

DEPARTMENT OF FISH AND GAME

POST OFFICE BOX 47
YOUNTVILLE, CALIFORNIA 94599
(707) 944-5500

**CEQA Filing Fee No Effect Determination Form**

Date Submitted: October 26, 2009

Applicant Name: Alameda County Community Development Agency

Applicant Address: 224 West Winton Avenue, Room 111, Hayward, CA 94544

Project Name: Alameda County Housing Element Update (2009-2014)

CEQA Lead Agency: Alameda County Community Development Agency

CEQA Document Type: Negative Declaration

SCH Number and/or local agency ID number: TBD

Project Location: Although the Alameda County Housing Element covers the entire unincorporated portion of Alameda County (County), its goals policies and actions are limited to areas within the County's Urban Growth Boundary established by Measure D (approved by the voters of Alameda County 2000, adopted by the County's Board of Supervisors 2002). Measure D limits intensive lands uses to the western, heavily urbanized portions of Alameda County which includes the incorporated cities of: Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton and Union City, as well as the unincorporated urban areas of Castro Valley, Fairview, San Lorenzo, Ashland, and Cherryland.

Brief Project Description: State-law requires each city and county to adopt a general plan containing at least seven elements including housing. Unlike the other mandatory general plan elements, a housing element, must be updated every five years, and is subject to detailed statutory requirements and mandatory review by the State Department of Housing and Community Development (HCD). The Alameda County Housing Element is the primary housing policy document for the unincorporated portions of the County and it provides a comprehensive strategy for promoting the development, preservation, and rehabilitation of safe, decent and affordable housing for all residents. Alameda County has prepared a Draft Housing Element to cover the period from July 1, 2009 to June 30, 2014.

The adoption and implementation of the Housing Element does not propose or require any changes to existing Zoning or General Plan designations for any parcel.

Describe clearly why the project has no effect on fish and wildlife: The County has reviewed the goals, policies and actions of the Housing Element and has concluded that the adoption and implementation of the Housing Element would not pose any threat to the protection of vital biotic resources in the County. Furthermore, the Housing Element Update does not propose any actions that would directly result in development of a specific site or fundamentally change a community within the unincorporated area. It does not propose or require any changes to existing Zoning or General Plan designations for any parcel, and it

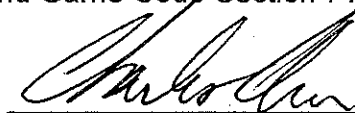
does not grant any entitlements to a specific project or site. Projects that occur on a site identified in the Housing Element Sites Inventory may be subject to more intensive environmental review; and all projects must comply with applicable Federal, State and County environmental laws and policies.

Determination: Based on a review of the Project as proposed, the Department of Fish and Game has determined that for purposes of the assessment of CEQA filing fees [F&G Code 711.4(c)] the project has no potential effect on fish, wildlife and habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records; you are required to file a copy of this determination with the County Clerk after your project is approved and at the time of filing of the CEQA lead agency's Notice of Determination (NOD). If you do not file a copy of this determination with the County Clerk at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid No Effect Determination Form or proof of fee payment, the project will not be operative, vested, or final, and any local permits issued for the project will be invalid, pursuant to Fish and Game Code Section 711.4(c)(3).

DFG Approval By:



Date: October 29, 2009

Charles Armor
Regional Manager
Bay Delta Region

***ENVIRONMENTAL DECLARATION**

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

Alameda County Planning Department
224 West Winton Ave., Rm. 111
Hayward, CA 94544

FOR COUNTY CLERK USE ONLY

**ENDORSED
FILED
ALAMEDA COUNTY**

APR 02 2010

PATRICK O'DONNELL County Clerk
By [Signature] Deputy

File No.: 10-113

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

(MARK ONLY ONE)

1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

☐ STATUTORILY OR CATEGORICALLY EXEMPT
\$ 50.00 (Fifty Dollars) - CLERK'S HANDLING FEE

2. NOTICE OF DETERMINATION

☒ A. NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

☐ B. ENVIRONMENTAL IMPACT REPORT

\$ 2,792.25 - STATE FILING FEE

\$ 50.00 (Fifty Dollars) - CLERK'S HANDLING FEE

3. OTHER (Specify) _____

☐ \$ 50.00 (Fifty Dollars) - CLERK'S HANDLING FEE

*A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH ALL COPIES OF ENVIRONMENTAL DECLARATIONS BEING FILED WITH THE ALAMEDA COUNTY CLERK.

FOUR (4) COPIES OF ALL NECESSARY DOCUMENTATION ARE REQUIRED FOR FILING PURPOSES. FIVE (5) COPIES ARE REQUIRED FOR IN-OFFICE FILINGS.

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

FEES ARE EFFECTIVE JANUARY 1, 2010

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK

APR 02 2010

Notice of Determination

TO:

☐ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

☐ for non-Postal Service delivery
1400 Tenth Street, Sacramento, CA 95814

☒ County Clerk-Recorder, Alameda County
1106 Madison Street
Oakland, CA 94612

FROM: PATRICK O'CONNELL, County Clerk
By 10 Deputy
Alameda County Planning Department
224 West Winton Avenue, Rm. 111
Hayward, CA 94544
Contact: Angela C. Robinson Piñon, Planner
Phone: (510) 670-5400

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

Project Title: Alameda County Housing Element Update (2009-2014), SCH #2009102085

Project Location: Unincorporated Alameda County
(include county)

Project Description: Alameda County has prepared an update to the Housing Element of the County's General Plan. The Housing Element was adopted by the Board of Supervisors on March 30, 2010. The planning period for the Housing Element update will cover from July 1, 2009 to June 30, 2014.

This is to advise that Alameda County (☒ Lead Agency ☐ Responsible Agency) has approved the above described project on March 30, 2010 and has made the following determinations regarding the above described project:

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] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration or Mitigated Negative Declaration, is available to the General Public at:
Alameda County Planning Department, 224 West Winton Avenue, Rm. 111, Hayward, CA 94544

Signature (Public Agency) Elizabeth McElligott Title: Assistant Planning Director
Elizabeth McElligott Date: 4/1/10

Date received for filing at the Office of Planning and Research: _____

ENVIRONMENTAL DOCUMENT TRANSMITTAL

(PUBLIC RESOURCES CODE §21080.4, 21080.6, 21092, 21092.3, 21152, 21161;
CALIF. CODE OF REGULATIONS §15062, 15072, 15073, 15075, 15082, 15085, 15087, 15094)

POST FOR 30 DAYS

FOR CLERK'S USE ONLY

TO: Alameda County Clerk-Recorder
Miscellaneous Filings
1106 Madison Street Oakland, CA 94612
QIC CODE 20201

DATE: April 1, 2010

PROJECT: Alameda County Housing Element (2009-14)

LOCATION: Unincorporated Alameda County

FILING NO.

1. NOTICE OF EXEMPTION

(Optional. May be filed by County or applicant *after* project approval. Starts 35-day statute of limitations.)

- ☐ A. MINISTERIAL PROJECT
☐ B. DECLARED EMERGENCY / EMERGENCY PROJECT
☐ C. STATUTORILY OR CATEGORICALLY EXEMPT, per CEQA Section _____.

2. ☐ NOTICE OF INTENT – NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION

(Filed after completion of an Initial Study stating that a project will not have a significant impact on the environment. 20 or 30-day review period.)

3. ☐ NOTICE OF PREPARATION – ENVIRONMENTAL IMPACT REPORT

(Filed as soon as it is known that an EIR will be prepared for a project. May include an Initial Study. 30-day review period.)

4. NOTICE OF COMPLETION – ENVIRONMENTAL IMPACT REPORT

(Filed as soon as is practical after completion of one of the documents listed below.)

- ☐ A. DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) (30 or 45-day review period)
☐ B. RECIRCULATED DRAFT EIR (30 or 45-day review period)
☐ C. FINAL EIR (10-day review period)
☐ E. OTHER: _____

5. NOTICE OF DETERMINATION

(Filed within 5 working days of making findings/determination. Starts a 30-day statute of limitations.)

- ☒ A. NEGATIVE DECLARATION - \$2,010.25 - Dept. of Fish & Game Filing Fee*
☐ B. ENVIRONMENTAL IMPACT REPORT - \$2,792.25 - Dept. of Fish & Game Filing Fee*

THIS FORM AND FOUR COPIES OF THE CEQA DOCUMENTS MUST BE COMPLETED AND SUBMITTED WITH A \$50.00 FILING FEE TO THE ALAMEDA COUNTY CLERK'S OFFICE.

* Required by Section 711.4 of the California Fish and Game Code. If the project will not have an adverse effect on wildlife resource this fee may be waived by submitting a completed Certificate of Fee Exemption with the Notice of Determination. Effective 1/1/2010