State of California - Department of Fish and Wildlife

2023 ENVIRONMENTAL DOCUMENT FILING FEE

CASH RECEIPT

DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

Print | Start Over | Save

AC RECEIPT #: 3497213

RECEIPT NUMBER:
01--09/25/2023--288

STATE CLEARINGHOUSE NUMBER *(If applicable)*
--

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
EAST BAY MUNICIPAL UTILITY		09/25/2023

COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER
ALAMEDA	23 - 288

PROJECT TITLE

USL RESERVOIR EMERGENCY DRAIN VALVE STRUCTURE SEDIMENT REMOVAL PROJECT

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
DOUG HOOPER		(209) 946-8009

PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
375 ELEVENTH STREET, MS 806	OAKLAND	CA	94607

PROJECT APPLICANT *(Check appropriate box)*

☑ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	$3,839.25	$	0.00
☐ Mitigated/Negative Declaration (MND)(ND)	$2,764.00	$	0.00
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	$1,305.25	$	0.00

☑ Exempt from fee

☑ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

RECEIVED
SEP 25 2023
Office of the Secretary

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	$850.00	$	0.00
☑ County documentary handling fee		$	50.00
☐ Other		$	

PAYMENT METHOD:

☐ Cash ☐ Credit ☑ Check ☐ Other **TOTAL RECEIVED** $ 50.00

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

UTY CLERK

ALAMEDA COUNTY CLERK-RECORDER
1106 MADISON STREET
OAKLAND, CA 94607
(510)272-6362

ISSUED TO:
EAST BAY MUNICIPAL UTILITY DISTRICT

RECEIPT # 3497213
DATE 09/25/2023 10:42:08 AM

SERVICE	PGS	QTY	FEE
CASHIERING HANDLING FEE		1	50.00
Total Amount Due			$50.00
CHECK 200037452			50.00
Total Amount Paid			$50.00

MELISSA WILK
County Clerk-Recorder
Deputy: Aaron Lee

*ENVIRONMENTAL DECLARATION

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

EAST BAY MUNICIPAL UTILITY
DISTRICT Office of the Secretary - (510)
287-0404
375 Eleventh Street, MS 806
Oakland, CA 94607-4240

Project: USL Reservoir Emergency Drain Valve Structure Sediment Removal Project

FOR COUNTY CLERK USE ONLY

ENDORSED
FILED
ALAMEDA COUNTY

SEP 25 2023

MELISSA WILK, County Clerk
By _____ Deputy

FILE NO: 23-288

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

(PLEASE MARK ONLY ONE CLASSIFICATION)

1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

[X] A - STATUTORILY OR CATEGORICALLY EXEMPT

$ 50.00 - COUNTY CLERK HANDLING FEE

2. NOTICE OF DETERMINATION (NOD)

[ ] A - NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

$ 2,764.00 - STATE FILING FEE

$ 50.00 - COUNTY CLERK HANDLING FEE

RECEIVED
SEP 25 2023
Office of the Secretary

[ ] B - ENVIRONMENTAL IMPACT REPORT (EIR)

$ 3,839.25 - STATE FILING FEE

$ 50.00 - COUNTY CLERK HANDLING FEE

3. OTHER: _____

*****A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH COPY OF AN ENVIRONMENTAL DECLARATION BEING FILED WITH THE ALAMEDA COUNTY CLERK.*****

BY MAIL FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND TWO (2) SELF-ADDRESSED ENVELOPES.

IN PERSON FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND ONE (1) SELF-ADDRESSED ENVELOPES.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.

FEES ARE EFFECTIVE JANUARY 1, 2023

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK

EBMUD

NOTICE OF EXEMPTION

TO:
Alameda County
Clerk-Recorder's Office
1106 Madison Street
Oakland, CA 94607

FROM: (LEAD AGENCY)
EAST BAY MUNICIPAL UTILITY DISTRICT
Office of the Secretary - (510) 287-0404
375 Eleventh Street, MS 806
Oakland, CA 94607-4240

☒ Lead Agency is the Project Applicant
☒ Lead Agency is Public Agency Approving Project
☒ Lead Agency is Carrying Out Project

PROJECT INFORMATION

1. TITLE: USL Reservoir Emergency Drain Valve Structure Sediment Removal Project
2. LOCATION: *(City, County, and specific location)*
   Project site is located adjacent to the Upper San Leandro Reservoir Spillway in Alameda Co.
3. DESCRIPTION: The purpose of the project is to protect the long-term functionality of the hollow cone Howell-Bunger emergency drain valve, which is designed for operation within dry conditions. The valve, housed within the concrete energy dissipator structure, is currently partly submerged in sediment-laden water from the downstream Miller Creek channel which is backing up into the structure, Identified measures will be implemented to prevent environmental impacts, see Attachment A.

