



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

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From:
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Contact: Michelle Battaglia, Senior
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Lead Agency
Valley Water (form. Santa Clara Valley
Water District)
5750 Almaden Expressway
San Jose, CA 95118
Contact: Ernest Chen, Senior
Environmental Planner
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Phone: 669-661-1804

NOTICE OF DETERMINATION

Subject: Filing of Notice of Determination pursuant to Section 21108 of the Public Resources Code

State Clearinghouse Number: 2023100671

Project Title: Pipeline Maintenance Program (Lake or Streambed Alteration Agreement No. EPIMS-SCL-44639-R3)

Project Location (Santa Clara County): The project is located along the West Pipeline, intersecting San Tomas Aquino, Wildcat, Saratoga and Permanente creeks. The location that is the subject of this amendment is located on San Tomas Aquino Creek in the Town of Los Gatos, approximate GPS coordinates 37.26892, -121.990747.

Project Description: The California Department of Fish and Wildlife (CDFW) has amended Lake and Streambed Alteration Agreement EPIMS Notification No. EPIMS-SCL-44639-R3

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pursuant to Section 1602 of the Fish and Game Code to Valley Water as represented by Emmanuel Aryee.

The amendment is limited to removal of one 11" diameter-at-breast-height oak tree, excavation and vegetation clearing of an approximately 96 ft² area of the bank of San Tomas Aquino Creek to access a pipeline portal for project related activities. No in-water work will occur. The area will be backfilled and treated for erosion control when project activities are concluded. Loss of the oak tree will be mitigated at a 6:1 ratio.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on February 27, 2026, and has made the following determinations regarding the project pursuant to Section 15096, subdivision (i) of the California Code of Regulations:

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 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 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 made by CDFW pursuant to California Code of Regulations section 15091.

The Final EIR 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.

Signature:  For _____ Date: February 27, 2026

Craig J. Weightman, Environmental Program Manager

Date Received for filing at LCI: