

**San Joaquin County Recorders**  
Steve J. Bestolarides  
44 N. San Joaquin Street, Room 260  
Stockton, Ca 95202  
**Receipt: 1683990-C1**

Product Name	Extended
FISH CLERK CLERK FISH AND GAME FILINGS	\$50.00
# Pages	7
Document #	39-12072023-336
Clerk Filing Fee	\$50.00
<b>Total</b>	<b>\$50.00</b>
Tender (Check)	\$50.00
Check #	200041104

Thank You!

12/7/23 8:12 AM rosaa



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

RECEIPT NUMBER:  
39-12072023-336

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY EAST BAY MUNICIPAL UTILITY DISTRICT	LEAD AGENCY EMAIL ,	DATE 12/07/2023
COUNTY/STATE AGENCY OF FILING SAN JOAQUIN	DOCUMENT NUMBER 39-12072023-336	

PROJECT TITLE

MOKELUMNE RIVER SURFACE WATER DIVERSION FISH SCREENING PROJECT 2024

PROJECT APPLICANT NAME EAST BAY MUNICIPAL UTILITY DISTRICT	PROJECT APPLICANT EMAIL	PHONE NUMBER (510) 287-0404
PROJECT APPLICANT ADDRESS 375 ELEVENTH STREET MS 806	CITY OAKLAND	STATE CA
		ZIP CODE 94607

PROJECT APPLICANT (Check appropriate box)

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

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,839.25	\$	
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,764.00	\$	
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,305.25	\$	

☒ Exempt from fee

☒ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

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

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	
<input checked="" type="checkbox"/> County documentary handling fee		\$	\$50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

☐ Cash ☐ Credit ☒ Check ☐ Other

TOTAL RECEIVED \$ 50.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE Rosa Arceo ,Deputy
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RECEIVED

DEC 12 2023

Office of the Secretary





State of California - Department of Fish and Wildlife  
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TOTAL RECEIVED \$ 50.00

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

Rosa Arceo ,Deputy

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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

**NOTICE**

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

**COUNTY DOCUMENTARY HANDLING FEE**

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

**COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS**

**Filing Notice of Determination (NOD):**

- ☐ Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- ☐ Mail filing fees for **CRP** document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- ☐ Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

**Filing Notice of Exemption (NOE)** *(Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))*

- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

**Within 30 days after the end of each month in which the environmental filing fees are collected**, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

**The county clerk shall mail the following documents to CDFW on a monthly basis:**

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

**DOCUMENT RETENTION**

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

**RECEIPT NUMBER**

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

**DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.**

**Mail to:**

California Department of Fish and Wildlife  
Accounting Services Branch  
P.O. Box 944209  
Sacramento, California 94244-2090

Filed Doc #: 39-12072023-336  
12/07/2023 08:12:20 AM  
Steve J. Bestolarides  
San Joaquin County Clerk

**Lead Agency:**

EAST BAY MUNICIPAL UTILITY

DISTRICT

375 ELEVENTH ST MS 806

OAKLAND CA 94607-4240

RECEIVED

DEC 12 2023

Office of the Secretary

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**DOCUMENT TITLE**

NOTICE OF EXEMPTION



## NOTICE OF EXEMPTION

**TO:**  
**San Joaquin County**  
**Recorder/County Clerk Office**  
**44 N. San Joaquin Street, Ste 260**  
**Stockton CA 95202**

**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:** Mokelumne River Surface Water Diversion Fish Screening Project 2024
2. **LOCATION:** (City, County, and specific location)  
Thornton Ca, San Joaquin County (38.212088, -121.379392)  
See Attachment A for more information.
3. **DESCRIPTION:**  
The project consists of installation of self-cleaning fish screens to three existing surface water diversions in the lower Mokelumne River. The purpose of the project is to reduce entrainment of juvenile anadromous fish into water diversions within the lower Mokelumne River. See Attachment A for more information.

### EXEMPTION FINDING (Check one)

This project is exempt from CEQA because:

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, 15303
6. ☐ Activity is Statutorily Exempt Under Guideline
7. ☒ Reasons why project is exempt:

Reasons why project is exempt: The project involves maintenance of an existing facility (private diversion intake) that does not expand its existing use (Guideline 15301), requiring only the reconstruction of the existing facility (Guideline 15302), and the addition of a small structure (fish-blocking screen) to the facility (Guideline 15303). The project will have no significant environmental effects relative to location, cumulative impact, or significant effects due to unusual circumstances, hazardous waste, or historical resources; pursuant to Section 15300.2 of the CEQA Guidelines.

