

CALIFORNIA ENVIRONMENTAL QUALITY ACT  
**Notice of Exemption**

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

From: Contra Costa County  
Dept. of Conservation & Development  
30 Muir Road  
Martinez, CA 94553

County Clerk  
County of: Contra Costa

Project Title: **Kinder Morgan Pipeline Remediation Project FCP and Grant of Easement**  
**Project No. WL083A (FCP 619-16), CP# 16-42**

Project Applicant: **Contra Costa County Flood Control and Water Conservation District**

Project Location – **Specific:** The project is located in the unincorporated area north of Concord

Project Location: Contra Costa County

Project Location – County: **Contra Costa**

**Description of Nature, Purpose and Beneficiaries of Project:** The purpose of the activity is for Contra Costa County Flood Control and Water Conservation District (District) to issue a Flood Control Permit (FCP 619-16) in cooperation with Contra Costa County (County) to Kinder Morgan Energy Partners, L.P. (KMEP) to remediate an existing 8-inch Line Section (LS-72) across Grayson and Walnut Creek in unincorporated Contra Costa County. This work will also require the issuance of a grant easement to KMEP from the District.

Activities associated with the existing LS-72 pipeline include decommissioning and removal of the existing 8-inch pipeline in place and relocating LS-72 using a Horizontal Directional Drilling (HDD) construction method under Walnut Creek to minimize environmental impacts. LS-72 will be relocated approximately 20 feet north of its current location. The new section of the 8-inch pipeline will be approximately 1,000 feet in length. Overall HDD depths will be a minimum of 35 feet deep under Walnut Creek to minimize potential for frac-out. Staging areas are included in the work areas described above and located on both the west and east side of Walnut Creek. Existing access roads in the project area will also be used. No new access roads will be constructed as a result of the project. No work is being proposed to occur within the banks, bed or wetlands associated with Walnut Creek.

The proposed activities are part of the Remediation Plan submitted by KMEP. This CEQA documentation covers only the issuance of Flood Control Permit 619-16 (FCP 619-16) and right of way transaction. KMEP will be responsible for obtaining any applicable County or regulatory permits for associated activities and environmental clearances.

Real property transactions, including right-of-way acquisition may be necessary in support of this project.

Name of Public Agency Approving Project: **Contra Costa County**

Name of Person or Agency Carrying Out Project: **Contra Costa County Public Works Department**

**Exempt Status:**

- |                                                                             |                                                                                                     |
|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Ministerial Project (Sec. 21080(b) (1); 15268;     | <input type="checkbox"/> Categorical Exemption: <u>Class _____</u>                                  |
| <input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3); 15269(a));   | <input type="checkbox"/> Other Statutory Exemption, Code No.: _____                                 |
| <input type="checkbox"/> Emergency Project (Sec. 21080(b)(4); 15269(b)(c)); | <input checked="" type="checkbox"/> General Rule of Applicability [Article 5, Section 15061 (b)(3)] |

**Reasons why project is exempt:** This activity is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 5, Section 15061 (b) (3) of the CEQA Guidelines. It can be seen with certainty that there is no possibility that the activity may have a significant adverse effect on the environment.

Lead Agency Contact Person: **Hillary Heard - Public Works Dept.** Area Code/Telephone/Extension: **(925) 313-2022**

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: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency  Signed by Applicant

**AFFIDAVIT OF FILING AND POSTING**

I declare that on \_\_\_\_\_ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

**Applicant:**

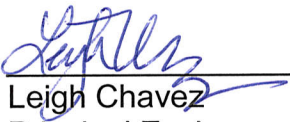
Public Works Department  
255 Glacier Drive  
Martinez, CA 94553  
Attn: **Hillary Heard**  
Environmental Services Division  
Phone: (925) 313-2022

**Department of Fish and Game Fees Due**

- EIR - \$3,070.<sup>00</sup>
- Neg. Dec. - \$2,210.<sup>25</sup>
- DeMinimis Findings - \$0
- County Clerk - \$50
- Conservation & Development - \$25

**Total Due: \$ 75.<sup>00</sup>**  
Total Paid \$ \_\_\_\_\_  
Receipt #: \_\_\_\_\_

**DETERMINATION THAT AN ACTIVITY  
IS EXEMPT FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

REVIEWED BY:  DATE: 09/12/16  
Leigh Chavez  
Principal Environmental Analyst  
Environmental Services  
Contra Costa County Public Works Department

APPROVED BY:  DATE: 9-21-16  
Department of Conservation and  
Development Representative

-Or-

Deputy Zoning Administrator (for FC activities)  
Dept. of Conservation and Development

**DETERMINATION THAT AN ACTIVITY  
IS EXEMPT FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

ACTIVITY No.: WL083A FCP 619-16, FCP CP# 16-42

ACTIVITY NAME: Kinder Morgan Pipeline Remediation Project FCP and Grant of Easement

PREPARED BY: Hillary Heard

DATE: September 9, 2016

This activity is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 5, Section 15061 (b) (3) of the CEQA Guidelines.

