

Notice of Determination

To:
Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

From:
Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 95434
Contact: Brenda Blinn
Phone: 707-944-5541



Street Address:
1400 Tenth Street
Sacramento, CA 95814

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

State Clearinghouse Number: 2018032029

Project Title: Oswald Water Line Replacement Project (Lake or Streambed Alteration Agreement No. 1600-2016-0064-R3) Major Amendment


Project Location: The project is located approximately 4.5 miles south of the Town of Los Gatos within the mainstem of Los Gatos Creek, approximately 2 miles upstream from Lexington Reservoir and 2 miles downstream of Lake Elsinore, in Santa Clara County.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number 1600-2016-0064-R3, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Edward Lambing/San Jose Water Company. The project is the replacement of approximately 1,575 linear feet of raw water intake pipeline within Los Gatos Creek. The major amendment to the project is the removal of approximately 750 square feet (ft²) of a total of 1,500 ft² of riprap placed on the unvegetated northern bank of Los Gatos Creek on the southern edge of the project area. Permittee shall mitigate for 750 ft² of permanent impacts to the unvegetated northern bank of the creek as a result of placement of riprap by enhancing the understory of riparian area of Los Gatos Creek at a 2:1 ratio by area (1,500 ft²) and shall restore the 750 ft² of bank temporarily disturbed during removal of riprap by planting the area with native vegetation.

This is to advise that CDFW, acting as the Lead Agency, approved the above described project on September 27, 2019, and has made the following determinations regarding the project:

1. The project will not have a significant effect on the environment.
2. A mitigated negative declaration / negative declaration was prepared for this project pursuant to the provisions of CEQA.
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 Public Resources Code section 21081, subdivision (a).

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 related to the Lake or Streambed Alteration Agreement is available to the public for review at CDFW's regional office.

Signature  Date: October 1, 2019
Craig J. Weightman (Environmental Program Manager)

Governor's Office of Planning & Research

Date Received for filing at OPR: OCT 03 2019

STATE CLEARINGHOUSE