

Notice of Exemption

To: Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 113
Sacramento, CA 95814

From: Department of Fish and Wildlife
Wildlife Conservation Board
P.O. Box 944209
Sacramento, CA 99244-2090

County Clerk (County of): N/A

Attention: Kurt Malchow

Project Title: Beneficial Reuse of Excavated Material

Project Applicant: Wildlife Conservation Board (WCB)

Project Location – Specific: APN(s)

The Project planning area consists of the Pond A8 Complex (consisting of Ponds A5, A7, A8, and A8S), A12, and A13 at the Don Edwards San Francisco Bay National Wildlife Refuge in Santa Clara County, California.

Project Location – City: Alviso

Project Location – County: Santa Clara

CEQA Region: Unincorporated

Description of Nature, Purpose, and Benefits of Project:

The purpose of this project is to complete the design phase for placing up to 3.5 million cubic yards of excavated material from construction of the Santa Clara Valley Transportation Authority (VTA) BART Silicon Valley Phase II (BSVII) Project's approximate 5-mile-long tunnel and other excavation sites into several former salt production ponds around South San Francisco Bay to raise pond bottoms for the purpose of accelerating tidal marsh habitat restoration. WCB Project Tracker ID: 2023164.

Public Agency Approving Project: Department of Fish and Wildlife, WCB

Name of Person or Agency Carrying Out the Project: Rebecca J. Fris, Deputy Executive Director, WCB

Exempt Status: (Check One)

- Ministerial (Sec. 15268):
 Declared Emergency [Sec. 15269 (a)]:
 Emergency Project [Sec. 15269 (b) and (c)]:
 Categorical Exemption. State Section number and type:
 Statutory Exemptions, State code Number: Section 15262, Feasibility and Planning Studies
 Other:

Reasons why this project is exempt:

Project involves only environmental analysis or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded.

Lead Agency Contact Person: Rebecca J. Fris

Area Code/Telephone Extension: (916) 212-5637

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, (by this notice) No

Signature:  **Title:** Deputy Executive Director **Date:** 11/21/2023

Signed by Lead Agency Signed by Applicant

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

SCH #:
Posted Date:
Date Received for Filing at OPR: