

CALENDAR FOR THE BOARD OF SUPERVISORS  
CONTRA COSTA COUNTY  
AND FOR SPECIAL DISTRICTS, AGENCIES, AND AUTHORITIES GOVERNED BY THE BOARD  
BOARD CHAMBERS, ADMINISTRATION BUILDING, 1025 ESCOBAR STREET  
MARTINEZ, CALIFORNIA 94553-1229

**KAREN MITCHOFF**, CHAIR, 4TH DISTRICT  
**FEDERAL D. GLOVER**, VICE CHAIR, 5TH DISTRICT  
**JOHN GIOIA**, 1ST DISTRICT  
**CANDACE ANDERSEN**, 2ND DISTRICT  
**DIANE BURGIS**, 3RD DISTRICT

**MONICA NINO**, CLERK OF THE BOARD AND COUNTY ADMINISTRATOR, (925) 655-2075

PERSONS WHO WISH TO ADDRESS THE BOARD DURING PUBLIC COMMENT OR WITH RESPECT TO AN ITEM THAT IS ON THE AGENDA, MAY BE LIMITED TO TWO (2) MINUTES.  
A LUNCH BREAK MAY BE CALLED AT THE DISCRETION OF THE BOARD CHAIR.

**The Board meeting will be accessible in-person, via television, and via live-streaming to all members of the public. Board meetings are televised live on Comcast Cable 27, ATT/U-Verse Channel 99, and WAVE Channel 32, and can be seen live online at [www.contracosta.ca.gov](http://www.contracosta.ca.gov).**

Persons who wish to address the board during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing **888-278-0254** followed by the access code **843298#**. A caller should indicate they wish to speak on an agenda item, by pushing "#2" on their phone. Access via Zoom is also available using the following link: <https://cccouny-us.zoom.us/j/87344719204>. Those participating via Zoom should indicate they wish to speak on an agenda item by using the "raise your hand" feature in the Zoom app. To provide contact information, please contact Clerk of the Board at [clerkoftheboard@cob.cccounty.us](mailto:clerkoftheboard@cob.cccounty.us) or call 925-655-2000.

Meetings of the Board are closed-captioned in real time. Public comment generally will be limited to two minutes. Your patience is appreciated. A Spanish language interpreter is available to assist Spanish-speaking callers.

A lunch break or closed session may be called at the discretion of the Board Chair.  
Staff reports related to open session items on the agenda are also accessible online at [www.contracosta.ca.gov](http://www.contracosta.ca.gov).

**ANNOTATED AGENDA & MINUTES**  
**May 17, 2022**

**9:00 A.M. Convene, call to order and opening ceremonies.**

**Closed Session**

A. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Gov. Code § 54956.9(d)(1))

1. *Tinamarie Mariscal v. Contra Costa County*, WCAB No. ADJ2606986
2. *Victor Massenkoff v. Contra Costa County*, WCAB No. ADJ13597046
3. *Gustave Kramer v. Board of Supervisors of Contra Costa County and County of Contra Costa*, Contra Costa County Superior Court Case No. MSN18-2076

B. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Gov. Code, § 54956.9(d)(2): [One potential case.]

C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: County Administrator

D. CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code § 54957.6)

Agency Negotiators: Karen Mitchoff, Federal Glover

Unrepresented employee: County Administrator

**Inspirational Thought-** *"The power of imagination makes us infinite."* ~John Muir

Present: John Gioia, District I Supervisor; Candace Andersen, District II Supervisor; Diane Burgis, District III Supervisor; Karen Mitchoff, District IV Supervisor; Federal D. Glover, District V Supervisor

Staff Present: Monica Nino, County Administrator  
Mary Ann McNett Mason, County Counsel

**Item no. B. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Gov. Code, § 54956.9(d)(2): [One potential case.] will not be considered in today's session.**

**There were no reports from Closed Session.**

**CONSIDER CONSENT ITEMS** (Items listed as C.1 through C.66 on the following agenda) – Items are subject to removal from Consent Calendar by request of any Supervisor or on request for discussion by a member of the public. **Items removed from the Consent Calendar will be considered with the Discussion Items.**

**PRESENTATIONS (5 Minutes Each)**

PRESENTATION proclaiming May 2022 Community Action Month. (Marla Stuart, Employment and Human Services Director)

