

***ENVIRONMENTAL DECLARATION**

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

East Bay Municipal Utility District
375 11th Street, MS 806
Oakland, CA 94607
Tel: (510) 287-0404

FOR COUNTY CLERK USE ONLY

**ENDORSED
FILED
ALAMEDA COUNTY**

APR 14 2022

**MELISSA WILK, County Clerk
By  Deputy**

Project: 2022 Yuba Water Agency
Spring Transfer to EBMUD

FILE NO: 22-120

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT: (PLEASE MARK ONLY ONE CLASSIFICATION)

1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

☒ A - STATUTORILY OR CATEGORICALLY EXEMPT

\$ 50.00 - COUNTY CLERK HANDLING FEE

2. NOTICE OF DETERMINATION (NOD)

☐ A - NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

\$ 2,548.00 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

☐ B - ENVIRONMENTAL IMPACT REPORT (EIR)

\$ 3,539.25 - 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, 2022

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK

RECEIVED

APR 20 2022

Office of the Secretary



NOTICE OF EXEMPTION

TO:
Alameda County Clerk-Recorder
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: 2022 Yuba Water Agency (YWA) Spring Transfer to EBMUD
2. LOCATION: (City, County, and specific location)
See Attachment A.
3. DESCRIPTION: See Attachment A.

**ENDORSED
FILED
ALAMEDA COUNTY**

APR 14 2022

MELISSA WILK, County Clerk
By *clerk* Deputy

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, 15304
6. ☒ Activity is Statutorily Exempt Under Guideline 15061(b)(3), WC §1729
7. ☒ Reasons why project is exempt: See Attachment A.

APPROVAL BY INITIATING UNIT: 455

04/04/2022

Max Fefer

Hasan Abdullah

1. DATE PREPARED

2. PREPARED BY (initial)

3. REVIEWED BY (Unit Supv. initial)

Linda Hu

4. RECOMMENDED BY (Division/Section Manager)

Hasan Abdullah

407

Senior Civil Engineer

510-287-0550

5. CONTACT PERSON

MAIL SLOT #

TITLE

PHONE

NOTICE OF EXEMPTION APPROVED FOR FILING WITH THE COUNTY CLERK

04/11/2022

Michael T. Tognolini

DATE

DEPARTMENT DIRECTOR

4/13/22
DATE FORWARDED TO COUNTY CLERK

Rischa Cole
SECRETARY OF THE DISTRICT

ATTACHMENT A

2022 Spring Water Transfer from Yuba Water Agency (YWA) to East Bay Municipal Utility District (EBMUD)

Project Description

Due to the Public Health & Safety CVP allocation in 2022 and dry conditions continuing in 2022, EBMUD is pursuing water transfers in 2022. On January 11 2022, a three-way agreement between YWA, Contra Costa Water District (CCWD), and EBMUD (Option Agreement) was approved by the Board and executed, which includes the potential to offer EBMUD and CCWD 15 thousand acre feet (TAF) or more transfer water in the spring (Spring Water) and 10 TAF or more transfer water in the summer (Summer Water). Spring Water would be available to transfer from YWA through June 30, 2022.

Under the proposed temporary water transfer ("Project"), YWA would release up to 10,000 acre-feet (AF) of Spring Water from New Bullards Bar Reservoir into the Yuba River for transfer to EBMUD from April 1, 2022 through June 30, 2022. The transferred water is made available through YWA's instream flow requirements described in the Yuba Accord Fisheries Agreement and included in YWA's water rights as part of the State Water Resources Control Board (SRWCB)'s implementation of the Yuba Accord. The transfer water would be conveyed through the Feather and Sacramento Rivers to the Sacramento-San Joaquin Delta where it would be diverted by CCWD on behalf of EBMUD, minus 35 percent losses for Delta carriage water losses. CCWD would store the transfer water in Los Vaqueros Reservoir on behalf of EBMUD and coordinate with EBMUD to return the water to EBMUD via a CVP exchange at a later date. The exchanged water would be diverted by EBMUD at the Freeport Regional Water Authority intake (Freeport Intake) on the Sacramento River and the quantity would be the amount stored in Los Vaqueros Reservoir minus evaporative losses. After diversion at the Freeport Intake, the exchanged water would be conveyed through the Freeport Regional Water Authority's joint pipeline, the lower reach of the Folsom South Canal, EBMUD's Folsom South Canal Connection pipeline, and EBMUD's Mokelumne Aqueducts to EBMUD's service area (see Figure 1).