### APPROVAL BY INITIATING UNIT: Lodi Fish and Wildlife Division: Lodi Office

October 25, 2023	James Pearson	Casey Del Real
1. DATE PREPARED	2. PREPARED BY (Initial)	3. REVIEWED BY (Unit Supv. Initial)
Michelle Workman		
4. RECOMMENDED BY (Division/Section Manager)		
James Pearson	Lodi	Fish Biologist
5. CONTACT PERSON	MAIL SLOT #	TITLE
		209-263-6357
		PHONE

### NOTICE OF EXEMPTION APPROVED FOR FILING WITH THE COUNTY CLERK

11/20/23	Michael Tognolini
DATE	DEPARTMENT DIRECTOR
11/29/2023	Rischa Cole
DATE FORWARDED TO COUNTY CLERK	SECRETARY OF THE DISTRICT

**ATTACHMENT A**  
**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Mokelumne River Surface Water Diversion Fish Screening Project 2024**

**Overview and Background**

Unscreened surface water diversions have been indicated as a significant threat to the salmonid populations of the California Central Valley (CCV). Roughly 270 water diversions on the Mokelumne River have been identified by the CDFW as lacking a sufficient screen design to prevent fish entrainment or impingement. Researchers with the EBMUD and the USFWS created a model to rank these unscreened water diversions in order to prioritize which structures pose the greatest risk to the juvenile salmonid populations in the Mokelumne River. Based on model outputs, biologists with EBMUD conducted community outreach and were able to identify one local landowner whose existing unscreened water diversions ranked highest (1st, 2nd, and Not Assessed) and had an interest in collaborating. In recognition of the importance of these three unscreened water diversions, EBMUD completed the design phase of the screening project. The proposed project is an implementation project, which will replace the existing trash racks and/or open pipes at three water diversions with new self-cleaning fish screens, and includes the costs associated with the fabrication, delivery, installation, and monitoring of each screening unit. Ultimately, this project seeks to work with an interested landowner to screen three of the largest private surface water diversions on the Mokelumne River in order to protect and enhance the resident salmonid populations in the Mokelumne River, including the native steelhead trout (*Oncorhynchus mykiss*), which is a part of the Central Valley Evolutionary Significant Unit and are federally listed as threatened under the Endangered Species Act.

**Project Purpose and Objectives**

The project aims to reduce entrainment of juvenile anadromous fish through the installation of self-cleaning fish screens to three surface water diversions within the lower Mokelumne River.

**Project Location and Site Characteristics**

The proposed project will work to screen three previously unscreened water diversions along the Mokelumne River (Figure 1). All three of the proposed screening projects are located near Thornton, CA in San Joaquin County. While the three sites are located on different parcels (APN #), all the parcels are collectively under one ownership group, managed by a single property manager, and are collectively one of the largest private water diverters on the Mokelumne River.

Site 1: Diversion site #1 is the furthest upstream site (48.7 rkm; ≈5.9km from Thornton, CA), located on the north bank (Lat: 38.211233, Long: -121.354889; APN # 00319003; PAD# 703345), ranked 2<sup>nd</sup> by the RRM, and has a maximum pumping rate of 5,117 gpm (11.4 cfs).

Site 2: Diversion site #2 is situated in-between sites #1 and #2 (46.7 rkm; ≈3.8km from Thornton, CA), located on the north bank (Lat: 38.212068, Long: -121.379392; PAD# 703310; APN # 00319018), ranked 1<sup>st</sup> by the RRM, and has a maximum pumping rate of 5,117 gpm (11.4 cfs).

Site 3: Diversion site #3 is the furthest downstream site (43.8 rkm; ≈1.9km from Thornton, CA), located on the north bank (Lat: 38.221214, Long: -121.399403, PAD # 703311; APN: 00319004), not ranked by the RRM (RRM ranked diversion ≥46 rkm), and has a maximum pumping rate of 5,117 gpm (11.4 cfs).

