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STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

GAVIN NEWSOM, Governor
MEGHAN HERTEL, Director

Bay/Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
AskBDR@wildlife.ca.gov
707-428-2002
wildlife.ca.gov

To:
Office of Land Use and Climate Innovation
CEQA Submit

From:
Department of Fish and Wildlife
Bay/Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
Contact: Michelle Battaglia, Senior Environmental Scientist (Specialist)
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: Ernest Chen, Senior Environmental Planner
Email: echen@valleywater.org
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): Project activities are located along the West Pipeline, intersecting Permanente, Stevens, Regnart, Calabazas, Rodeo and Saratoga creeks. The work site that is the subject of this amendment is located on Rodeo Creek in the City of Saratoga, approximate GPS coordinates 37.2864, -122.0287.

Project Description: The California Department of Fish and Wildlife (CDFW) has prepared a second major amendment to the Lake and Streambed Alteration Agreement EPIMS

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Notification No. EPIMS-SCL-44639-R3 pursuant to Section 1602 of the Fish and Game Code to Valley Water as represented by Emmanuel Aryee.

This second major amendment is limited to excavation and vegetation clearing of an approximately 128 ft^2 area on the bank of Rodeo Creek to access a pipeline portal for project related activities; and abandonment-in-place of an existing pipeline blowoff outfall and its associated concrete encasement, representing 216 ft^2 of permanent impact. No work will occur in the flowing stream. Disturbed areas will be treated for erosion control when project activities are concluded.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on October 23, 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: DocuSigned by: Craig Weightman 7988F6C4FDC24F2... *Date:* 10/23/2026

Craig J. Weightman, Environmental Program Manager

Date Received for filing at LCI: