

# Notice of Determination

Appendix D

## TO:

☒ Office of Planning and Research

**For U.S. Mail:**

P.O. Box 3044  
Sacramento, CA 95812-3044

**Street Address:**

1400 Tenth Street  
Sacramento, CA 95814

☒ County Clerk

County of: Alameda

Address: 1106 Madison Street  
Oakland, CA 94607

## FROM:

Public Agency: Alameda County Flood Control & Water Conservation District

Address: 399 Elmhurst Street  
Hayward, CA 94544

Contact: Jim Browne

Phone: (510) 670-5796

Lead Agency (if different from above):

Address:

Contact:

Phone:

ENDORSED

FILED

ALAMEDA COUNTY

JUL 19 2021

MELISSA WILK, County Clerk

By *[Signature]* Deputy

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2020029059

Project Title: Lower Alameda Creek Fish Passage Restoration in Flood Control District Zone 5, Cities of Fremont and Union City, California

Project Location (include county): The project extends approximately 5.6 miles (29,730 feet) between the BART Weir fish ladder upstream to 600 feet below the Union Pacific Railroad (UPRR) crossing downstream, Cities of Fremont and Union City, Alameda County, California

**Project Description:** The project involves: Optimization of the existing low flow channel within the 230 feet wide flood control channel from the scour pool immediately downstream of the BART Weir to about 600 feet downstream of the UPRR crossing; modification of the RD2/Larinier fishway concrete structure; modification of existing grade control structures; modification of bridges footings in the channel; modification of UPRR bridge footing in the channel; protect PGE gas main channel crossing upstream of UPRR; installation of a new modified grade control structure; install boulders to improve habitat; and plant native shrubs and grasses on the configured channel terrace between the levees. The purpose of the project is to remove migratory impediments and improve the migratory corridor below the BART Weir to allow Central California Coast steelhead and other fish movement within the flood control channel to access upstream spawning grounds. The Project will also facilitate sediment transport downstream and thereby reduce maintenance desilting frequency of the flood control channel as required under the Corp's O&M manual.

This is to advise that the Alameda County Board of Supervisors has approved the above described  
( ☒ Lead Agency or ☐ Responsible Agency )

Project on July 13, 2021 and has made the following determinations regarding the above  
(Date)

described project:

1. The project ☐ will ☒ will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☒ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ will ☐ will not be made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan ☒ will ☐ will not be adopted for this project.
5. A statement of Overriding Considerations ☐ will ☒ will not be adopted for this project.
6. Findings ☐ were ☒ were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Mitigated Negative Declaration, is available to the General Public at: 399 Elmhurst Street, Hayward CA. 94544

Signature (Public Agency) Jim Browne Title: Supervising Environmental Compliance Specialist

Date: 7-16-21 Date received for filing at OPR: \_\_\_\_\_

Authority cited: Section 21083, Public Resources Code.  
Reference Section 21000-21174, Public Resources Code.

# **\*ENVIRONMENTAL DECLARATION**

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

**LEAD AGENCY: NAME AND ADDRESS**

Alameda County Flood Control &  
Water Conservation District  
Attn: Jim Browne, R.P.F.  
399 Elmhurst Street  
Hayward, CA 94544

**FOR CLERK USE ONLY**

**ENDORSED  
FILED  
ALAMEDA COUNTY**

**JUL 19 2021**

MELISSA WILK, County Clerk  
By  Deputy

FILE NO.: 21-297

## **CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:**

**1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION**

- ☐ A – STATUTORILY OR CATEGORICALLY EXEMPT  
\$ 50 (Fifty Dollars) – CLERK'S FEE

**2. NOTICE OF DETERMINATION**

- ☒ A – NEGATIVE DECLARATION (MITIGATED)  
\$ 2,480.25 – STATE FILING FEE  
\$ 50 (Fifty Dollars) – CLERK'S FEE

- ☐ B – ENVIRONMENTAL IMPACT REPORT  
\$ 3,445.25 – STATE FILING FEE  
\$ 50 (Fifty Dollars) – CLERK'S FEE

**3. OTHER (SPECIFY)** \_\_\_\_\_

\$ 50 (Fifty Dollars) – CLERK'S FEE

\*THIS FORM MUST BE COMPLETED AND SUBMITTED WITH ALL ENVIRONMENTAL DOCUMENTS FILED WITH THE ALAMEDA COUNTY CLERK'S OFFICE.

FOUR (4) COPIES OF ALL NECESSARY DOCUMENTATION ARE REQUIRED FOR FILING PURPOSES. FIVE (5) COPIES ARE REQUIRED FOR IN-OFFICE FILINGS.

APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING AN ENVIRONMENTAL DOCUMENT WITH THE ALAMEDA COUNTY CLERK'S OFFICE.

**FEES EFFECTIVE JANUARY 2021  
MAKE CHECK PAYABLE TO: ALAMEDA COUNTY CLERK**



State of California - Department of Fish and Wildlife  
**2021 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
DFW 753.5a (REV. 01/01/21) Previously DFG 753.5a

Print

Scan Over

Save

AC RECEIPT # 3030196

RECEIPT NUMBER:

01 -07/19/2021- 297

STATE CLEARINGHOUSE NUMBER (If applicable)

2020029059

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

ALAMEDA COUNTY FLOOD CONTROL & WATER...

LEAD AGENCY EMAIL

DATE

07/19/2021

COUNTY/STATE AGENCY OF FILING

ALAMEDA

DOCUMENT NUMBER

21 - 297

PROJECT TITLE

LOWER ALAMEDA CREEK FISH PASSAGE RESTORATION IN FLOOD CONTROL DISTRICT ZONE  
5, CITIES OF FREMONT AND UNION CITY, CALIFORNIA

PROJECT APPLICANT NAME

JIM BROWNE

PROJECT APPLICANT EMAIL

PHONE NUMBER

(510) 670-5796

PROJECT APPLICANT ADDRESS

399 ELMHURST STREET

CITY

HAYWARD

STATE

CA

ZIP CODE

94544

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency

☐ School District

☒ Other Special District

☐ State Agency

☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)

\$3,445.25

\$

0.00

☒ Mitigated/Negative Declaration (MND)(ND)

\$2,480.25

\$

2,480.25

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

\$1,171.25

\$

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

\$

2,530.25

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

JB, DEPUTY CLERK