**Project Characteristics**

Self-cleaning fish screens shall be designed, fabricated, delivered, and mounted to a fabricated steel screen base at each diversion site. Because of the shallow water depth, one cone screen approximately 66 inches in diameter will be installed at each site (Figure 5). A brush cleaning system, including a submersible hydraulic motor and three external brushes, will keep grass, algae, and other debris from accumulating on the surface of the screen.

### Permits and Approvals

All work will be conducted on private property adjacent to the Mokelumne River. The landowners have provided permission for the project and are involved in approval of final screen design. Encroachment permits are not required since there is no work within the public right-of-way. All required permits from the regulatory agencies will be obtained before commencing work. Due to the presence of anadromous fish in the project area, there are numerous permits that will need to be obtained. The permits needed for this project will be: California Environmental Quality Act (CEQA) NOE, NEPA Categorical Exclusion, CDFW Lake and Streambed Alteration Agreement, National Historic Preservation Act Section 106, NMFS ESA Section 7, USFWS ESA Section 7, USACE Section 404, SWRCB 401 cert.

### Schedule and Work Hours

The construction is anticipated to start in late summer of 2024 or 2025 (dependent on permitting and fabrication) and will take approximately 1 week to complete. Construction activities will occur in the daytime weekday hours (7:00 a.m. to 4:30 p.m.). Construction will occur during the dry season to avoid (National Pollutant Discharge Elimination System) NPDES concerns and weather-related delays.

### EBMUD Practices and Procedures

Standard construction biological, environmental, and safety practices applicable to all EBMUD construction projects have been incorporated into the project. California Storm water Quality Association (CASQA) Best Management Practices will be utilized. These standard practices minimize impacts resulting from EBMUD construction projects.

### Reason for CEQA Exemption

This project is exempt from CEQA because it involves the maintenance of an existing facility (private diversion intake) that does not expand its existing use (Guideline 15301), requiring only the reconstruction of the existing facility (Guideline 15302), and the addition of a small structure (fish-blocking screen) to the facility (Guideline 15303; Table 1). The project will have no significant environmental effects relative to location, cumulative impact, or significant effects due to unusual circumstances, hazardous waste, or historical resources; pursuant to Section 15300.2 of the CEQA Guidelines.

Table 1: CEQA Exemption Sections and Descriptions

Exemption Type	CEQA Section	Description
Existing facilities (Categorical)	CCR 15301	Operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
Replacement or reconstruction (Categorical)	CCR 15302	Replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.
New construction or conversion of small structures (Categorical)	CCR-15303	Construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.



