

Notice of Determination

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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 95434
Contact: Mayra Molina
Email: R3LSA@wildlife.ca.gov
Phone: (707) 428-2067



Lead Agency
Santa Clara Valley Water District
5750 Almaden Expwy, San Jose, CA 95118
Contact: Alex Hunt
Phone: (408) 630-3007

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

State Clearinghouse Number: 202009370

Project Title: Calabazas Creek Bank Rehabilitation Project (Project) (Lake or Streambed Alteration Agreement No. EPIMS-SCL-14915-R3), Major Amendment (1)

Project Location (include county): The Project is located along 3,700 linear feet of Calabazas Creek from Miller Avenue to Bollinger Road in the City of Cupertino, County of Santa Clara, State of California. Latitude: 37.310061; Longitude: -122.019773 (upstream limit); Latitude: 37.319658; Longitude: -122.014247 (downstream limit).

Project Description: The California Department of Fish and Wildlife (CDFW) has amended Lake and Streambed Alteration Agreement number EPIMS-SCL-14915-R3, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Karl Neuman/Santa Clara Valley Water District.

The purpose of the Major Amendment (1) of the Project is to include additional temporary impacts due to changes needed for access and staging within the channel, along with permanent impacts from tree removals and pruning more than 20% of some trees (50% and 70% of canopy removal).

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project's amendment on July 13, 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 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

Craig Weightman

7/13/2023

Craig J. Weightman, Environmental Program Manager

Date Received for filing at OPR: _____