It can be seen with certainty that there is no possibility that the activity may have a significant adverse effect on the environment.

**DESCRIPTION OF THE ACTIVITY:**

The purpose of the activity is for Contra Costa County Flood Control and Water Conservation District (District) to issue a Flood Control Permit (FCP 619-16) in cooperation with Contra Costa County (County) to Kinder Morgan Energy Partners, L.P. (KMEP) to remediate an existing 8-inch Line Section (LS-72) across Grayson and Walnut Creek in unincorporated Contra Costa County. This work will also require the issuance of a grant easement to KMEP from the District.

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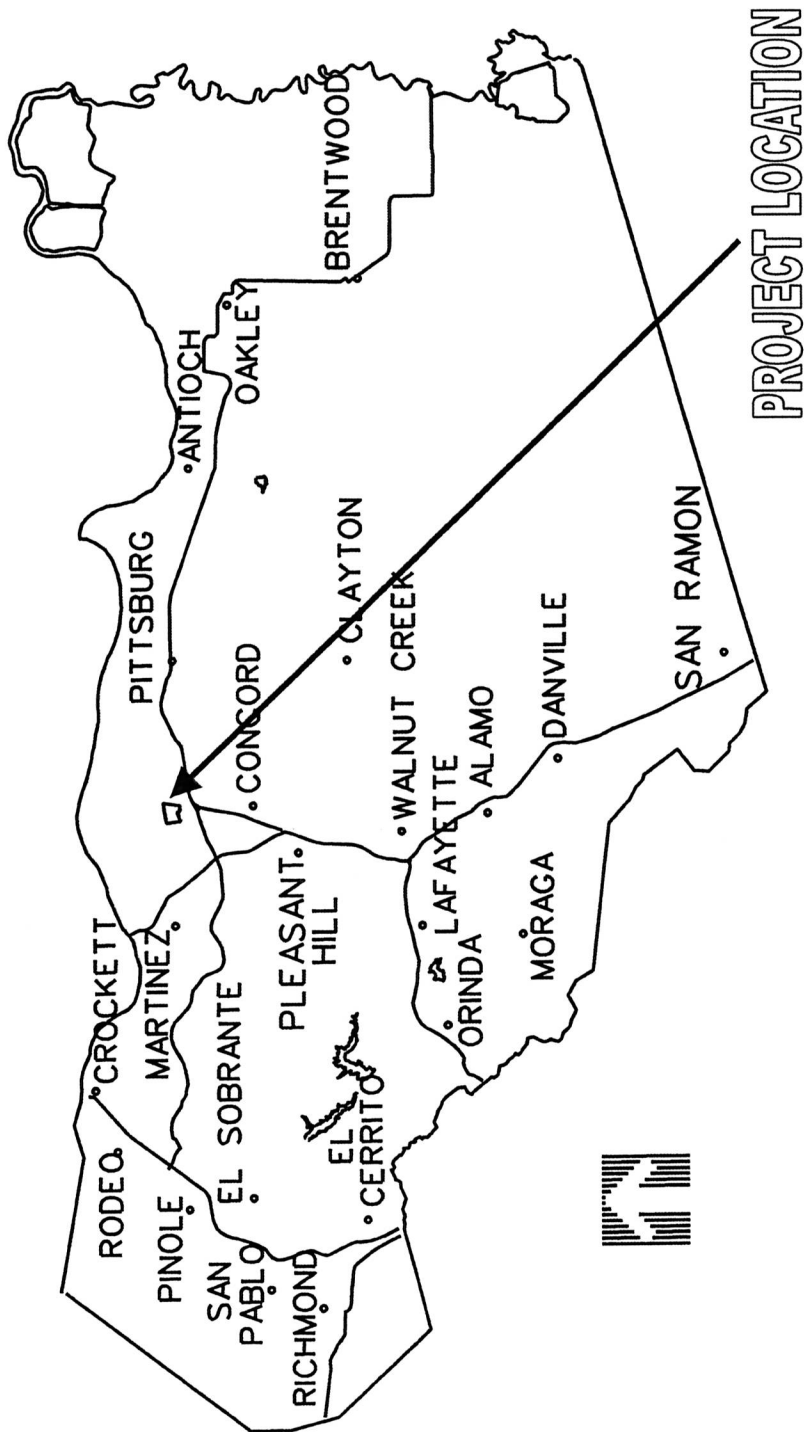
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Real property transactions, including right-of-way acquisition may be necessary in support of this project.

