

***ENVIRONMENTAL DECLARATION**

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

Livermore-Amador Valley Water Management Agency
7051 Dublin Blvd
Dublin, CA 94568

FOR COUNTY CLERK USE ONLY

**ENDORSED
FILED
ALAMEDA COUNTY**

JUN 26 2023

MELISSA WILK, County Clerk
By  Deputy

FILE NO: 23-175

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

(PLEASE MARK ONLY ONE CLASSIFICATION)

1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

☒ A - STATUTORILY OR CATEGORICALLY EXEMPT

\$ 50.00 - COUNTY CLERK HANDLING FEE

2. NOTICE OF DETERMINATION (NOD)

☐ A - NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

\$ 2,764.00 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

☐ B - ENVIRONMENTAL IMPACT REPORT (EIR)

\$ 3,839.25 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

3. OTHER: _____

A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH COPY OF AN ENVIRONMENTAL DECLARATION BEING FILED WITH THE ALAMEDA COUNTY CLERK.

BY MAIL FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND TWO (2) SELF-ADDRESSED ENVELOPES.

IN PERSON FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND ONE (1) SELF-ADDRESSED ENVELOPES.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.

FEES ARE EFFECTIVE JANUARY 1, 2023

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK

Notice of Exemption

Appendix E

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

County Clerk

County of: Alameda

From: (Public Agency): _____
Livermore-Amador Valley Water Management Agency
7051 Dublin Blvd., Dublin, CA 94568

(Address)

**ENDORSED
FILED
ALAMEDA COUNTY**

JUN 26 2023

Project Title: LAVWMA Livermore Arroyo Mocho Pipeline RepairProject Applicant: Livermore-Amador Valley Water Management Agency (LAVWMA)

MELISSA WILK, County Clerk
By [Signature] Deputy

Project Location - Specific:

Arroyo Mocho Canal, Between El Charro Road and Busch Rd. in Livermore

Project Location - City: Livermore/PleasantonProject Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:

The LAVWMA Livermore Pipeline conveys treated effluent from the Livermore WWT to the LAVWMA Export Pump Station. A portion of the LAVWMA Livermore Pipeline crosses the Arroyo Mocho creek and continues running parallel along the creek. When it was constructed in 1977, the pipeline was at least 4-feet below the bottom of the Arroyo Mocho and the section running parallel to the creek was set back at least 15-feet from the edge of the embankment. Since that time, the Arroyo Mocho has experienced significant erosion. The recent 2022/23 storms have further exacerbated the erosion, whereby the pipe crossing is now exposed and the section of pipe running parallel to the creek is within 3-5 feet of the edge of the embankment. The Project includes the installation of a new pipeline using trenchless methods, installation of two valves on each side of the creek, and relocation of the pipeline away from the edge of the embankment.

Name of Public Agency Approving Project: Livermore-Amador Valley Water Management Agency (LAVWMA)Name of Person or Agency Carrying Out Project: Livermore-Amador Valley Water Management Agency (LAVWMA)

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: §15301 Class 1, §15302 Class 2, §15303 Class 3, §15304 Class 4
☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The actions taken to repair or replace the public facility are exempt from CEQA pursuant to CEQA Guidelines Sections 15269, 15301, 15302, 15303 and 15304 because the activity involves emergency repairs to or replacement of an existing publicly-owned wastewater pipeline that was damaged as a result of a disaster in an area subject to a state of emergency. There will be no expansion of use of the pipeline as a result of the repair or replacement efforts.

Lead Agency

Contact Person: Karla Castro Area Code/Telephone/Extension: (925) 875-2267

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:

Charles V. WeirDate: 6/26/2023Title: General Manager

▪ Signed by Lead Agency Signed by Applicant

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

Date Received for filing at OPR: _____



To: Chuck Weir, LAVWMA General Manager
From: Karla Castro, Assistant Engineer
Date: June 5, 2023
Subject: LAVWMA Livermore Arroyo Mocho Pipeline Repair : Approval of Notice of Exemption

RECOMMENDATION

Staff recommends the General Manager find the LAVWMA Livermore Arroyo Mocho Pipeline Repair (Project) exempt from the provisions of the California Environmental Quality Act (CEQA).

PROJECT OVERVIEW

The LAVWMA Livermore Pipeline conveys treated effluent from the Livermore WWTP to the LAVWMA Export Pump Station. A portion of the LAVWMA Livermore Pipeline crosses the Arroyo Mocho creek and continues running parallel along the creek. When it was constructed in 1977, the pipeline was at least 4-feet below the bottom of the Arroyo Mocho and the section running parallel to the creek was set back at least 15-feet from the edge of the embankment. Since that time, the Arroyo Mocho has experienced significant erosion. Recent storms during the winter season of 2022-2023 have further exacerbated the erosion, whereby the pipe crossing is now exposed and the section of pipe running parallel to the creek is within 3-5 feet of the edge of the embankment. The Project includes the installation of a new pipeline using trenchless methods, installation of a valve on each side of the creek, and relocation of the pipeline away from the edge of the embankment.

