

# Notice of Exemption

Appendix E

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

From: (Public Agency): State Water Resources Control Board

County Clerk

P.O. Box 2000 Sacramento, CA 95812-2000

County of: Santa Clara

70 West Hedding Street, (at First Street)  
San Jose, CA 95110

Project Title: Federal Energy Regulatory Commission Order Compliance Project For Anderson Reservoir and Dam

Project Applicant: Santa Clara Valley Water District

Project Location - Specific:

Located in and adjacent to Coyote Creek in Santa Clara County from latitude/longitude -121.628919, 37.165514 to -121.882318, 37.368652

Project Location - City: San Jose and Morgan Hill Project Location - County: Santa Clara County

Description of Nature, Purpose and Beneficiaries of Project:

In February 2020, FERC ordered Valley Water to lower the reservoir level and to expedite several elements of the Anderson Dam Seismic Retrofit Project to mitigate the safety risk of a seismic event. These elements include construction of a new larger capacity outlet tunnel, flood walls, reopening of a historic creek channel just below the dam, and replacement of the Coyote Percolation Dam. The need for Water Quality Certification was triggered by the U.S. Army Corps of Engineers 404 application submitted by the Project applicant.

Name of Public Agency Approving Project: State Water Resources Control Board

Name of Person or Agency Carrying Out Project: Santa Clara Valley 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: \_\_\_\_\_

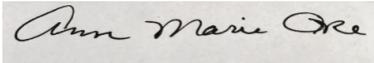
Reasons why project is exempt:

The emergency project statutory exemption applies because FERC issued an order to expedite the project to reduce the risk of Dam failure in the event of an earthquake.

Contact Person: Ann Marie Ore Area Code/Telephone/Extension: 916-704-5462

**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:  Date: 11/9/2020 Title: Program Manager