

Notice of Determination

To:

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

From:

Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100
Contact: Michelle Battaglia
Email: Michelle.Battaglia@wildlife.ca.gov
Phone: 707-339-6052



Lead Agency
Valley Water (form. Santa Clara Valley
Water District)
5750 Almaden Expressway
San Jose, CA 95118
Contact: Michael Martin
Email: Michaelmartin@valleywater.org
Phone: 408-630-3095

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

State Clearinghouse Number: 202009370

Project Title: Calabazas Creek Bank Rehabilitation Project, Lake or Streambed Alteration Agreement No. EPIMS-SCL-14915-R3, Major Amendment 3

Project Location (Santa Clara County): The project is located along 3,000 linear feet of Calabazas Creek from Miller Avenue to Bollinger Road in the City of Cupertino, County of Santa Clara. The project is bounded on the upstream end at approximate GPS coordinates 37.310061, -122.019773, and on the downstream end at approximate GPS coordinates 37.319658, -122.014247.

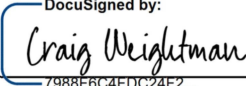
Project Description: The California Department of Fish and Wildlife (CDFW) has amended Lake and Streambed Alteration Agreement (EPIMS-SCL-14915-R3) previously issued to the project applicant John Bourgeois, Valley Water (formerly Santa Clara Valley Water District), pursuant to Fish and Game Code section 1602. The purpose of Major Amendment 3 is to make repairs to project sites 1, 2 and 9 to correct failures and scour holes that occurred as a result of high flows in 2024/2025. Repairs involve removal of failed infrastructure, and placement of both grouted and grouted riprap for a total new area of impact of 1,700 ft². Applicant will provide compensatory mitigation for the new impacts by installing new riparian restoration plantings for an additional area of 1,700ft².

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on July 17, 2025, 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 prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures were made a condition of CDFW's approval of the project.
4. A Mitigation Reporting or Monitoring Plan was 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.

Notice of Determination

The Mitigated 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 a Responsible Agency is available at CDFW's regional office.

DocuSigned by:
 7/17/2025
Signature: _____ Date: _____
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Craig J. Weightman, Environmental Program Manager

Date Received for filing at OPR: _____