EXEMPTION FINDING (Check one)

This project is exempt from CEQA because:

ENDORSED
FILED
ALAMEDA COUNTY

SEP 25 2023

MELISSA WILK, County Clerk
By _____ Deputy

1. ☐ Activity is not a project
2. ☐ Activity is Ministerial (Sec.21080(b)(1); Guideline 15268)
3. ☐ Activity is a Declared Emergency (Sec.21080(b)(3); Guideline 15269(a))
4. ☒ Activity is an Emergency Project (Sec.21080(b)(4); Guideline 15269(b)(c))
5. ☒ Activity is Categorically Exempt Under Guideline 15301, 15302
6. ☐ Activity is Statutorily Exempt Under Guideline _____
7. ☒ Reasons why project is exempt:

Emergency drain valve is designed to operate in dry conditions and required maintenance will ensure that the Structure complies with DSOD requirements and ensures full functionality of the emergency drain valve in the event of a catastrophe. EBMUD has determined that the Project is exempt from CEQA under the CEQA Statutory Exemption for Emergency Projects in Guidelines Section 15269(b) because this repair to a public facility is necessary to maintain service essential to public health, safety, and welfare and preparing an environmental analysis would create a risk to health and safety because the wet season will commence soon. The Project also consists of the repair, maintenance, and reconstruction of an existing public structure to meet public health and safety standards as is exempt pursuant to CEQA Guidelines Sections 15301 and 15302.The required repair to the emergency drain valve is necessary to ensure that the Structure complies with DSOD requirements and will be fully functional prior to the onset of the wet season in order to prevent an emergency and protect public health and safety. The project also involves the repair and maintenance of an existing public structure and is the same site as the existing damaged structure. Measures are in place to prevent impacts and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

APPROVAL BY INITIATING UNIT:

08/30/23	Deirdre Mena	RCC
1. DATE PREPARED	2. PREPARED BY (initial)	3. REVIEWED BY (Unit Supv. initial)

4. RECOMMENDED BY (Division/Section Manager)

Doug Hooper	STN	Asst. Superindent of Aqueduct	209-946-8009
5. CONTACT PERSON	MAIL SLOT #	TITLE	PHONE

NOTICE OF EXEMPTION APPROVED FOR FILING WITH THE COUNTY CLERK

9/11/23	David N Briggs
DATE	DEPARTMENT DIRECTOR
9/22/23	Rischa S. Cole
DATE FORWARDED TO COUNTY CLERK	SECRETARY OF THE DISTRICT

Attachment A
East Bay Municipal Utility District
Upper San Leandro Reservoir Emergency Drain Valve Structure Sediment Removal Project

Overview and Background

The Upper San Leandro Reservoir (Reservoir) Emergency Drain Valve Structure Sediment Removal Project (Project) will occur inside the concrete energy dissipator structure (Structure), adjacent to the Reservoir dam's spillway. The Project site is located within East Bay Municipal Utility District (EBMUD) owned watershed land in Alameda County (see Vicinity Map).

The Project includes dewatering the Structure and removal of sediment build-up, in addition to the installation of a stoplog and water-level actuated pump.

Project Purpose and Objective

The purpose of the Project is to protect the long-term functionality of the hollow cone *Howell-Bunger* emergency drain valve, which is designed for operation within dry conditions. The valve, housed within the Structure, is currently partly submerged in sediment-laden water from the downstream Miller Creek channel which is backing up into the Structure.

The State Department of Water Resources' Division of Safety of Dams (DSOD) has mandated that the Structure be maintained in a dewatered state, so EBMUD staff can readily access the valve for operational and emergency needs.