PRESENTATION recognizing May 2022 as Mental Health Awareness Month. (Jennifer Tuipulotu, Health Services Department)

**DISCUSSION ITEMS**

HEARING to consider adoption of Resolution No. 2022/180, amending the Department of Agriculture, and Weights and Measures fee schedule, effective June 1, 2022. (Matt Slattengren, Agriculture Commissioner and Weights & Measures Director) **(To be continued to May 24, 2022 at 9:00 a.m.)**

**CONTINUED to May 24, 2022 at 9:00 a.m.**

HEARING to consider approving the Byron Airport Development Program, including adoption of a resolution approving a County-initiated General Plan amendment, adoption of an ordinance to rezone an 11.7-acre parcel to a Planned Unit District, approval of a development plan modification to expand the range of uses allowed on the Byron Airport property, and certification of the project's environmental impact report and related actions under the California Environmental Quality Act, as recommended by the County Planning Commission. (County File Nos. GP12-0003, DP14-3008, and RZ21-3263) (Daniel Barrios, Department of Conservation and Development) **(To Be Continued to June 7, 2022)**

**CONTINUED to May 24, 2022 at 9:00 a.m.**

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**D.3** CONSIDER the strategic options in the draft Master Facilities Plan presentation and PROVIDE direction to staff on the preferred option for finalizing the Master Facilities Plan and Implementation Plan for adoption. (Eric Angstadt, Chief Assistant County Administrator)



**Speakers: Carolyn Stein; No Name Given; Liz Ritchie; Caller 6770.**

**Following discussion, the Board indicated its preferences incorporating part of Option 1 and part of Option 2 (Major and Moderate) noting that each region has different needs. They expressed the following things they would like prioritized for further information and consideration:**

- 1) The volume and type of services such as retrieval of vital records that is currently available via the internet (online) and what departments intend to add or expand remote access to services for public convenience, with emphasis on what trends and desires of the public are;**
- 2) The siting of regional hubs/consolidated service centers where the public might have access to multiple types of services and information, possibly with employee assistance to navigate the system, to shorten travel burdens for the public; particularly in far east county;**
- 3) The possibility of a mix 'n match approach to optimize the setup adopted in accordance with the needs of that region;  
The location of departments in near proximity that have synergy, whose functions are closely related;  
Concerted effort to place locations providing county services on a major transit route;**
- 4) A balance between offering remote work for employees and scheduling and staffing for public needs.**

**The County Administrators Office will meet individually with each Supervisor to review the particular needs of their district.**

**D. 4 CONSIDER Consent Items previously removed.**

**There were no items removed for discussion.**

**D. 5 PUBLIC COMMENT (2 Minutes/Speaker)**

**Name Not Given, spoke on the need of the Knightsen community for authorities to address the noise and disturbance issues related to unpermitted events and large parties;**

**Conservation and Development Department is working on the temporary event ordinance to close loopholes; the County has just authorized more personnel to respond to those events, and increased the fines for violation of the ordinance**

**No Name Given, thanked the Board for explaining why the Supervisors wore masks and their consideration for others. She urged the Board to aware that mental health services, while a necessary and appropriate service provided, can also be used as a political or coercive thing as demonstrated by authoritative regimes;**

**Liz Ritchie said she does not believe that masks are helpful, they deprive a person of oxygen and interfere with children being able to see facial features; she also asserts that the State of California is in a state of default financially because they have not produced a financial report and State Controller Betty Yee will be leaving office without having signed a reconciled budget.**

**D. 6 CONSIDER reports of Board members.**

**The Board held a moment of silence in honor of the victims of the May 16, 2022 mass-shooting in Buffalo, New York:**

**Roberta A. Drury, 32, of Buffalo, Margus D. Morrison, 52, of Buffalo; Andre Mackniel, 53, of Auburn, New York; Aaron Salter, 55, of Lockport, New York; Geraldine Talley, 62, of Buffalo; Celestine Chaney, 65, of Buffalo; Heyward Patterson, 67, of Buffalo; Katherine Massey, 72, of Buffalo; Pearl Young, 77, of Buffalo;**

