

Notice of Determination

To:  Office of Planning and Research  
PO Box 3044, 1400 Tenth Street, Room 222  
Sacramento, CA 95812-3044

From: California Department of Forestry and Fire Protection  
Sacramento Headquarters  
715 P Street Sacramento, CA 95814  
Jamie Sammut  
916-594-6192

Subject: Filing of Notice of Determination  
in Compliance with Section 21108 or 21152 of the Public Resource Code.

State Clearinghouse Number: 2019012052

Project Title: San Jose Water Company (SJW) Forest Health Program – P1

Project Location: Santa Clara County


Project Description: SJW proposes to implement vegetation treatments on up to 1,947.9 acres of land within its property in Santa Clara County. In 2020, the Los Gatos Creek Watershed Collaborative (LGCWC), of which SJW is a partner, received a Forest Health Grant (FHG) from the California Department of Forestry and Fire Protection (CAL FIRE) for each of the partners to implement treatments, including SJW. This Project-specific Analysis (PSA)/ Addendum to the Program Environmental Impact Report (PEIR) for the California Vegetation Treatment Program (CalVTP) (Addendum) addresses and provides CEQA compliance for implementation of treatments (including maintenance treatments) throughout 1,947.9-acres owned by SJW. The FHG allocates funding to implement treatments on 310.7 acres with additional 40.6 contingency acres within the project area. CAL FIRE’s discretionary approval is to provide grant funding and SJW will be implementing treatments and associated SPRs and mitigation measures. The CalVTP treatment types that would be implemented are ecological restoration and fuel breaks. Proposed treatment activities that would be used to implement these treatment types are manual, mechanical, and limited herbicide treatments. The SJW Forest Health Program – P1 PSA/Addendum was prepared to evaluate the project as a later activity covered by the CalVTP PEIR.

This Notice of Determination is to advise that CAL FIRE ( Lead Agency) approved the above-described project on January 5, 2023, and has made the following determinations:

For a PSA/Addendum to an EIR:

1. The project will have a significant effect on the environment.
2. SJW Forest Health Program – P1 PSA/Addendum to the CalVTP PEIR (SCH# 2019012052) was prepared for this project pursuant to the provisions of CEQA.
3. The CalVTP PEIR sufficiently analyzes and addresses potential environmental impacts from the project, and the project will not trigger any of the criteria requiring additional CEQA review pursuant to CEQA Guidelines Section 15162. The project will not result in new significant impacts or a substantial increase in the severity of the significant environmental impacts identified in the CalVTP PEIR.
  - a. The elements of the proposed project that would be implemented in project areas within the CalVTP treatable landscape are within the scope of the CalVTP PEIR consistent with CEQA Guidelines Section 15168(c)(2), as documented in the PSA.
  - b. The elements of the proposed project that would be implemented in areas outside the CalVTP treatable landscape would not result in the occurrence of any of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR; therefore, an Addendum has been adopted to address the project areas outside the geographic extent presented in the PEIR.
4. Mitigation measures and standard project requirements from the CalVTP PEIR were made a condition of the approval of the project; no new project-specific mitigation measures are required.
5. A mitigation monitoring and reporting program was adopted by CAL FIRE for this project.
6. A statement of overriding considerations was adopted by CAL FIRE for this project, which reaffirmed the previous statement of overriding considerations in the CalVTP PEIR.
7. Findings were made pursuant to the provisions of State CEQA Guidelines Section 15091.

This is to certify that the SJW Forest Health Program – P1 PSA/Addendum to the CalVTP PEIR and record of project approval is available to the general public at CAL FIRE’s website: <https://www.fire.ca.gov/programs/resource-management/resource-protection-improvement/environmental-protection-program/public-notices/>

DocuSigned by:  
  
Signature: \_\_\_\_\_ Title: Assistant Deputy Director, Resource Management Date: 1/31/2023

Dated Received for filing at OPR:

Authority cited: Sections 21083 and 21087, Public Resources

Code. Reference: Sections 21000-21174, Public Resources Code.