Project Location

The Project site is located off Redwood Road in Castro Valley, and is accessed through an EBMUD access road, which leads to the Reservoir and dam structures (see Figures 1 through 2). The access road will be used for worker and equipment access for the Project.

Project Characteristics

The Project includes installation of a cofferdam to allow for dewatering and sediment removal, followed by permanent installation of a redwood and/or aluminum stoplog to maintain dry conditions within the Structure in addition to a level-actuated pumping system, in order to ensure that the Structure can meet DSOD requirements, and the valve can operate and be maintained in dry conditions (see Drawing 1).

Permits and Approvals

Miller Creek is currently backing up into the Structure, and jurisdictional permits are required to conduct the proposed Project as it will occur within waters of the United States and waters of the State. A Preconstruction Notification for Nationwide Permit Nos. 18 and 33 has been submitted to the US Army Corp of Engineers, in addition to an application for the respective 401 certification to the San Francisco Bay Regional Water Quality Control Board.

Attachment A
East Bay Municipal Utility District
Upper San Leandro Reservoir Emergency Drain Valve Structure Sediment Removal Project

Within 14 days of start-up of the Project, an Emergency Notification will be submitted to the California Department of Fish and Wildlife (CDFW). EBMUD has been in contact with CDFW about this Project and has discussed the Project need and critical timeline for completion with agency staff.

Schedule and Work Hours

The Project's tentative work schedule is to commence and be completed prior to start-up of the 2023-24 wet weather season after the permitting is completed. Work will be limited to weekdays with standard business hours of 7:00 a.m.to 5:00 p.m. The Project is expected to be completed within five to ten days.

EBMUD Practices and Procedures

Standard construction environmental and safety practices applicable to all EBMUD construction projects will be incorporated into the Project. The Project site is within EBMUD-owned property, with no public access. The site is located within EBMUD's Watershed, and there are no nearby commercial or residential developments.

All heavy equipment will be staged on the paved access road, located directly above the Structure. Proposed activities conducted within the Structure will use hand tools only. The sediment will be scooped up from the floor of the Structure and placed directly into the bucket of an excavator or backhoe where the contents will then be emptied into the bed of a staged dump truck. The removed sediment will be placed in an upland area where it cannot impact the water body.

For the dewatering process, EBMUD will modify a 55-gallon drum with 2 mm screening to dissipate the suction force and eliminate the potential for California red legged frogs and respective larvae (CRLFs) to enter the pumping system. Bagged river rocks will be used for the temporary cofferdam instead of sand. This will eliminate potential impacts to the water quality that would result if a sandbag accidentally burst and released contents into Miller Creek.

The Project site is located within critical habitat for Alameda Whipsnake. The Structure does not enhance the habitat value of the area. The proposed activities will not impact, affect, or modify the Alameda Whipsnake critical habitat.

There is high potential for CRLFs to be present within the Project site as the surrounding area provides suitable breeding and nonbreeding aquatic habitat, in addition to upland dispersal habitat. Conclusions from the Biological Assessment conducted on June 16, 2023, determined that the proposed activities may affect, but not likely to adversely affect CRLFs with implementation of the Project-specific avoidance and mitigation measures. All identified measures will be implemented for the proposed activities.

