghouse Number:** 2019089054

**Project Title:** Saratoga Creek Hazard Tree Removal and Restoration Project (Lake or Streambed Alteration Agreement No. 1600-2019-0317-R3, Major Amendment 1)

**Project Location (include county):** The project is located along Saratoga Creek between Cox Avenue and Prospect High School in the City of Saratoga, County of Santa Clara, State of California. Latitude 37.290045, Longitude -122.0031359 (northern limit); and Latitude 37.282356, Longitude -122.006228 (southern limit).

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement 1600-2019-0317-R3 Major Amendment 1, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Jennifer Codianne/Santa Clara Valley Water District.

The Saratoga Creek Hazard Tree Removal and Restoration Project Major Amendment 1 includes the increase of permanent impacts for the removal of one eucalyptus tree measuring 35 inches at diameter at breast height (0.02 acres) and temporary impacts to the streambed (1,015 linear feet) in order to access specific trees that will be removed with large equipment.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on June 30, 2022, 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  mitigated negative declaration /  negative declaration 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 not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to California Code of Regulations section 15091.

The  mitigated negative declaration /  negative declaration 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.

Signature

*Melanie Day for*

Date: 6/30/2022

Craig J. Weightman, Environmental Program Manager

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