

**Notice of Exemption**

**To:**  
Office of Planning and Research  
*For U.S. Mail:*  
P.O. Box 3044  
Sacramento, CA 95812-3044

**From:**  
Department of Fish and Wildlife  
Bay Delta Region  
2825 Cordelia Road, Suite 100  
Fairfield, CA 94534



*Street Address:*  
1400 Tenth Street  
Sacramento, CA 95814

2020070079

**State Clearinghouse Number:**

**Project Title:** Abatement of Concrete Wall on Moody Gulch at 17985 Apache Trail (Streambed Alteration Agreement No. 1600-2019-0246-R3)

**Project Location:** The Project is located at 17985 Apache Trail, Los Gatos, Santa Clara County, California. The coordinates are 37.164073° N latitude and 121.985183° W longitude (NAD 83 or WGS 84). The Assessor's Parcel Number is 558-14-018.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number 1600-2019-0246-R3, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Anthony Nguyen.

The Project includes remediation of a violation that included construction of a concrete and cinderblock retaining wall in the southern bank of Moody Gulch Creek during 2017 and 2018. The Project includes removal of the existing 60-foot-long retaining wall using hand tools. Where the retaining wall materials are embedded within bedrock, the wall will be cut flush with the bedrock.

Prior to construction of the retaining wall, erosion of the southern bank was present due to deflection of water around the stumps of two fallen Coast redwood (*Sequoia sempervirens*) trees that are rooted on the northern bank. To restore and further protect the steep southern bank from erosion, these stumps will be cut to grade and then will be moved to the southern bank and cabled to the bedrock beneath the soil of the southern bank. There will also be 100-pound rocks cabled to the bedrock beneath the creek bank. The slope protection, including the redwood stumps and rock, will be placed within 13 square feet of the creek bank.

**Public Agency Approving Project:** CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

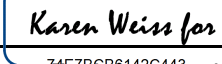
**Person or Public Agency Carrying Out Project:** Anthony Nguyen

**Exempt Status:**

- Statutory Exemption.
- Categorical Exemption. Type –Class 4; California Code of Regulations, title 14, section 15304

**Reasons why project is exempt:** The Project includes minor alteration to private land and vegetation that does not involve the removal of healthy, mature, scenic trees.

**CDFW Contact Person:** Kristin Garrison, 707-944-5534

*Signature:*  *Date:* July 2, 2020  
Craig J. Weightman, Environmental Program Manager

Date received for filing at OPR: Governor's Office of Planning & Research

**Jul 03 2020**

**STATE CLEARINGHOUSE**