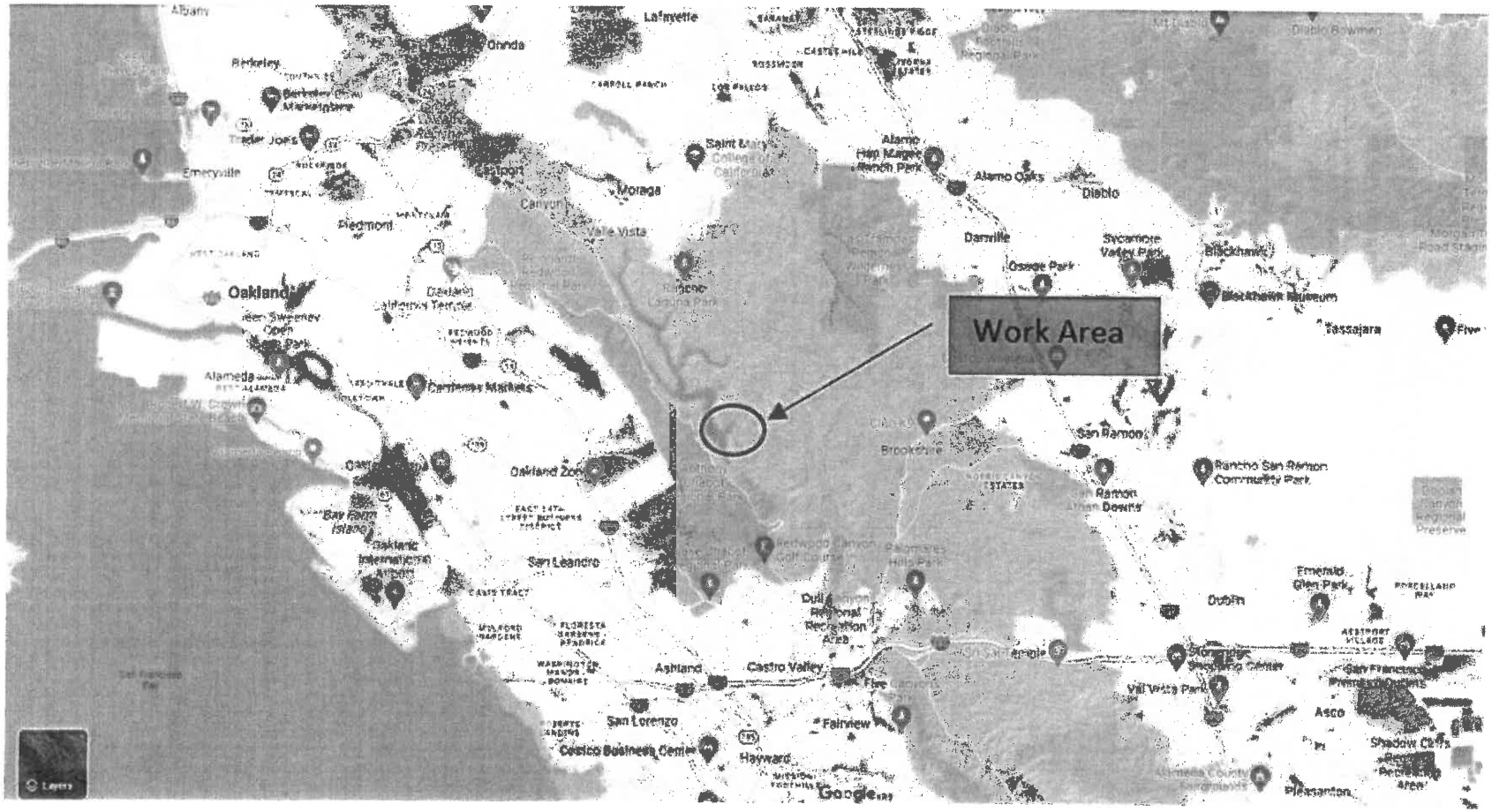
Attachment A
East Bay Municipal Utility District
Upper San Leandro Reservoir Emergency Drain Valve Structure Sediment Removal Project

Biological support will be provided for the Project by a US Fish and Wildlife approved Biologist, including preconstruction survey(s), site-specific training for the crew, and continuous monitoring for the scope of work from beginning to completion.

Exemption Findings

The emergency drain valve is designed to operate in dry conditions and the required maintenance will ensure that the Structure complies with DSOD requirements and ensures full functionality of the emergency drain valve in the event of a catastrophe. EBMUD has determined that the Project is exempt from CEQA under the CEQA Statutory Exemption for Emergency Projects in CEQA Section 21080(b)(3) and Guidelines Section 15269(b) because this repair to a public facility is necessary to maintain service essential to the public health, safety, and welfare and preparing an environmental analysis would create a risk to health and safety because the wet season will commence soon. EBMUD has determined that the anticipated period of time to conduct an environmental review of the Project could create a risk to public health, safety, and welfare. The Project also consists of the repair, maintenance, and reconstruction of an existing public structure to meet public health and safety standards as is exempt pursuant to CEQA Guidelines Sections 15301 and 15302.