DETERMINATION OF EXEMPTION FROM CEQA

In conformance with CEQA Guidelines §15060 and 15061, staff has conducted a preliminary review to determine whether the Project is exempt from the provisions of CEQA.

The Project has been determined to be exempt from the provisions of CEQA because it falls under one or more of the following Exemptions:

- a) 14 CCR §15269 (b), Emergency Projects
- b) Class 1 under §15301, Existing Facilities
- c) Class 2 under §15302, Replacement or Reconstruction
- d) Class 3 under §15303, New Construction or Conversion of Small Structures
- e) Class 4 under §15304, Minor Alterations to Land

The Determination of Exemption From CEQA, which includes a full description of the applicable statutory and categorical exemption(s) for this Project, is provided as an attachment to the Notice of Exemption.

Please sign and date the Notice of Exemption and the Determination of Exemption from CEQA. The Notice of Exemption will be filed with the Alameda County Clerk-Recorder's Office.

Attachments: Notice of Exemption
Determination of Exemption from CEQA



**Dublin San Ramon
Services District**
Water, wastewater, recycled water

7051 Dublin Boulevard
Dublin, CA 94568-3018

main (925) 828-0515
fax (925) 829-1180
www.dsrsd.com

**DETERMINATION OF EXEMPTION
FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Project Title: LAVWMA Arroyo Mocho Pipeline Repair
Project Location(s): Arroyo Mocho Canal, between El Charro Rd. and Busch Rd. in Livermore, CA
Assessor's Parcel Number: 946-1128-4-3, 904-1-6-2, 904-1-10, 946-1128-4-4
City and County: City of Livermore, City of Pleasanton, County of Alameda

Description of Nature and Purpose of Project:

LAVWMA's Board of Directors approved a Resolution Declaring an Emergency Pursuant to Public Contract Code Section 22050 and authorizing emergency work on May 17, 2023.

The LAVWMA Livermore Pipeline conveys treated effluent from the Livermore WWTP to the LAVWMA Pump Station. A portion of the LAVWMA Livermore Pipeline crosses the Arroyo Mocho creek and continues running parallel along the creek. When it was constructed in 1977, the pipeline was at least 4-feet below the bottom of the Arroyo Mocho and the section running parallel to the creek was set back at least 15-feet from the edge of the embankment. Since that time, the Arroyo Mocho has experienced significant erosion. The recent 2022/23 storms have further exacerbated the erosion, whereby the pipe crossing is now exposed and the section of pipe running parallel to the creek is within 3-5 feet of the edge of the embankment. The Project includes the installation of a new pipeline using trenchless methods, installation of a new valve on each side of the creek, and relocation of the pipeline to move the pipeline away from the edge of the embankment.

Name of Person, Board, Commission or Department Proposing to Carry Out Project:

Livermore-Amador Valley Water Management Agency (LAVWMA)

Exempt Status (See Attached Pages for Detailed Analysis):

- ☒ Emergency Project (PRC 21080; 14 CCR §15269)
☒ Categorical Exemption (PRC 21084; 14 CCR §15300- §15333):

Class 1, 14 CCR §15301: Existing Facilities; Class 2, 14 CCR §15302: Replacement or Reconstruction; Class 3, 14 CCR §15303: New Construction or Conversion of Small Structures; Class 4, 14 CCR §15304: Minor Alterations to Land; the exceptions listed in 14 CCR §15300.2 do not apply to the Project.

Contact Person: Karla Castro

Telephone: (925) 875-2267

Certification

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

DocuSigned by:

Charles V. Weir

E943B5304E084AC

6/26/2023

Chuck Weir, General Manager

Date

Livermore-Amador Valley Water Management Agency (LAVWMA)

EXEMPT STATUS:

The Project is exempt from the provisions of CEQA because it falls under one or more of the following Exemptions:

14 CCR §15269 Emergency Project

CEQA Guidelines Section §15269(b) allows for emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety or welfare. Emergency repairs include those that require a reasonable amount of planning to address an anticipated emergency. The Project consists of the replacement of approximately 80 feet of 27-inch diameter reinforced concrete pipe across the Arroyo Mocho creek and approximately 300 feet of 27-inch diameter pipe which runs parallel to the Arroyo Mocho creek. The pipe is at the end of its useful life, poses a serious risk of failure due to recent wet weather storm events, and could impact environmental resources and sensitive areas within Arroyo Mocho creek if not replaced prior to the next wet weather event. These severe winter storm events resulted in the Governor proclaiming a State of Emergency in Alameda County, which justifies an exception from strict compliance with various laws as doing so would prevent, hinder or delay local agency's efforts to make necessary repairs and take remedial actions.

