

Notice of Exemption

To:
Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

From:
Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534



Street Address:
1400 Tenth Street
Sacramento, CA 95814

Project Title: Federal Energy Regulatory Commission Order Compliance Project (Lake and Streambed Alteration Agreement No. 1600-2020-0236-R3)

Project Location (include county): The project has four main projects/components. The Anderson Dam Tunnel Project is located at Anderson Dam and Reservoir. The Cross Valley Pipeline Extension component is located within the City of Morgan Hill and ends in Coyote Creek downstream of Ogier Ponds. The Coyote Percolation Dam Replacement Project is located 11 miles downstream of Anderson Dam. The Coyote Creek Flood Management Measures Project is located along Coyote Creek between Highway 280 and Old Oakland Road in the City of San Jose. All project components are located in the County of Santa Clara, State of California.

Project Description: The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number 1600-2020-0236-R3, pursuant to Section 1602 of the Fish and Game Code to John Bourgeois/Santa Clara Valley Water District (Valley Water).

The project is limited to the construction of the Anderson Dam Tunnel Project (and its components), the Cross Valley Pipeline Extension, the Coyote Percolation Dam Replacement – Phase 1, and the Coyote Creek Flood Management Measures Project.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project: Santa Clara Valley Water District (Valley Water)

Exempt Status:

- Statutory Exemption. Public Resources Code Section 21080 (b)(4)
- Categorical Exemption.

Reasons why project is exempt: Section 21080 (b)(4) is for specific actions necessary to prevent or mitigate an emergency. Based on the Federal Energy Regulatory Commission’s (FERC) February 20, 2020 dam safety order to Valley Water, FERC directed Valley Water to maintain the Anderson Reservoir no higher than an elevation of 565 feet and that Valley Water begin lowering the reservoir elevation to 488 feet (deadpool) no later than October 1, 2020. The directive also included a statement that Valley Water must take all appropriate measures to maintain and quickly lower the reservoir prior to significant inflow. The FERC dam safety order also required Valley Water to carry out interim risk reduction measures at Anderson Dam to protect the public from the risk of earthquake-induced dam failure until the larger Anderson Dam seismic retrofit project is completed.

CDFW Contact Person: Mayra Molina (Environmental Scientist), (707) 428-2067 7/14/2021

DocuSigned by:
Signature: Craig J. Weightman **Date:** _____
Craig J. Weightman, Environmental Program Manager

Date received for filing at OPR: _____