Upper San Leandro Reservoir Emergency Drain Valve Structure Sediment Removal Project, coordinates: 37.763294, -122.091106



Vicinity Map

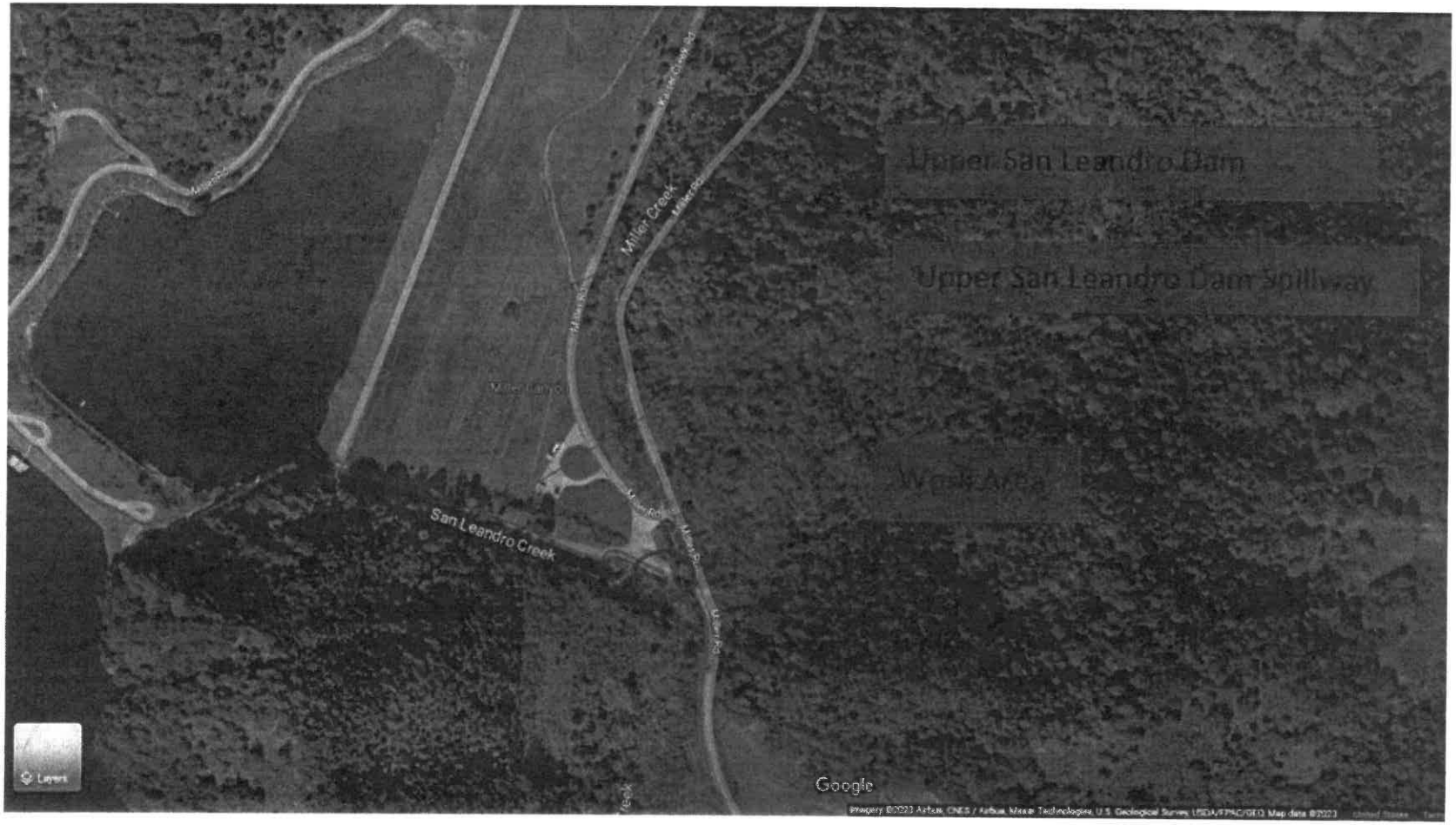


Figure 1 - aerial view of project area in relation to the Upper San Leandro Reservoir, including dam and respective spillway

