

TO:
[] Office of Planning and Research

FROM:
Public Agency: Alameda County Flood Control & Water Conservation District

For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
Sacramento, CA 95814

Address:
399 Elmhurst Street
Hayward, CA 94544

Contact:
Moses Tsang
Phone: (510) 670-6549

[] County Clerk
County of: Alameda
Address: 1106 Madison Street
Oakland, CA 94607

Lead Agency (if different from above):
Address:

Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2024101180

Project Title: Sulphur Creek Levee Restoration and Habitat Enhancement, Hayward, Alameda County, California.

Project Location (include county): Hayward, Alameda County, California

The District is proposing to repair an existing severely eroding levee embankment and service road, and restore and enhance aquatic habitat along Sulphur Creek in Hayward, with construction access from West Winton Avenue. The Project proposes to repair and restore the existing southern bank of Sulphur Creek from the San Francisco Bay to 2,800 feet upstream. The project will repair slope failure along the levee, provide minor gravel replacement along the levee top to enable vehicle access, and restore disturbed wetlands adjacent to the levee. The ponded area south of the project, known as Frank's Dump West (FDW) is owned by Hayward Area Recreation District (HARD) and has provided nesting habitat for the Federally listed as Threatened western snowy plover (Charadrius nivosus nivosus; snowy plover) when surface water elevations are low enough to allow for exposed islands. The pond is routinely monitored as part of the South Bay Restoration Project, which surveys managed ponds and other habitats for Snowy Plovers in the San Francisco Bay. If the Sulphur Creek Levee fails, this ponded habitat will likely revert to open water fringed by tidal marsh along the levees and shoreline and would likely become unsuitable as a continuing high value Snowy Plover nesting and breeding habitat. The IS/MND describes the proposed Project, analyzes whether the Project would result in any potential significant environmental impacts, describes measures that would avoid, minimize and mitigate any potential significant impacts to less than significant level, and determines that the Project, which incorporates a number of mitigation measures, will not have a significant adverse effect on the environment.

This is to advise that the Alameda County Board of Supervisors (R2025-61) has approved the above described ([] Lead Agency or [] Responsible Agency)

Project on January 7, 2025 and has made the following determinations regarding the above described project: ENDORSED FILED ALAMEDA COUNTY

- 1. The project [] will [] will not have a significant effect on the environment.
2. [] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
[] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [] were [] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [] was [] was not adopted for this project.
5. A statement of Overriding Considerations [] was [] was not be adopted for this project.
6. Findings [] were [] were not made pursuant to the provisions of CEQA.

JAN 15 2025

MELISSA WILK, County Clerk
By Deputy

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at: Alameda County Flood Control District, 399 Elmhurst Street, Hayward, CA 94544.

Signature (Flood Control District): Moses Tsang Title: Deputy Director

Date: 1-15-25 Date received for filing at OPR:

Authority cited: Section 21083, Public Resources Code.
Reference: Sections 21000-21174, Public Resources Code.

Revised 2011

***ENVIRONMENTAL DECLARATION**
(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY: NAME AND ADDRESS
Alameda County Flood Control & Water
Conservation District
Attn: Moses Tsang
399 Elmhurst Street
Hayward, CA 94544

FOR CLERK USE ONLY

**ENDORSED
FILED
ALAMEDA COUNTY**

JAN 15 2025

MELISSA WILK, County Clerk
By UP Deputy

FILE NO.: 25-014

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

- A – STATUTORILY OR CATEGORICALLY EXEMPT
\$ 50 (Fifty Dollars) – CLERK’S FEE

2. NOTICE OF DETERMINATION

- A – NEGATIVE DECLARATION (MITIGATED)
\$ 2,968.75 – STATE FILING FEE
\$ 50 (Fifty Dollars) – CLERK’S FEE-Total \$3,018.75

- B – ENVIRONMENTAL IMPACT REPORT
\$ 4,051.25– STATE FILING FEE
\$ 50 (Fifty Dollars) – CLERK’S FEE

3. OTHER (SPECIFY) _____

\$ 50 (Fifty Dollars) – CLERK’S FEE

*THIS FORM MUST BE COMPLETED AND SUBMITTED WITH ALL ENVIRONMENTAL DOCUMENTS FILED WITH THE ALAMEDA COUNTY CLERK’S OFFICE.

FIVE (5) COPIES OF ALL NECESSARY DOCUMENTATION ARE REQUIRED FOR FILING PURPOSES. FIVE (5) COPIES ARE REQUIRED FOR IN-OFFICE FILINGS.

APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING AN ENVIRONMENTAL DOCUMENT WITH THE ALAMEDA COUNTY CLER’S OFFICE.



State of California - Department of Fish and Wildlife
2025 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/25) Previously DFG 753.5a

AC RECEIPT #: 3723534

RECEIPT NUMBER:
 01 — 01/15/2025 — 014
 STATE CLEARINGHOUSE NUMBER (if applicable)
 ---2024101180

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY ALAMEDA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT	LEAD AGENCY EMAIL	DATE 01/15/2025
COUNTY/STATE AGENCY OF FILING ALAMEDA	DOCUMENT NUMBER 25 - 014	

PROJECT TITLE
 SULPHR CREEK LEVEE RESTORATION AND HABITAT ENHANCEMENT, HAYWARD, ALAMEDA COUNTY, CALIFORNIA.

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:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$4,123.50	\$	0.00
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,968.75	\$	2,968.75
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,401.25	\$	0.00
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

Cash Credit Check Other

TOTAL RECEIVED \$ 3,018.75

SIGNATURE X <i>CBACA</i>	AGENCY OF FILING PRINTED NAME AND TITLE CBACA, DEPUTY CLERK
---------------------------------	--

ALAMEDA COUNTY CLERK-RECORDER
1106 MADISON STREET
OAKLAND, CA 94607
(510)272-6362

ISSUED TO: IDSO - PUBLIC WORKS AGENCY

RECEIPT # 3723534
DATE 01/15/2025 01:53:15 PM

SERVICE	PGS	QTY	FEE
CASHIERING			
NEGATIVE DECLAR	1	1	3,018.75
			=====
Total Amount Due			\$3,018.75

ON ACCT 5176			3,018.75
			=====
Total Amount Paid			\$3,018.75

Balance for Account #5176 as of
January 15, 2025 01:53:15 PM IS
-\$7,791.00

MELISSA WILK
County Clerk-Recorder
Deputy: Cindy B