



CONTRA COSTA
transportation
authority

COMMISSIONERS

September 4, 2018

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Executive Director

Contra Costa Flood Control & Water Conservation District
255 Glacier Drive
Martinez, CA 94553
Attn: Brian Balbas, Chief Engineer

Dear Brian Balbas,

Letter Agreement for Use of Directed Authority Funding (Agreement No. 496)

This letter shall be our Agreement (“Letter Agreement”) regarding the directed funding contribution by the Contra Costa Transportation Authority (“Authority”) to the design of the Lower Walnut Creek Restoration (“Restoration”) project provided by Contra Costa County Flood Control & Water Conservation District (“District”). Each of the Authority and the District may be referred to herein as a “Party” and collectively as the “Parties.”

The Authority is the sponsor of State Route (SR) 4 widening between Morello Avenue in Martinez and SR242 in Concord project (“Project”). The Project includes widening of the freeway, the replacement of Grayson Creek Bridge, and the widening of Walnut Creek Bridge. The Project will result in temporary and permanent impacts to Grayson Creek, Walnut Creek, and a drainage channel south of SR 4 that conveys flows from Buchanan Field to Grayson Creek. These impacts required the consultation with several regulatory agencies including the San Francisco Bay Area Region Water Quality Control Board (“Board”).

The Board issued a Water Quality Certification CIWQS Place No. 842034 (“Certification”). In compliance with the Certification, and within 30 days of execution of this letter agreement, Authority will contribute an amount of \$190,000 (“directed funds”) to the District to assist in the design phase of the Restoration project.

District is responsible for the project development process of the Restoration. District will use the directed funds to prepare task(s) described in Attachment A. No funds will be used to pay Restoration overhead. District will furnish Authority with design records, as described in Attachment A.

2999 Oak Road
Suite 100
Walnut Creek
CA 94597
PHONE: 925.256.4700
FAX: 925.256.4701
www.ccta.net

The Parties do not intend this Letter Agreement to create a third-party beneficiary or define duties, obligations, or rights for entities not signatory to this Letter Agreement. The Parties do not intend this Letter Agreement to affect their legal liability by imposing any standard of care for fulfilling the work different from the standards imposed by law.

The undersigned represent that they are authorized to sign this Letter Agreement on behalf of their agencies, thereby binding their agencies to the terms thereof.

**CONTRA COSTA TRANSPORTATION
AUTHORITY**

**CONTRA COSTA COUNTY FLOOD CONTROL
& WATER CONSERVATION DISTRICT**

Approved By:

Federal D. Glover,
Chair

Brian M. Balbas,
Chief Engineer

Date

Date

Attested By:

Tarienne Grover
Clerk of the Board



The following task description details how a directed funding contribution from CCTA would be used to assist in the delivery of the Lower Walnut Creek (LWC) Restoration Project. This task was selected from a larger list of existing and proposed tasks that either bring the LWC Project closer to implementation or expand the project’s overall effectiveness. Note that the Pacheco Marsh Restoration is a portion of the LWC Project and is another name for the North Reach of LWC. Pacheco Marsh is located directly adjacent to the mouth of LWC.

Task 1. Design of North and South Reaches

This task contains the engineering design of both the North and South Reaches. Work includes:

- Grading, including excavation to marsh grades, lowering of perimeter dikes and berms and fill placement to create upland mounds;
- Lowering and breaching of existing levees along LWC and Pacheco Creek;
- Excavation of tidal channels within restored, breached areas and through the outboard marsh;
- Constructing new setback levees in the South Reach; and
- Improvements to access roads (which also facilitates future public trail access).

Specific LWC milestone deliverables include:

- 35% Preliminary Design Documents – plan set only.
- Geotechnical Engineering Report (draft and final).
- 65% Restoration Engineering Design Documents – plans, specifications and engineer’s estimate.
- 95% Restoration Engineering Design Documents – plans, specifications and engineer’s estimate.
- Final Restoration Engineering Design Documents – plans, specifications and engineer’s estimate.

External Deliverable to demonstrate compliance with this task and directed funding

- 65% Restoration Engineering Design Documents – plans & specifications. Electronic copy of deliverable will be provided to both CCTA and RWQCB to demonstrate proper use of directed funding. 65% deliverable is currently scheduled for March 2019. Project development will continue beyond 65% with other funding sources.

Table 1: Estimated Costs by Task

Task	Name	Estimated Cost
1	Design of North and South Reaches (Partial cost)	\$190,000
	Total	\$190,000

Note: 100% of received funding would go towards this task; none would be spent on project overhead.

For further information on the Lower Walnut Creek Restoration project, please visit www.lowerwalnutcreek.org