

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Alameda

1106 Madison Street

Oakland California 94607

From: (Public Agency): Alameda County Water District
43885 South Grimmer Boulevard
Fremont, California 94538

(Address)

Project Title: The Niles Cone Groundwater Basin Extraction Well Site Evaluation Project (ACWD Resolution No. 20-026)

Project Applicant: Alameda County Water District

Project Location - Specific:

Blacow Blvd. @ Brophy St., Fremont; Cedar Ct., and Civic Center Park, Newark

Project Location - City: Fremont & Newark Project Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:

The nature and purpose of the proposed project is to install three test wells, eight monitoring wells, conduct three aquifer pump tests, and perform groundwater modeling, to determine the feasibility of three locations to remove brackish groundwater from the Centerville-Fremont Aquifer in the Niles Cone Groundwater Basin.

Name of Public Agency Approving Project: Alameda County Water District

Name of Person or Agency Carrying Out Project: Alameda County Water District

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Class 3, Section 15303; Class 4, Section 15304; See below
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The project is exempt because it falls within one or more of the following exemptions: Class 3, Section 15303: New Construction of Small Facilities or Structures; Class 4, Section 15304: Minor Alteration to Land; Class 6, Section 15306: Information Collection; Class 7, Section 15307: Action by Regulatory Agencies for the Protection of Natural Resources; and, Class 8, Section 15308: Action by Regulatory Agencies for the Protection of the Environment

Lead Agency

Contact Person: Douglas Young Area Code/Telephone/Extension: 510-668-4452

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: *Laura J. Adams* Date: 5/18/20 Title: Manager of Water Resources

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

RESOLUTION NO. 20-026

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT
FINDING THE NILES CONE GROUNDWATER BASIN EXTRACTION
WELL SITE EVALUATION PROJECT EXEMPT FROM CEQA AND
APPROVING THE PROJECT, JOB 10097

WHEREAS, the Alameda County Water District (District) has strived to protect the Niles Cone Groundwater Basin from over-pumping and saltwater intrusion;

WHEREAS, The District is the Groundwater Sustainability Agency for the Niles Cone Basin with an approved Alternative to a Groundwater Sustainability Plan under the Sustainable Groundwater Management Act (Water Code Section 10720 *et seq.*);

WHEREAS, although there has been substantial improvement in the Niles Cone Groundwater Basin as a result of the District's groundwater management efforts, there is still a bulge of brackish water in the Centerville-Fremont Aquifer in the central portion of the basin;

WHEREAS, the Niles Cone Groundwater Basin Extraction Well Site Evaluation Project (Project) will install three (3) test wells, eight (8) monitoring wells, conduct three (3) aquifer pump tests, and perform groundwater modeling, to determine the feasibility of the three (3) locations to remove brackish groundwater from the Centerville-Fremont Aquifer;

WHEREAS, a funding opportunity through the California State Water Resources Control Board has been identified through the Proposition 1 Groundwater Grant Program;

WHEREAS, on March 4, 2019, the Alameda County Water District submitted an application to the California State Water Resources Control Board for funding for the Project;

WHEREAS, on October 18, 2019, the California State Water Resources Control Board notified the District it has preliminarily been awarded funding through the Proposition 1 Groundwater Grant Program for the Project; and

WHEREAS, on December 12, 2019, the Board adopted Resolution No. 19-077 authorizing the General Manager to enter into a Financial Assistance Agreement with the California State Water Resources Control Board for the Project, and taking other related actions as required by the California State Water Resources Control Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Alameda County Water District as follows:

1. The Board finds on the basis of the whole record that the Project is exempt from the California Environmental Quality Act because the Project falls within one or more of the following exemptions:
 - Categorical Exemption Class 3 – new construction of small facilities or structures (CEQA Regulation Section 15303)
 - Categorical Exemption Class 4 – minor alterations of land (CEQA Regulation Section 15304)
 - Categorical Exemption Class 6 – information collection (CEQA Regulation Section 15306)
 - Categorical Exemption Class 7 – action by regulatory agencies for the protection of natural resources (CEQA Regulation Section 15307)
 - Categorical Exemption Class 8 – action by regulatory agencies for the protection of the environment (CEQA Regulation Section 15308)
2. The Board hereby approves implementation of the Project.
3. The Board authorizes the General Manager or designee to file a notice of exemption for the Project with the Alameda County Clerk's Office.

PASSED AND ADOPTED this 14th day of May 2020, by the following vote:

AYES: Directors Akbari, Gunther, Sethy, Weed, and Huang

NOES: None

ABSENT: None

/s/ JUDY. C. HUANG

Judy C. Huang, President
Board of Directors
Alameda County Water District

ATTEST:

APPROVED AS TO FORM:

/s/ GINA MARKOU

Gina Markou, District Secretary
Alameda County Water District
(Seal)

/s/ PATRICK T. MIYAKI

Patrick T. Miyaki, General Counsel
Alameda County Water District

CERTIFICATE

I, the undersigned District Secretary of ALAMEDA COUNTY WATER DISTRICT, do hereby certify that the foregoing is a full, true and correct copy of a Resolution of the Board of Directors of ALAMEDA COUNTY WATER DISTRICT, a political subdivision, which said Resolution was duly adopted at a meeting of said Board regularly, held on May 14, 2020, that a copy of said Resolution was forthwith duly entered in the minutes of said meeting of said Board, and that the same is in full force and effect.

Dated: May 15, 2020

Gina Markou

Gina Markou, District Secretary
Alameda County Water District