

**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  
 7329 Silverado Trail, Napa, CA 94558  
 Contact: Kristin Garrison  
 Phone: 707-944-5534

**Lead Agency**

County of Santa Clara  
 70 West Hedding Street  
 San Jose, California 95110  
 Contact: Colleen Tsuchimoto  
 Phone: (408) 299-5797

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

**State Clearinghouse Number:** 2021050426

**Project Title:** Creek Bank Restoration on Stevens Creek at 10500 Creston Drive, Los Altos Project (Lake or Streambed Alteration Agreement No. EPIMS-SCL-14142-R3)

**Project Location (include county):** The Project is located in Santa Clara County, California. The coordinates are 37.330169° N latitude and 122.060767° W longitude (NAD 83 or WGS 84). The Assessor's Parcel Number is 326-12-057.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number EPIMS-SCL-14142-R3, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Michael Gustafson.

The Project is remediation of a violation. There will be removal of the 55-foot-long Wall A and 7.5-foot-long Wall B that consist of cinderblock. The 7.5 foot wide and 55-foot-long flagstone patio and 45 cubic yards of earthen material will be removed. The wooden deck will be removed. The creek bank will be recontoured using hand tools. There will be 2 rows of soil lifts installed. Native trees and shrubs will be planted within and between the soil lifts.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on 9/28/2021 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.

DocuSigned by:

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**Signature****Date:** 9/28/2021

Craig J. Weightman, Environmental Program Manager

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