

JUL 11 2023

MELISSA WILK, County Clerk  
By      Deputy

### NOTICE OF EXEMPTION

(For filing pursuant to Public Resources Code, Section 21152)

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

**FROM:** (Lead Agency)  
Alameda County Flood Control and Water Conservation District  
399 Elmhurst Street  
Hayward, CA 94544

Alameda County Clerk-Recorder  
1106 Madison Street, 1<sup>st</sup> Floor  
Oakland, CA 94607

**Project Title:** San Lorenzo Creek (Zone 2 Line B) Emergency Bank Repair Behind 1976 Wingate Way, Hayward, Alameda County.

**Project Location - Specific:** Behind 1976 Wingate Way in Hayward, Alameda County.

**Project Location - City:** Hayward      **Project Location - County:** Alameda

**Description of, Nature, and Purpose of Project:** During the 2023 winter storms, the Alameda County Flood Control and Water Conservation District (District) was informed of a sudden and unexpected major scour and erosion along the south bank due to high and fast flow in San Lorenzo Creek behind the private property of 1976 Wingate Way. The portion of existing bank behind 1960 and 1980 Wingate Way also experienced severe bank erosion. The bank scour undermined the soldier pile retaining wall located along private property line on District property and exposed some of the concrete pile wall foundation creating a high risk of wall instability. The District proposes an emergency stabilization of the scoured south bank along the backyards between 1960 and 1980 by: removing fallen trees that are obstructing and redirecting channel flow towards the creek embankment where existing retaining wall is located, installing rock slope protection (RSP) mixture in the large scoured hole and along the south bank and in front of the wall, and backfilling behind the soldier pile retaining wall to reestablish the original grade of the private backyards. RSP mixture will consist of equal parts: ¼ Ton Class V/VI, Class III, Class I, and ¾ x 1/2. A total of approximately 850 cubic yards of RSP mixture will be placed within the scoured bank and in front of the retaining wall, an approximately 3,500-square-foot area. Backfill materials behind the retaining wall will consist of layers of: RSP mixture, universal gravel filter, Class 2 permeable material, and topsoil. The District will construct the permanent fix the following year after the temporary fix to restore the eroded bank, reestablish channel alignment to pre-storm condition, provide channel grade controls, and revegetate the restored bank. The purpose of this project is to alleviate the emergency of clearing the obstructions to the channel flow and stabilizing the severely scoured south channel bank.

**Name of Public Agency Approving Project:** Alameda County Flood Control and Water Conservation District

**Name of Person or Agency Carrying Out Project:** Alameda County Flood Control and Water Conservation District

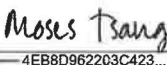
**EXEMPT STATUS** (check one):

- Categorical Exemption (state section number)
- Statutory Exemption (Section 15269)
  - Ministerial (Sec. 21080(b)(1); 15268);
  - Emergency Project. This is an emergency project as described in State Guidelines (Sec. 15269) example (a) projects to maintain, repair, restore...property and facilities damaged as a result of a disaster in which a state of emergency has been proclaimed by the Governor pursuant to California Emergency Services Act Sections 8558(b) and 8625 of the California Government code.
  - Declared Emergency. On January 4, 2023, the Governor proclaimed State of Emergency after severe winter storms related to a series of atmospheric river systems struck California. On March 28, 2023, the Governor proclaimed a State of Emergency to exist in several counties, including Alameda, from a series of ongoing winter storms that initially struck and continues to impact California. On January 6, 2023, the Alameda County

Director of Emergency Service proclaimed, under Title 2, Section 2.118.110 of the Administrative Code of the County of Alameda, the existence or threatened existence of a local emergency when said County is affected or likely be affected by a public calamity and the County Board of Supervisor is not in session. On January 10, 2023, the Alameda County Board of Supervisors ratified the Proclamation by the Director of Emergency Services. On January 26, 2023, the Alameda County Board of Supervisors for the Alameda County Flood Control and Water Conservation District adopted a resolution finding that an emergency exists due to damaged flood control facilities that requires immediate action to prevent or mitigate the loss or impairment of life, health, property or essential public services.

**Reasons Why Project Is Exempt:** These projects are categorically exempt by specific provisions of the California Environmental Quality Act as described proclaimed by the Governor pursuant to California Emergency Services Act Sections 8558 (b) and 8625 of the California Government code.

**Lead Agency Contact Person:** Moses Tsang    **Area Code/Telephone/Extension:** (510) 670-6549

DocuSigned by:  4EB8D962203C423... Signature	July 10, 2023 Date	Principal Civil Engineer Title
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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

Print StartOver Save

AC RECEIPT #: 3461381

RECEIPT NUMBER:  
**01-07/11/2023-190**  
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT	LEAD AGENCY EMAIL	DATE 07/11/2023
COUNTY/STATE AGENCY OF FILING ALAMEDA	DOCUMENT NUMBER 23 - 190	

PROJECT TITLE  
 SAN LORENZO CREEK (ZONE 2 LINE B) EMERGENCY BANK REPAIR BEHIND 1976 WINGATE WAY, HAYWARD, ALAMEDA COUNTY.

PROJECT APPLICANT NAME MOSES TSANG	PROJECT APPLICANT EMAIL	PHONE NUMBER (510) 670-6549
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) \$3,839.25 \$ 0.00
- Mitigated/Negative Declaration (MND)(ND) \$2,764.00 \$ 0.00
- Certified Regulatory Program (CRP) document - payment due directly to CDFW \$1,305.25 \$ 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 <b>X</b> <i>CBACA</i>	AGENCY OF FILING PRINTED NAME AND TITLE CBACA , DEPUTY CLERK
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