

Notice of Exemption

To:

Office of Planning and Research
[CEQA Submit](#)

Street Address:

1400 Tenth Street
Sacramento, CA 95814

From:

California Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov



Project Title: Palo Alto Horizontal Levee Pilot Project (Restoration Management Permit No. RMP-2023-0008-R3)

Project Location: The project is located at a 4.06-acre site along the edge of the central reach of Harbor Marsh, in the City of Palo Alto, Santa Clara County, State of California; Latitude 37.451942 and Longitude -122.108568; Assessor's Parcel Number 008-06-001 and 008-05-005.

Project Description: On December 15, 2023, the California Department of Fish and Wildlife (CDFW) issued this Restoration Management Permit (RMP) pursuant to section 2081(a) of the Fish and Game Code to the City of Palo Alto. This Project will construct a 500-linear-foot horizontal levee berm that will include approximately 315 linear feet of sloped, transitional freshwater wetlands as well as a downslope habitat zone that will be irrigated with treated wastewater. This levee is expected to support a variety of freshwater marsh, wet meadow, and riparian/upland scrub habitats, and a brackish marsh ecotone band is expected to form within the tidal salt marsh adjacent to the horizontal levee. Additionally, the levee transition slope will be planted with native riparian scrub plantings. The existing water line and associated infrastructure will be demolished and new drainage facilities will be constructed. The Project is expected to benefit salt-marsh harvest mouse (*Reithrodontomys raviventris*) and California Ridgway's rail (*Rallus obsoletus obsoletus*), referred to as the Covered Species. The Project is estimated to take two individuals and one nest equivalent total of salt-marsh harvest mouse, and one individual annually of California Ridgway's rail in the form of incidental mortality of the Covered Species during construction. CDFW has determined and expects that the Project will benefit, aid in the conservation of, and assist in the recovery of the Covered Species. This notice is to advise that CDFW issued the above-described RMP on the date signed below.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: City of Palo Alto

Exempt Status:

- Statutory Exemption: Public Resources Code section 21080.56 (Statutory Exemption for Restoration Projects)
- Categorical Exemption. Type – Class 33; California Code of Regulations, title 14, section 15333 Small Habitat Restoration Projects

Reasons why project is exempt: The Project shall not exceed five acres and will promote the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife. There would be no significant adverse impact on endangered, threatened, or rare species or their habitat pursuant to California Code of Regulations, title 14, section 15065. There are no hazardous materials at or around the Project site that may be disturbed or removed. The Project will not result in impacts that are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

CDFW Contact Person: Michael Stuhldreher, Environmental Scientist, (707) 815-6800,
Michael.Stuhldreher@wildlife.ca.gov

DocuSigned by:
Erin Chappell
Signature: _____ Date: 12/15/2023
Erin Chappell, Regional Manager

Date received for filing at OPR: _____