**Ruth Whitfield, 86, of Buffalo;**

**Zaire Goodman, 20, of Buffalo, was treated and released from hospital; Jennifer Warrington, 50, of Tonawanda, New York, was treated and released from hospital; Christopher Braden, 55, of Lackawanna, New York, had non-life-threatening injuries.**

**On Saturday in San Ramon someone put up a banner reading White Lives Matter, a day after the mass shooting targeting African Americans in Buffalo, New York killed ten people and injured three. Supervisor Andersen said that while she recognizes and honors the right of everyone to have free speech, hate speech is truly not welcome in our community. There will be discussion of this incident at the next San Ramon County diversity meeting.**

***ADJOURN***

**Adjourned today's meeting at 11:54 a.m.**

**CONSENT ITEMS**

**Road and Transportation**

**C. 1** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Memorandum of Understanding with the City of San Ramon to pay the City \$20,000 to participate in the San Ramon Valley Street Smarts Program, for the period July 1, 2021 to June 30, 2022, San Ramon area. (90% Livable Communities Trust Funds, 10% Local Road Funds)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 2** ADOPT Resolution No. 2022/167 approving the annual county miles in the Total Maintained Mileage for County Roads Report, as recommended by the Public Works Director, Countywide. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**Engineering Services**

**C. 3** ADOPT Resolution No. 2022/156 accepting for recording purposes only an Offer of Dedication for Road Purposes for land use permit LP19-02014, for a project being developed by Contra Costa County Fire Protection District, as recommended by the Public Works Director, Bay Point area. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 4** ADOPT Resolution No. 2022/157 accepting for recording purposes only an Offer of Dedication for Drainage Purposes for land use permit LP19-02014, for a project being developed by Contra Costa County Fire Protection District, as recommended by the Public Works Director, Bay Point area. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 5** ADOPT Resolution No. 2022/159 accepting for recording purposes only an Offer of Dedication for Road Purposes for minor subdivision MS21-00015, for a project being developed by Jeffrey C. Wiedemann and Nancy A. Wiedemann, trustees of The Wiedemann Trust dated June 4, 1993, and any amendments thereto, as recommended by the Public Works Director, Pleasanton area. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 6** ADOPT Resolution No. 2022/160 accepting a Grant Deed of Development Rights for minor subdivision MS21-00015, for a project being developed by Jeffrey C. Wiedemann and Nancy A. Wiedemann, trustees of The Wiedemann Trust dated June 4, 1993, and any amendments thereto, as recommended by the Public Works Director, Pleasanton area. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 7** ADOPT Resolution No. 2022/161 approving the Stormwater Management Facilities Operation and Maintenance Agreement for development plan permit DP18-03031, for a project being developed by Del Hombre Walnut Creek Holdings LLC, as recommended by the Public Works Director, Walnut Creek area. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Special Districts & County Airports**

**C. 8** APPROVE and AUTHORIZE the Director of Airports to terminate the Tiedown Permit with Igor Sheyman at the Byron Airport and AUTHORIZE County Counsel to pursue legal action. (100% Airport Enterprise Fund)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 9** APPROVE the Walnut & Grayson Creeks Desilting Project and take related actions under the California Environmental Quality Act and AUTHORIZE the Chief Engineer, or designee, to advertise the Project, Concord, Pacheco, Pleasant Hill, and Vine Hill areas. (100% Zone 3B Funds)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Claims, Collections & Litigation**

**C. 10** DENY claims filed by William Portillo, Robson Family Trust by James Robson, Joel Tolbert III, and Richard Wayne Williamson.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Statutory Actions**

**C. 11** ACCEPT Board members meeting reports for April 2022.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Honors & Proclamations**

**C. 12** ADOPT Resolution No. 2022/171 proclaiming May 2022 as Community Action Month, as recommended by the Employment and Human Services Director.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 13** ADOPT Resolution No. 2022/483 proclaiming May 15-21, 2022, as National Public Works Week in Contra Costa County, as recommended by the Public Works Director, Countywide. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 14** ADOPT Resolution No. 2022/165 designating May 18, 2022 as Emergency Medical Services for Children Day, as recommended by the Health Services Director.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 15** ADOPT Resolution No. 2022/164 designating the week of May 15-21, 2022 as National Emergency Medical Services (EMS) Week, with the theme of “Rising to the Challenge,” as recommended by the Health Services Director.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 16** ADOPT a Resolution No. 2022/163 proclaiming the month of May 2022 as Mental Health Awareness Month in Contra Costa County, as recommended by the Health Services Director.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Appointments & Resignations**

