

Notice of Determination

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
Phone: (707) 428-2067



Lead Agency
Santa Clara Valley Water District (Valley Water)
5750 Almaden Expwy, San Jose, CA 95118
Contact: James Manidakos
Phone: (408) 630-2833

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

State Clearinghouse Number: 2007092084

Project Title: Major Amendment No.4 Lower Berryessa and Lower Calera Creek Flood Protection Improvements Project (Lake or Streambed Alteration Agreement No. 1600-2013-0159-R3)

Project Location: Lower Calera Creek Reaches A and B begin from the Union Pacific Railroad to Arizona Avenue in the City of Milpitas, County of Santa Clara, State of California.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed the Major Amendment No. 4 for the Lake and Streambed Alteration Agreement number 1600-2013-0159-R3, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Melanie Richardson, Santa Clara Valley Water District.

The overall project includes creek channel improvements that will result in the containment of flow in the channel with adequate freeboard requirements in Lower Berryessa and Lower Calera Creeks. This NOD is limited to the redesigns in Lower Calera Creek and include; removal and replacement of a concrete U-frame channel with a new one, placement of 1-foot of sediment on the channel bottom, replacement of a channel access road and ramp, installation of headwalls, reducing the length and increasing the heights of concrete floodwalls, and removing sacked concrete and replacing with rock riprap.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on April 12, 2019 and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will / 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 environmental impact report 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 / was not adopted by CDFW for this project.
6. Findings were / were not made by CDFW pursuant to California Code of Regulations section 15091.

The final environmental impact report 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

Date: April 12, 2019

Craig J. Weightman, Environmental Program Manager

Government's Office of Planning & Research

APR 25 2019

STATE CLEARINGHOUSE

Date Received for filing at OPR: _____