Project Location

The Project Location consists of the transfer pathway of the Yuba Spring transfer. The transfer begins in YWA service area through release at New Bullards Bar Reservoir to the Marysville Gage ("Point of Release"), to the Feather River downstream of Marysville Gage. The water continues to travel in the Sacramento River downstream of the confluence with the Feather River to the CCWD intakes, other CCWD facilities, and ultimately to Los Vaqueros Reservoir. The exchanged water would be diverted by EBMUD at the Freeport Intake using EBMUD/FRWA existing facilities and the Folsom South Canal to EBMUD's Mokelumne Aqueduct system where it is delivered to EBMUD's service area (Alameda, Butte, Contra Costa, Sacramento, San Joaquin, Sutter, and Yuba counties, see Figure 1).

Purpose

On April 27, 2021, EBMUD's Board of Directors declared a continuing water shortage emergency within EBMUD's service area, declared a Stage 1 critical drought, adopted a voluntary District-wide water use reduction goal of 10 percent, and declared the need to use the Freeport Project to deliver supplemental supplies to EBMUD's service area. January and February 2022 were the driest January and February on record in the Mokelumne River watershed. EBMUD continues to experience dry hydrology into 2022, prompting the need to secure supplemental supplies. In January 2022, under Board Motion No. 016-22, the Board approved a one-year water transfer agreement with CCWD and YWA which allows EBMUD to purchase Spring Water from YWA under the Yuba Accord. This Project supports EBMUD's Long-Term Water Supply Strategic Plan goal.

Schedule

Depending on the availability of Spring Water to transfer to a third party such as CCWD and/or EBMUD, the transfer could begin in April 2022 and be completed by the end of June 2022.

Approvals

The State Water Resources Control Board approved a temporary change petition on April 1, 2022 a temporary change petition to add CCWD's intakes as a point of diversion to YWA's water rights. Additional approvals are necessary to complete the Project: Reclamation approval of a Warren Act contract with EBMUD for storage and conveyance of transfer water through the federally owned Folsom Reservoir and Folsom South Canal; and confirmation from the California Department of Water Resources (DWR) and Reclamation that Spring Water is available to transfer to a third-party such as CCWD and/or EBMUD.

Public Impacts

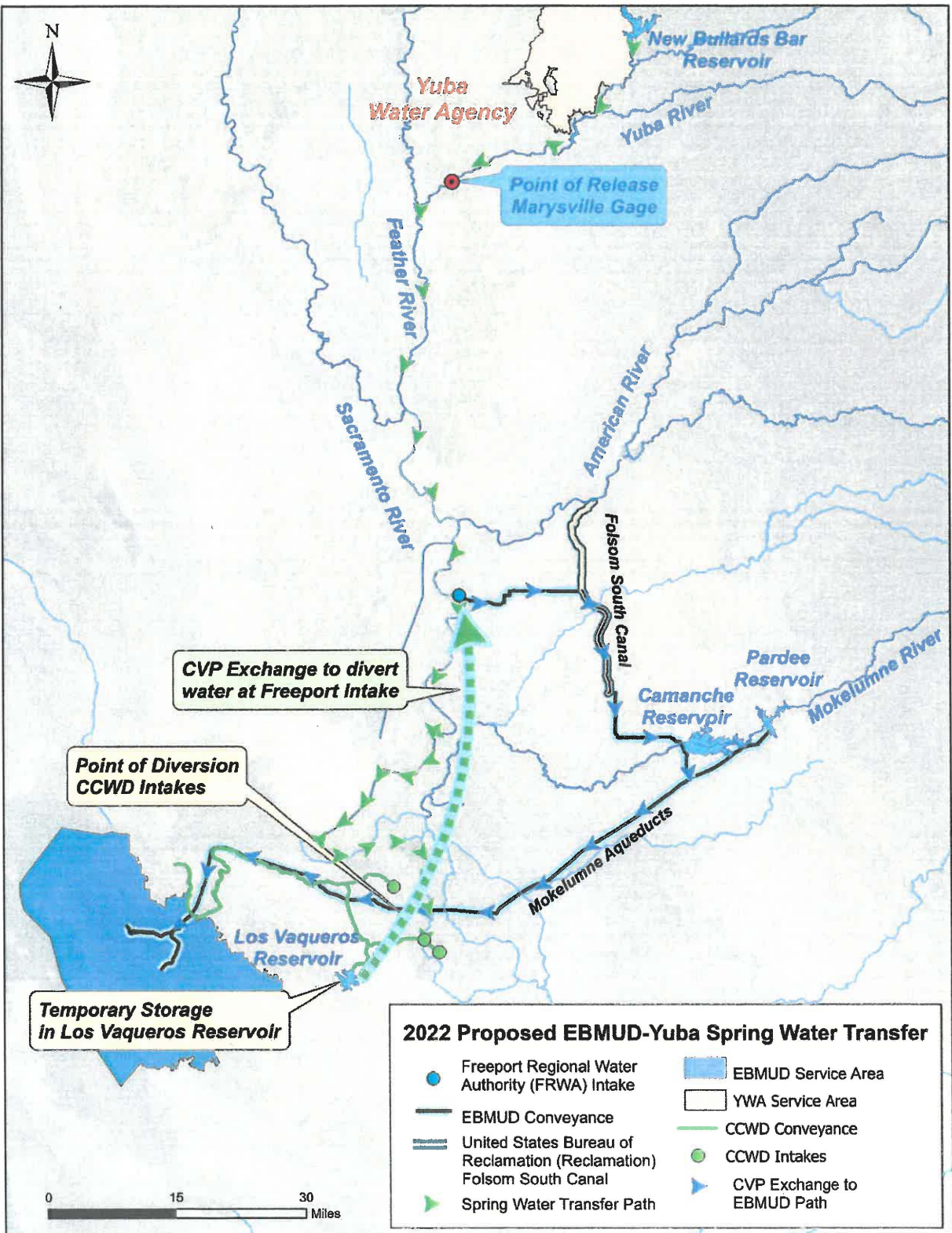
No construction activities will be required, and no public impacts are anticipated. Water users within EBMUD's service area will benefit from the increased water supply provided by the Project.