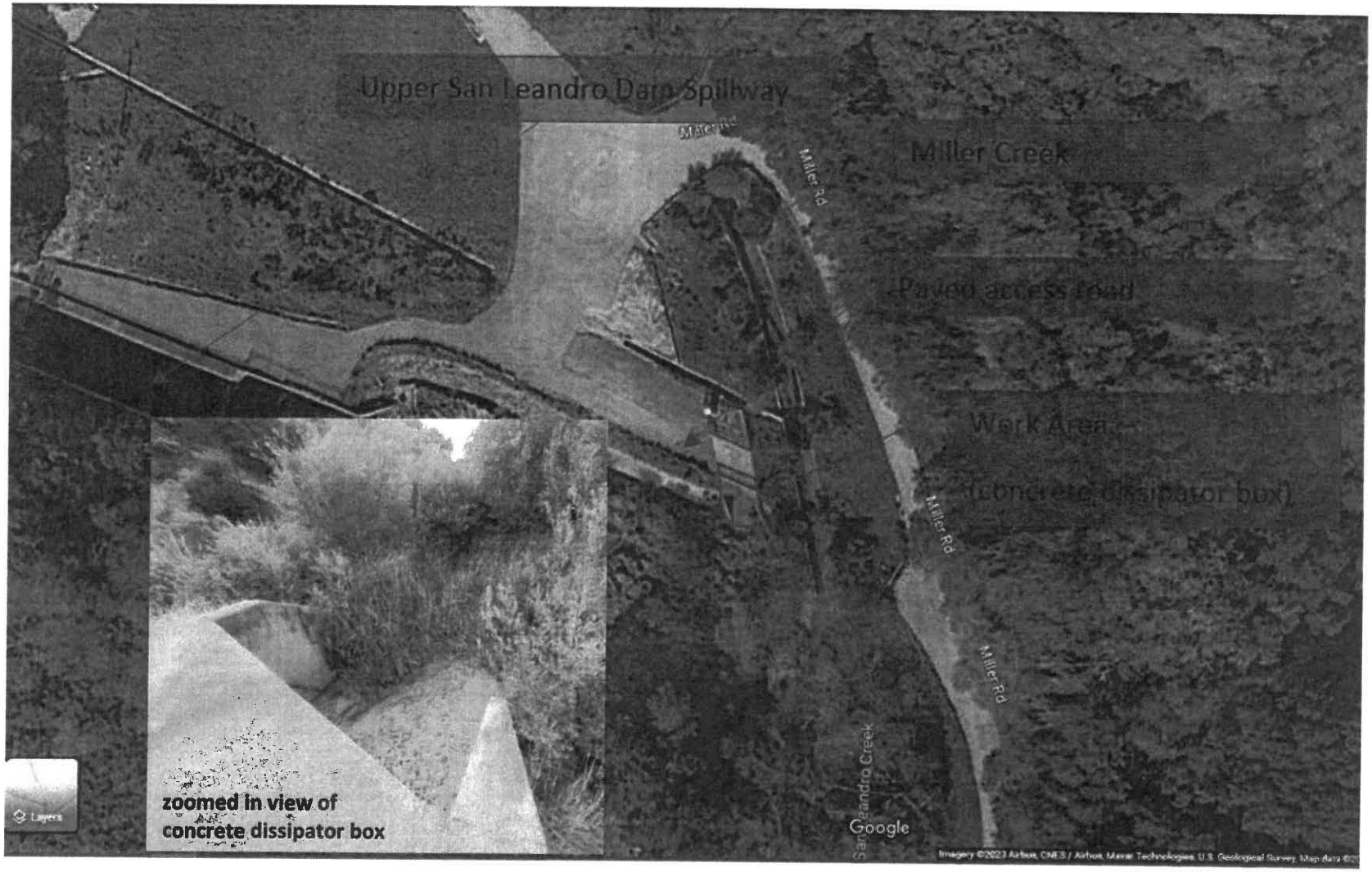


Figure 2 - aerial view of project area in relation to the Upper San Leandro Dam Spillway, Miller Creek and access road