## Project Figures

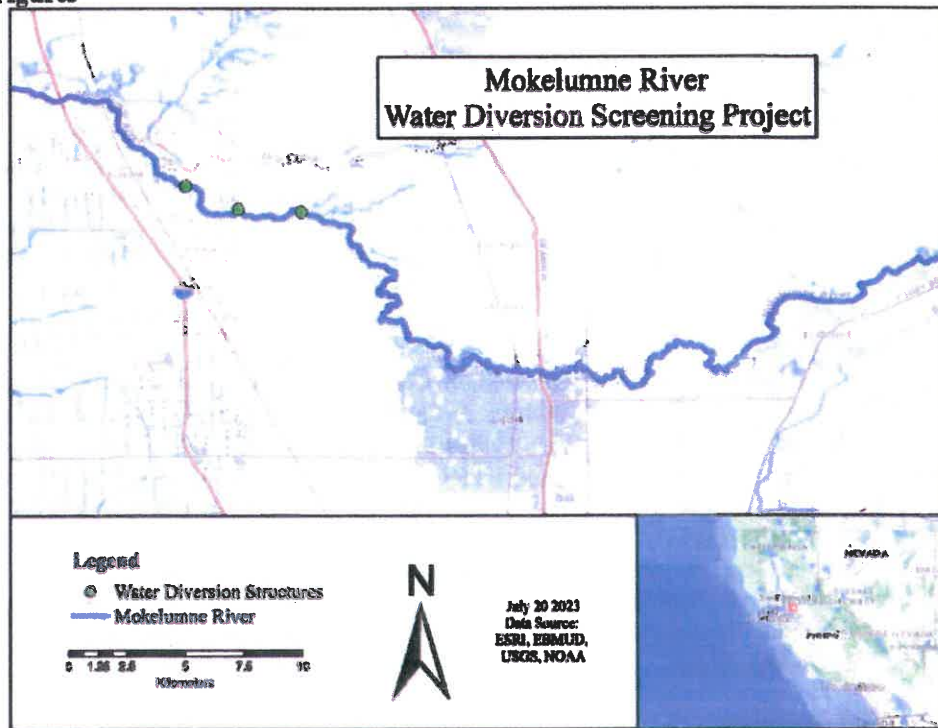
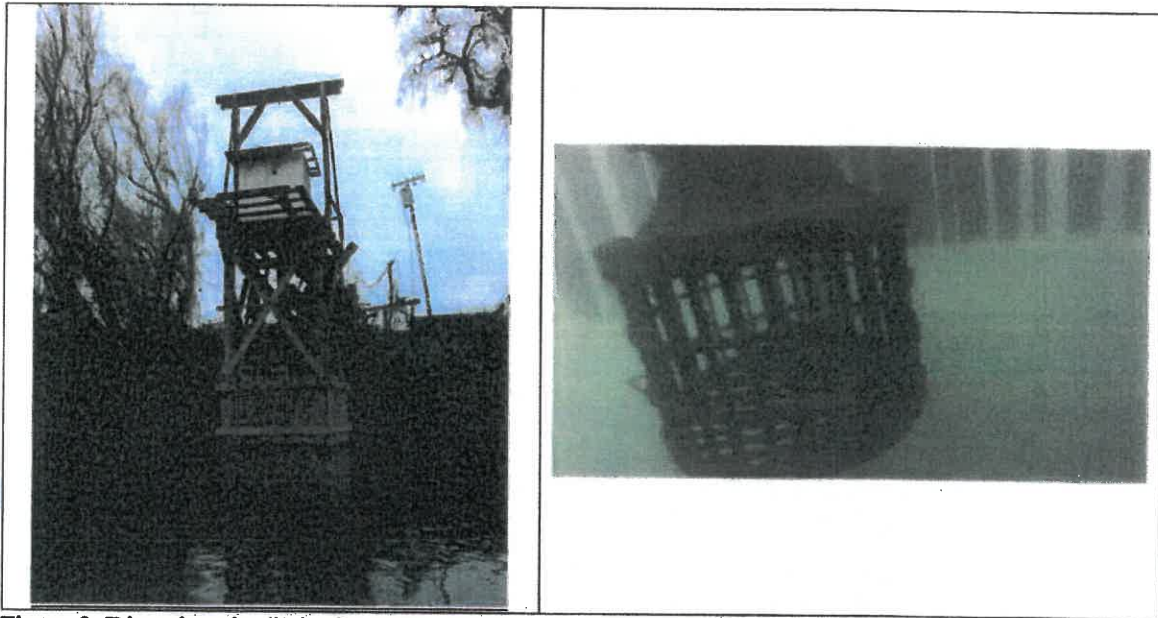


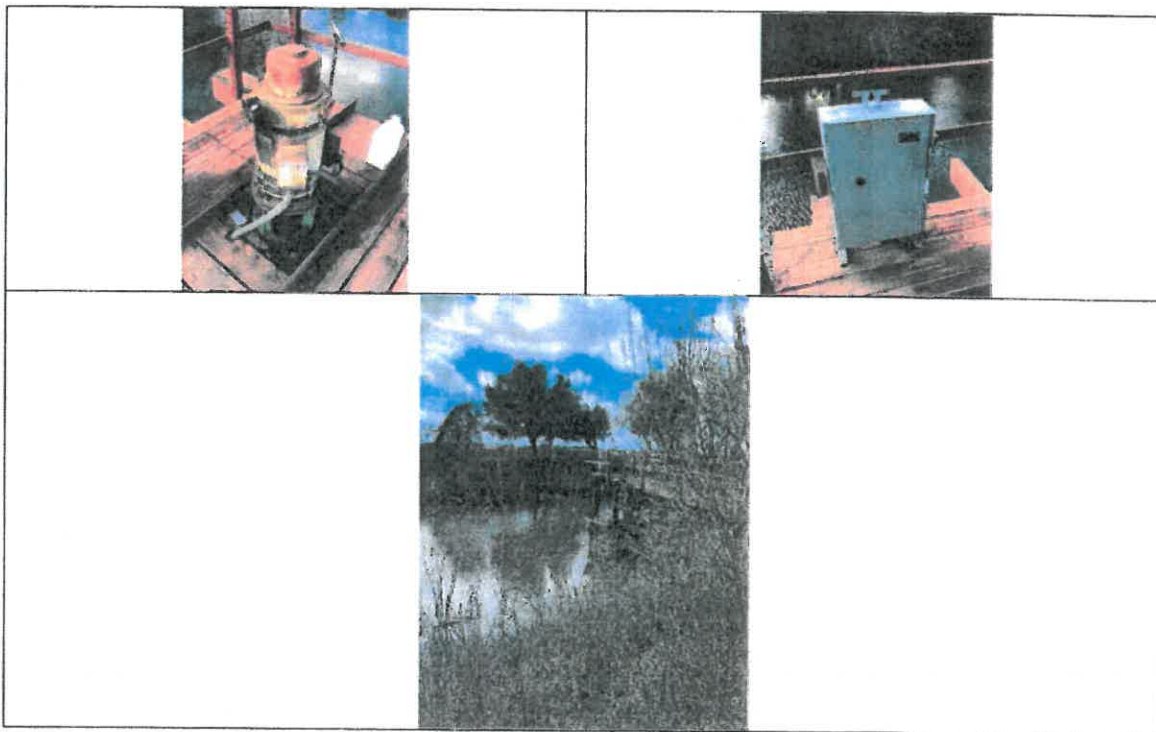
Figure 1. Project site locations for the 2021 Lower Mokelumne River Fish Screen Project.