**C. 17** APPOINT Claire Alaura to the District 3 seat on the Library Commission for a term ending June 30, 2026, as recommended by Supervisor Burgis.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 18** APPOINT Michael Walko to the Trustee 1 seat on the Byron-Brentwood-Knightsen Union Cemetery District for a term ending December 31, 2022, as recommended by Supervisor Burgis.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 19** REAPPOINT Lesley Hunt to the Walnut Creek Area Seat on the Iron Horse Corridor Management Program Advisory Committee for a four-year term with an expiration date of March 2, 2026, as recommended by the Walnut Creek City Council. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 20** ACCEPT the resignation of William Nelson, DECLARE a vacancy in the Appointee 4 Seat on the Alamo Police Services Advisory Committee for a term ending December 31, 2022, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Andersen.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 21** APPOINT Hari Lamba to the Alternate 1 seat on the East Richmond Heights Municipal Advisory Council for a term ending December 31, 2022, as recommended by Supervisor Gioia.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 22** REAPPOINT Scott Gordon to the Board of Supervisors Appointee #4 Seat on the Contra Costa County Employees' Retirement Association Board of Trustees to a new three-year term of July 1, 2022 through June 30, 2025, as recommended by the Internal Operations Committee.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 23** REAPPOINT Bhupen Amin to the At Large #1 seat on the County Planning Commission to a new four-year term beginning July 1, 2022 and ending June 30, 2026, as recommended by the Internal Operations Committee.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Personnel Actions**

**C. 24** ADOPT Position Adjustment Resolution Number 25949 reallocating the salaries of Departmental Human Resources Analyst II (ARTA), Departmental Human Resources Supervisor (APFB), Departmental Human Resources Officer I - Exempt (APG1), and Departmental Human Resources Officer II - Exempt (APG2) on the salary schedule in various departments, as recommended by the Director of Human Resources. (100% Various Funds)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 25** ADOPT Position Adjustment Resolution No. 25937 to add one Social Service Program Analyst (represented) position and cancel one Aging and Adult Services Senior Staff Assistant (represented) position in the Aging and Adult Services Bureau of the Employment and Human Services Department. (72% State, 12% Federal, 16% County General Fund)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 26** ADOPT Position Adjustment Resolution No. 25946 to add one Deputy Director of Health Services-Exempt position and one Chief of Plant Operations-Exempt position in the Health Services Department. (100% Hospital Enterprise Fund I)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 27** ADOPT Position Adjustment Resolution No. 25935 to reassign one vacant Program and Project Coordinator (represented) position from Department 0501 (Administrative Services Bureau) to Department 0586 (Contra Costa Alliance to End Abuse) in the Employment and Human Services Department. (76% Federal, 24% Local Revenue)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 28** ADOPT Position Adjustment Resolution No. 25936 to add one Information System Programmer Analyst IV (represented) position, and cancel one Senior Social Service Information Systems Analyst (represented) position, in the Employment and Human Services Department. (60% Federal, 34% State, and 6% County General Fund)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Grants & Contracts**

**APPROVE and AUTHORIZE execution of agreements between the County and the following agencies for receipt of fund and/or services:**

**C. 29** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the California Department of Resources Recycling and Recovery, to pay County an amount not to exceed \$165,913 to enforce proper waste tire management throughout Contra Costa County for the period June 30, 2022 through September 30, 2023. (No County match)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 30** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with John Muir Health, to pay the County an amount not to exceed \$50,000 for respite care services provided to homeless adults at the Philip Dorn Respite Center for the period April 1, 2022 through December 31, 2022. (No County match)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 31** APPROVE and AUTHORIZE the Health Services Director, or designee, to apply for funding from the California Department of Resources Recycling and Recovery to pay County an amount up to \$26,112 for the continuation of the Local Enforcement Agency assistance funds for Environmental Health Division's solid waste facilities permit and inspection programs for the period July 1, 2022 through October 27, 2023. (No County match)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**APPROVE and AUTHORIZE execution of agreement between the County and the following parties as noted for the purchase of equipment and/or services:**