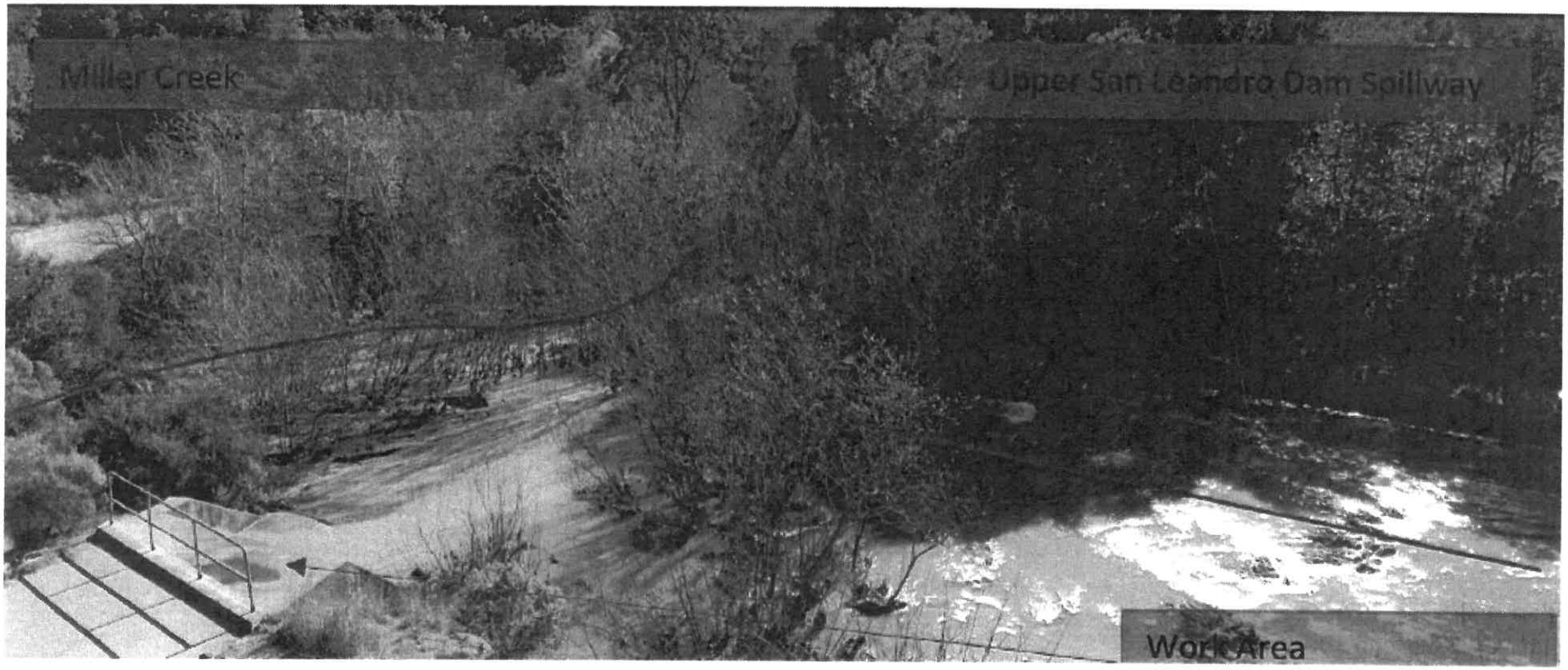
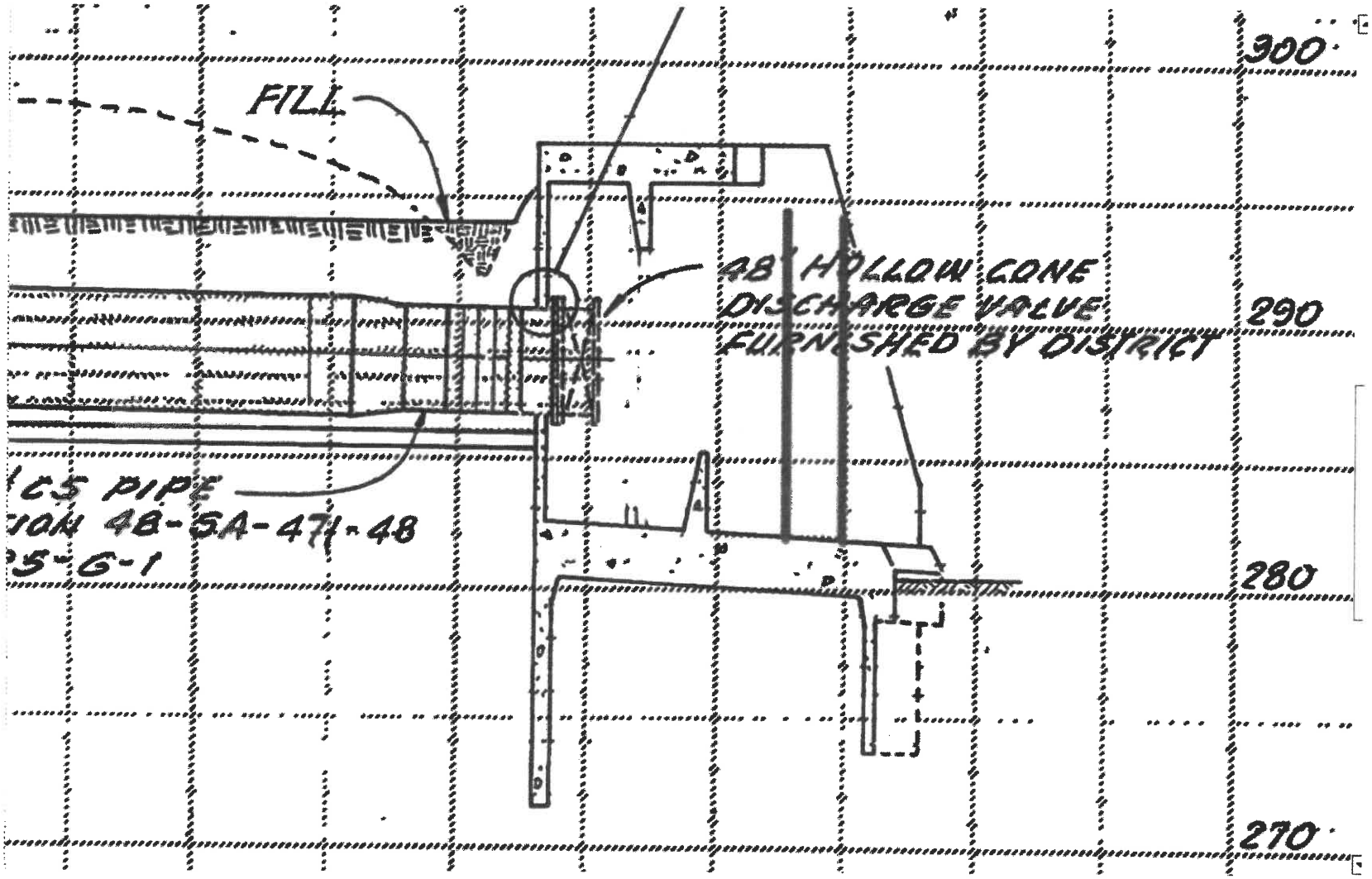


