

Findings of a Mitigated Negative Declaration

The Santa Clara Valley Water District (Valley Water), the lead agency per California Environmental Quality Act (CEQA) §21067, has prepared a Mitigated Negative Declaration (MND) for the Saratoga Hazard Tree Removal and Restoration Project. As part of its consideration of the Project, Valley Water has made certain findings regarding the potential for the Project to result in significant environmental effects.

Proposed Project

Valley Water is proposing a phased removal of the diseased hazard eucalyptus trees within the 7.87-acre Saratoga Creek Project Area over three years (2019-2021) in a series of Work Areas. An additional year may be required that would extend the work to the end of 2022. Nearly half of the eucalyptus may be accessible by mobile crane staged on the top of bank opposite the eucalyptus groves. The remaining eucalyptus would be removed using traditional climbing techniques coupled with hand-based or equipment-based transport of debris out of the creek area. No more than 50 eucalyptus trees would be removed in any season. Following tree removal, the site would be restored with native riparian trees and shrubs. (see MND Section B *Project Description*).

Location

The Project sites are located along the reach of Saratoga Creek beginning at Cox Avenue and ending Prospect High School, in the City of Saratoga, within Santa Clara County. All of the parcels proposed for tree removal and site restoration are owned by the Valley Water.

Basis of Findings

Based on the analysis conducted pursuant to CEQA and documented in the MND, the Project would not cause significant adverse impacts related to aesthetics; agricultural resources; air quality; biological resources; cultural resources; energy, geology and soils; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality; land use and planning; mineral resources; noise; population and housing; public services; recreation; transportation; tribal cultural resources, utilities and service systems, and wildfire (see MND Section 4 *Environmental Evaluation*).

The Project would not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal species. The Project would not affect any important examples of cultural resources from the major periods of California prehistory or history. The Project would not result in long-term cumulative impacts. In addition, substantial adverse effects on humans, either direct or indirect, would not occur.

Potentially significant impacts to biological resources may occur as a result of the Project. However, potentially significant impacts would be reduced to a less-than-significant level with the implementation of the mitigation measures as defined in the *Biological Resources* section of the MND.

Standard Valley Water Best Management Practices (BMPs) are incorporated into the Project to prevent, avoid, or minimize effects to air quality, biological resources, cultural resources, hazards and hazardous materials, and hydrology and water quality, and traffic and transportation to levels not considered significant. Valley Water's Health and Safety Unit also will ensure that all applicable human health and safety standards are met. With the implementation of the above mitigation measures, standard Valley Water BMPs, the Project would not have significant impacts.

Findings

The following findings have been made regarding this Project:

1. The MND has been completed in compliance with CEQA.
2. Information contained in the MND and the record including, but not limited to, staff reports, oral and written comments provided by the public and regulatory agencies, and other matters deemed material and relevant, has been reviewed and considered prior to making a decision on the Project.
3. The MND reflects the independent judgment and analysis of Valley Water.
4. Changes have been incorporated into the Project which avoid, and/or substantially lessen the potentially significant environmental effects identified in the MND.
5. Based on the whole record, there is no substantial evidence that the Project will have a significant effect on the environment.

Consistent with CEQA Guidelines §15074, and pursuant to Public Resources Code §21081.6, Valley Water's Chief Executive Officer adopts the MND and a program for reporting on or monitoring the changes, which are required in the Project and made a condition of approval to mitigate or avoid significant environmental effects (Exhibit A *Mitigation Monitoring and Reporting Program* [MMRP]). Implementation of the MMRP to avoid or substantially lessen significant environmental effects is required as a condition of approval of the Project.

The Chief Executive Officer designates the Environmental Services Manager, Environmental Planning Unit, at 5750 Almaden Expressway, San Jose, California 95118-3614, as the custodian of documents or other materials which constitute the records of proceedings on which this decision is based.

Approval

By signing below, the Chief Executive Officer of Valley Water adopts the MND and MMRP for the Project.

Approved:

Date:



Norma J. Camacho
Chief Executive Officer



Attachment: Exhibit A – Mitigation Monitoring and Reporting Program