**LOCATION:** The project is located in unincorporated Contra Costa County area north of Concord (*Figures 1 –2*)

FIGURE 1

# CONTRA COSTA COUNTY CALIFORNIA



## LOCATION MAP

FIGURE 2

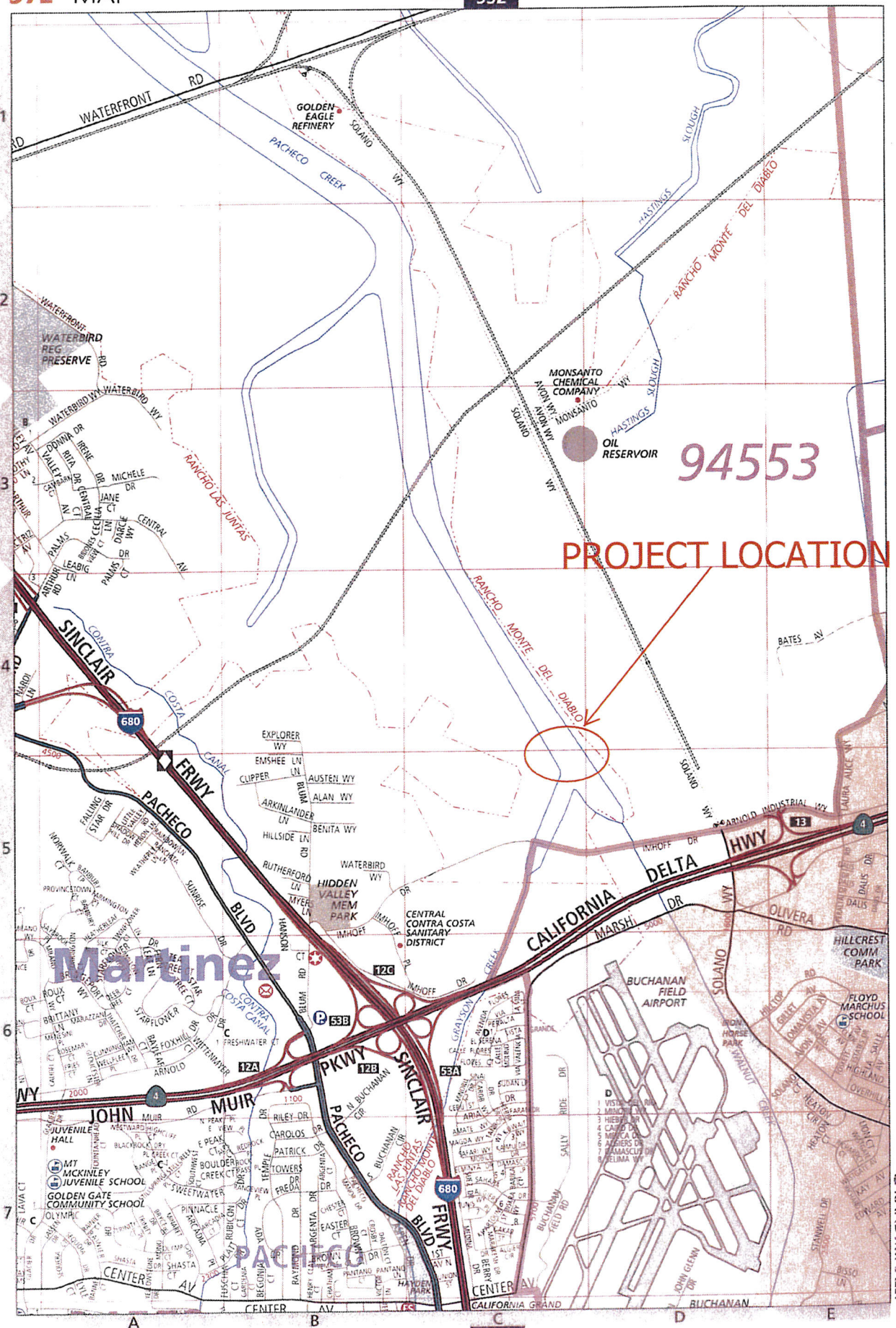
572 MAP

SEE 552 MAP

1:22,800  
1 in = 1900 ft  
0 0.25 0.5  
miles

CONTRA COSTA

SEE 571 MAP



94553

PROJECT LOCATION

Martinez

RAND McNALLY

SEE 592 MAP