Figure 3 - aerial view of project area in relation to the Upper San Leandro Dam Spillway, Miller Creek and access road, zoomed in view



Drawing 1 - emergency drain valve - red line depicts cofferdam location for dewatering concrete structure, blue line depicts permanent location for new stop-log to keep structure dry

1A
1B

S2032B

XCG14EZ

EAST BAY MUNICIPAL UTILITY DISTRICT
ACCOUNTS PAYABLE
P.O. BOX 24055
OAKLAND, CA 94623-1055

P.O. NUM / ACCT NUM	INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT
	Fee 091423	09/14/23	50.00
CHECK NUMBER: 200037452		TOTAL	**50.00**

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REMOVE DOCUMENT ALONG THIS PERFORATION

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EAST BAY MUNICIPAL UTILITY DISTRICT
Accounts Payable
P.O. BOX 24055
Oakland, CA 94623-1055

Wells Fargo Bank 11-24/1210
San Francisco, CA

Check No.
200037452

Date: 09/22/23 **Pay Amount:** *********50.00

Pay Fifty Dollars And Zero Cents*****

Void After 180 Days

To The Order Of
COUNTY OF ALAMEDA
Alameda County Clerk Recorder
1106 MADISON ST
OAKLAND, CA 94607

⑈200037452⑈ ⑆121000248⑆ 4121064679⑈