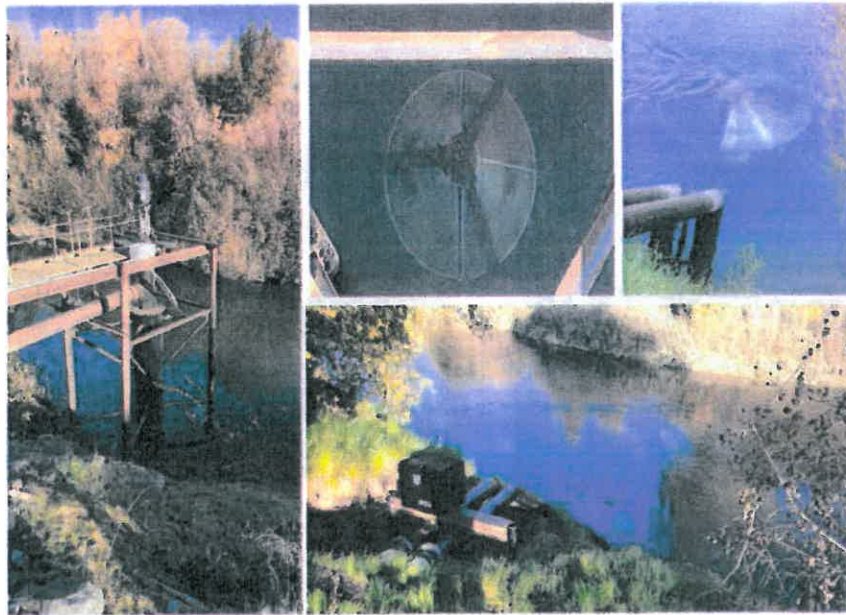
Figure 2. Diversion site #1 is the furthest upstream site (48.7 rkm;  $\approx 5.9$ km from Thornton), located on the north bank (Lat: 38.211233, Long: -121.354889; APN # 00319003; PAD# 703345), ranked 2<sup>nd</sup> by the RRM, and has a maximum pumping rate of 5,117 gpm (11.4 cfs).



**Figure 3. Diversion site #2 is situated in-between sites #1 and #2 (46.7 rkm;  $\approx 3.8$ km from Thornton), located on the north bank (Lat: 38.212068, Long: -121.379392; PAD# 703310; APN # 00319018), ranked 1\* by the RRM, and has a maximum pumping rate of 5,117 gpm (11.4 cfs).**



**Figure 4. Diversion site #3 is the furthest downstream site (43.8 rkm;  $\approx 1.9$ km from Thornton), located on the north bank (Lat: 38.221214, Long: -121.399403, PAD # 703311; APN: 00319004), not ranked by the RRM (RRM ranked diversion  $\geq 46$  rkm), and has a maximum pumping rate of 5,117 gpm (11.4 cfs).**



**Figure 5. Examples of water diversion screens installed by EBMUD in 2021.**