Class 1, 14 CCR §15301 Existing Facilities.

The Class 1 exemption under CEQA Guidelines Section 15301 allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The Project consists of the replacement of approximately 80 feet of 27-inch diameter reinforced concrete pipe across the Arroyo Mocho creek and approximately 300 feet of 27-inch diameter pipe which runs parallel to the Arroyo Mocho creek. These improvements will not constitute an expansion of the existing use and will not increase the capacity of any existing facility.

Class 2, 14 CCR §15302 Replacement or Reconstruction.

The Class 2 exemption under CEQA Guidelines Section 15302 allows for the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. The Project consists of approximately 80 feet of 27-inch diameter reinforced concrete pipe across the Arroyo Mocho creek and approximately 300 feet of 27-inch diameter pipe which runs parallel to the Arroyo Mocho creek. These improvements will serve the same purpose and capacity as the former infrastructure.

Class 3, 14 CCR §15303 New Construction or Conversion of Small Structures.

The Class 3 exemption under CEQA Guidelines Section 15303 allows for the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The Project will include the installation of two valves along the replacement of the reinforced concrete pipe, on either end of the Arroyo Mocho creek, to allow for isolation of the pipeline in an event of an emergency

Class 4, 14 CCR §15304 Minor Alterations to Land.

The Class 4 exemption under CEQA Guidelines Section 15304 allows for minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. The Project will include minor trenching and backfilling, where the surface is restored, to allow for trenching at the tie ins of the replaced 27-inch

pipeline to the existing pipeline and bore pits for the trenchless installation of approximately 400 feet of 27-inch diameter pipe.

Exceptions to Use of Categorical Exemptions (14 CCR §15300.2)

This analysis also considered whether the Project is subject to any of the exceptions listed in CEQA Guidelines Section 15300.2 on the use of categorical exemptions. This section prohibits the use of categorical exemptions when the Project falls under one or more of the categories listed below:

- §15300.2(a): For certain classes of projects (Classes 3, 4, 5, 6 and 11), due to the location of the Project, may impact an environmental resource or hazardous or critical concern;
- §15300.2(b): When the cumulative impact of successive projects of the same type in the same place, over time, is significant;
- §15300.2(c): Where there is a reasonable possibility that the Project will have a significant effect on the environment due to unusual circumstances;
- §15300.2(d): Where the Project may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway;
- §15300.2(e): Where the Project is located on a state designated hazardous waste site; and
- §15300.2(f): Where the Project may cause a substantial adverse change in the significance of a historical resource.

These exceptions above do not apply to the Project. The findings with respect to each exception is provided below:

- §15300.2(a): The Project is utilizing trenchless methods to eliminate impacts to environmental resources and is not located in an area of hazardous or critical concern.
- §15300.2(b): There is no evidence of a potential significant cumulative impact because successive projects of the same type in the same place have not been approved and are not currently proposed.
- §15300.2(c): The Project site is surrounded by urban development and will utilize trenchless methods to eliminate impacts to sensitive resource areas. Thus, the Project will not result in any significant effects on the environment due to unusual circumstances. This Project is typical in terms of the time, place and manner of routine wastewater pipe replacement activities.
- §15300.2(d): This exception does not apply because the Project is not located adjacent to a highway officially designated as a state scenic highway.
- §15300.2(e): This exception does not apply because the Project is not located on a state-designated hazardous waste site.
- §15300.2(f): This exception does not apply because the Project does not directly affect any historical resource, nor is the Project site located adjacent to a historical resource.



Signature: Charles V. Weir
Charles V. Weir (2018, 2019 12:23 PM)
Email: weir@lavwma.com

Notice of Exemption Conformed 6-5-2023

Final Audit Report

2023-06-06

Created:	2023-06-06
By:	Sheree Davis (sdavis@dsrsd.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAARwHG0xC5rUVJUBxou5JT-sSd0nfE1Uq6

"Notice of Exemption Conformed 6-5-2023" History

-  Document created by Sheree Davis (sdavis@dsrsd.com)
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-  Email viewed by weir@lavwma.com
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-  Signer weir@lavwma.com entered name at signing as Charles V. Weir
2023-06-06 - 7:23:40 PM GMT
-  Document e-signed by Charles V. Weir (weir@lavwma.com)
Signature Date: 2023-06-06 - 7:23:42 PM GMT - Time Source: server
-  Agreement completed.
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