**C. 32** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Empowered Aging, effective February 7, 2022, to increase the payment limit by \$42,745 to a new payment limit of \$547,865 to provide enhanced long-term care Ombudsman services with no change in the term July 1, 2021 through June 30, 2022. (79% State, 21% Federal)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 33** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Full Circle of Choices, in an amount not to exceed \$250,000 to serve as the employer of record for the Specialty Adult Ambassador Program for the period May 1, 2022 through April 30, 2023. (100% State grant)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 34** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, on behalf of the Workforce Development Board, to execute a contract with Pittsburg Power Company, a public entity, in an amount not to exceed \$250,000, for the provision of comprehensive Workforce Innovation and Opportunity Act services to eligible adults in East Contra Costa County for the period July 1, 2022 through June 30, 2023. (100% Federal)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 35** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Medical Solutions, LLC (dba Nebraska Medical Solutions), in an amount not to exceed \$4,800,000 to provide temporary nursing and medical staff at Contra Costa Regional Medical Center, Health Centers and County Detention Facilities for the period July 1, 2022 through June 30, 2023. (100% Hospital Enterprise Fund I)

**Speakers: Caller 6770.**

**C. 36** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Pleasant Hill Recreation and Park District in an amount not to exceed \$250 for the rental fee of a park area for the purpose of holding Environmental Health's Quarterly Division Meeting for approximately 50 staff members in the month of June. (100% Environmental Health Fees)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 37** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Bay Area Community Resources, Inc., to increase the payment limit by \$85,516 to a new payment limit of \$384,752 to continue providing substance abuse prevention and treatment services impacted by COVID-19 in West Contra Costa County with no change to the term July 1, 2021 through June 30, 2022. (100% Coronavirus Response and Relief Supplemental Appropriations Act)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 38** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Lutheran Social Services of Northern California to increase the monthly per emancipated youth rate for transitional housing assistance with no change in the payment limit of \$295,596 or term July 1, 2021 through June 30, 2022. (100% State)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 39** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to issue payments to private adoptions agencies in an amount not to exceed \$800,000 for reimbursements related to serving youth who would otherwise be in foster care for the period July 1, 2022 through June 30, 2024. (50% Federal and 50% State)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 40** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Aspiranet, to remove crisis intervention services with no change in the payment limit of \$295,038 or term July 1, 2021 through June 30, 2022, and no change in the automatic extension payment limit of \$147,519 through December 31, 2022. (50% Federal Medi-Cal, 50% Mental Health Realignment)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover



**C. 41** APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract amendment with Milliman, Inc., to extend the term of the agreement from June 30, 2022 to October 31, 2024, for actuarial services related to other post-employment benefit liabilities and associated compliance.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 42** APPROVE and AUTHORIZE the County Librarian, or designee, to execute a contract with the Antioch Unified School District to allow the District to provide lunches to youth library patrons for the period June 13 through July 22, 2022. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 43** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Lisa Wang, M.D., in an amount not to exceed \$230,631 to provide outpatient psychiatric services for West Contra Costa County patients for the period July 1, 2022 through June 30, 2023. (100% Mental Health Realignment)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 44** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Accela, Inc., to increase the payment limit by \$145,040 to a new payment limit of \$540,262 for software and support services used by the Hazardous Materials and Environmental Health Divisions to track inspection and enforcement actions for the period May 1, 2022 through April 30, 2023, and successive annual term renewals. (61% Environmental Health, 39% Hazardous Materials Program Fees)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 45** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with St. Helena Hospital (dba Adventist Health Vallejo), in an amount not to exceed \$50,000 to provide inpatient psychiatric hospital services for the period July 1, 2022 through June 30, 2023. (100% Mental Health Realignment)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 46** APPROVE and AUTHORIZE the Purchasing Agent or designee to execute, on behalf of the Employment and Human Services Director, purchase order amendment #2 with Ray A. Morgan Company, LLC, to increase the payment limit by \$540,000 to a new payment limit of \$2,088,000 for additional managed print services and printer maintenance and supplies under the terms of a master agreement between the County and the company, with no change to the term of January 1, 2020 through December 22, 2022. (60% Federal, 34% State, 6% County General Fund)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 47** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Varis, LLC, in an amount not to exceed \$900,000 to identify Medi-Cal claims overpayment for the Contra Costa Health Plan for the period April 1, 2022 through March 31, 2025. (100% contingency fee from savings)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 48** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Meals on Wheels Diablo Region, to increase the payment limit by \$115,000 to a new payment limit of \$625,000 to provide additional meal services for the County's Senior Nutrition Program with no change in the term July 1, 2021 through June 30, 2022, and to increase the automatic extension payment limit by \$28,750 to a new payment limit of \$156,250 through September 30, 2022. (100% Title III C 2 of the Federal Older Americans Act)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 49** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Benjamin Rayikanti, MD, Inc., in an amount not to exceed \$380,000 to provide anesthesiology services for Contra Costa Regional Medical Center and Health Centers for the period April 1, 2022 through March 31, 2024. (100% Hospital Enterprise Fund I)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 50** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Availity, LLC, to meet the Department of Managed Health Care requirements to continue providing electronic claims processing services, with no change in the payment limit of \$1,100,000 or term March 1, 2022 through February 28, 2023. (100% Contra Costa Health Plan Enterprise Fund II)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 51** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with The Speech Pathology Group, Inc., in an amount not to exceed \$600,000 to provide temporary medically necessary occupational and physical therapy staffing services to children eligible for the California Children's Services Medical Therapy Program for the period July 1, 2022 through June 30, 2025. (50% State California Children's Services, 50% County General Fund)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 52** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the California Mental Health Services Authority, in an amount not to exceed \$29,442 for the California Mental Health Services Authority to contract for state hospital bed utilization on behalf of the County, for the period July 1, 2021 through June 30, 2022. (100% Mental Health Realignment)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 53** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Francis M. Wright, Jr., M.D., in an amount not to exceed \$225,000 to provide obstetrics and gynecology services at Contra Costa Regional Medical Center and Health Centers for the period April 1, 2022 through March 31, 2024. (100% Hospital Enterprise Fund I)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Other Actions**

**C. 54** APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay up to \$96,016 to Bay Area Community Services, Inc., for operating the COVID-19 housing in Richmond for homeless individuals in Contra Costa County provided in good faith for the period February 1, 2022 through March 31, 2022. (100% Federal and State emergency funding)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 55** MODIFY the composition of the Contra Costa County Fire Protection District Advisory Fire Commission to designate that the At Large #2 seat represent the county area formerly served by the East Contra Costa Fire Protection District and the At Large #1 seat represent all remaining areas within the District. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 56** ACCEPT and APPROVE the 2021/22 Triennial Advisory Body Review Phase II Report and recommendations prepared by the Clerk of the Board's Office, as recommended by the Internal Operations Committee. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 57** APPROVE and AUTHORIZE the Health Services Director, or designee to execute Memorandum of Agreement (MOA) #28-975-3 with the City of Brentwood, to allow the Health Services Department and the California Department of Public Health contractors to continue to use the City's Brentwood Technology and Education Center for COVID-19 testing and immunizations and to extend the term from May 31, 2022 to June 30, 2022, and AUTHORIZE the County Administrator, or designee, to review and approve successive 30-day renewals through September 30, 2022. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 58** APPROVE and AUTHORIZE, the Auditor-Controller, to pay up to \$3,134,879 to Sharjo, Inc., dba ServiceMaster Restoration Services for COVID-19 environmental cleaning services provided to Contra Costa Regional Medical Center for the period December 1, 2021, through April 30, 2022. (100% American Rescue Plan Act)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 59** APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay each of up to eleven (11) In-Home Supportive Services Public Authority Advisory Committee members a \$24 per meeting stipend not to exceed three meetings per month for the 12-month period of July 1, 2022 through June 30, 2023 as recommended by the Employment and Human Services Director. (50% Federal, 47% State and 3% County)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 60** APPROVE the list of providers recommended by Contra Costa Health Plan's Medical Director and the Health Services Director, and as required by the State Departments of Health Care Services and Managed Health Care, and the Centers for Medicare and Medicaid Services. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 61** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Right of Way contract with the City of San Ramon, to convey permanent and temporary easements to the City in exchange for reimbursement of County staff costs, in connection with the City's Iron Horse Trail Pedestrian and Bike Overcrossing Project, San Ramon area. (100% City of San Ramon)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 62** ADOPT Resolution No. 2022/176 establishing the Measure X Local Housing Trust Fund as a Local Housing Trust Fund under the State of California Local Housing Trust Fund Grant Program, as recommended by the Conservation and Development Director. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 63** APPROVE the Basket Removal with Connector Pipe Screen Replacement and Trash Capture Augmentation Project and take related actions under the California Environmental Quality Act, and AUTHORIZE the Public Works Director, or designee, to advertise the Project, Countywide. (67% Stormwater Utility Assessment Funds, 33% Local Road Funds)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 64** ADOPT Resolution No. 2022/177, to supersede Resolution No. 2012/129 authorizing Russell Watts in the capacity of Treasurer-Tax Collector and Belinda Zhu in the capacity of Assistant County Treasurer to deposit and withdraw money in the Local Agency Investment Fund (LAIF), as recommended by the Treasurer-Tax Collector.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 65** ADOPT Resolution No. 2022/175 authorizing the County to submit a State Local Housing Trust Fund grant application for \$5 million, and COMMIT \$5 million as matching funds, to support permanent affordable housing for extremely low income households and very low income households, as recommended by the Conservation and Development Director. (50% County match; Measure X Local Housing Trust Fund)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 66** APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute a one-day use permit with the National Park Service for the use of the John Muir National Historic Site, 4202 Alhambra Avenue, Martinez, on May 27, 2022 to conduct civil wedding ceremonies. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