Bases of Exemption

The Project is exempt from the requirements of CEQA on a number of bases:

- 1) Public Resources Code section 21080(b)(4) and CEQA Guidelines Section 15269(c): This project involves specific actions necessary to prevent or mitigate the drought emergency.
- 2) Categorically exempt under Section 15301 for Existing Facilities: Each proposed transfer will not involve any construction or major alteration of facilities. Conveyance of the transferred CVP water would instead occur entirely through existing facilities and would not exceed the normal capacity of those facilities. The exceptions set forth in Section 15300.2 do not apply.
- 3) Categorically exempt under Section 15304 for Minor Alterations: This project involves a minor alteration to the condition of water.
- 4) “Common Sense” exemption under CEQA Guidelines Section 15061(b)(3): There is no possibility of this project having a significant effect on the environment since the water will be conveyed through existing facilities and will not exceed the normal capacity of those facilities.
- 5) Statutorily exempt under section 1729 of the California Water Code as a proposed short-term temporary change in the use of water involving a water transfer.

Figure 1. YWA-EBMUD 2022 Spring Water Transfer Location Map





State of California - Department of Fish and Wildlife
**2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT**
DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

Print

StartOver

Save

AC RECEIPT #: 3238658

RECEIPT NUMBER:

01-04/14/2022-120

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

EAST BAY MUNICIPAL UTILITY DISTRICT

LEAD AGENCY EMAIL

DATE

04/14/2022

COUNTY/STATE AGENCY OF FILING

ALAMEDA

DOCUMENT NUMBER

22 - 120

PROJECT TITLE

2022 YUBA WATER AGENCY (YWA) SPRING TRANSFER TO EBMUD

PROJECT APPLICANT NAME

HASAN ABDULLAH

PROJECT APPLICANT EMAIL

PHONE NUMBER

(510) 287-0550

PROJECT APPLICANT ADDRESS

375 11TH 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:



Environmental Impact Report (EIR)

\$3,539.25

\$

0.00



Mitigated/Negative Declaration (MND)(ND)

\$2,548.00

\$

0.00



Certified Regulatory Program (CRP) document - payment due directly to CDFW

\$1,203.25

\$

0.00



Exempt from fee



Notice of Exemption (attach)



CDFW No Effect Determination (attach)



Fee previously paid (attach previously issued cash receipt copy)



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 C Lake

AGENCY OF FILING PRINTED NAME AND TITLE

C. LAKE, DEPUTY CLERK