

**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  
5750 Almaden Expwy, San Jose, CA 95118  
Contact: Todd Sexauer  
Phone: (408) 630-3149

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

**State Clearinghouse Number:** 2019089054

**Project Title:** Saratoga Creek Hazard Tree Removal and Restoration Project (Lake or Streambed Alteration Agreement No. 1600-2019-0317-R3)

**Project Location:** The project is located along Saratoga Creek between Cox Avenue and Prospect High School in the City of Saratoga, County of Santa Clara, State of California. Latitude 37.290045, Longitude -122.0031359 (northern limit); and Latitude 37.282356, Longitude -122.006228 (southern limit).

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number 1600-2019-0317-R3, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Sue Tippets, Santa Clara Valley Water District.

The Saratoga Creek Hazard Tree Removal and Restoration Project (Project) is limited to the removal of 104 non-native blue gum Eucalyptus trees, seven native coast live oaks, and two non-native ash trees. The eucalyptus trees to be removed are required to ensure public safety from eucalyptus failures since the trees are unhealthy. The other trees to be removed are required for access to the eucalyptus trees. This project will also include restoration of the project site into oak woodland mixed riparian habitat.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on March 4, 2020 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.

*Signature*

*Date:* March 5, 2020

Craig J. Weightman, Environmental Program Manager

Governor's Office of Planning & Research

**MAR 10 2020**

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

**STATE CLEARINGHOUSE**