## **GENERAL INFORMATION**

The Board meets in all its capacities pursuant to Ordinance Code Section 24-2.402, including as the Housing Authority and the Successor Agency to the Redevelopment Agency. Persons who wish to address the Board should complete the form provided for that purpose and furnish a copy of any written statement to the Clerk.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to a majority of the members of the Board of Supervisors less than 96 hours prior to that meeting are available for public inspection at 1025 Escobar Street, First Floor, Martinez, CA 94553, during normal business hours.

All matters listed under CONSENT ITEMS are considered by the Board to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time the Board votes on the motion to adopt.

Persons who wish to speak on matters set for PUBLIC HEARINGS will be heard when the Chair calls for comments from those persons who are in support thereof or in opposition thereto. After persons have spoken, the hearing is closed and the matter is subject to discussion and action by the Board. Comments on matters listed on the agenda or otherwise within the purview of the Board of Supervisors can be submitted to the office of the Clerk of the Board via mail: Board of Supervisors, 1025 Escobar Street, First Floor, Martinez, CA 94553 or to [clerkoftheboard@cob.eccounty.us](mailto:clerkoftheboard@cob.eccounty.us).

The County will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact

the Clerk of the Board at least 24 hours before the meeting, at (925) 655-2000. An assistive listening device is available from the Clerk, First Floor.

Copies of recordings of all or portions of a Board meeting may be purchased from the Clerk of the Board. Please telephone the Office of the Clerk of the Board, (925) 655-2000, to make the necessary arrangements.

Forms are available to anyone desiring to submit an inspirational thought nomination for inclusion on the Board Agenda. Forms may be obtained at the Office of the County Administrator or Office of the Clerk of the Board, 1025 Escobar Street, Martinez, California.

Subscribe to receive the weekly Board Agenda by calling the Office of the Clerk of the Board, (925) 655-2000 or using the County's on line subscription feature at the County's Internet Web Page, where agendas and supporting information may also be viewed:

[www.contracosta.ca.gov](http://www.contracosta.ca.gov)

## STANDING COMMITTEES

The **Airport Committee** (Supervisors Karen Mitchoff and Diane Burgis) meets quarterly on the second Wednesday of the month at 11:00 a.m. at the Director of Airports Office, 550 Sally Ride Drive, Concord.

The **Family and Human Services Committee** (Supervisors John Gioia and Candace Andersen) meets on the fourth Monday of the month at 9:00 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Finance Committee** (Supervisors John Gioia and Karen Mitchoff) meets on the first Monday of the month at 9:00 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Hiring Outreach Oversight Committee** (Supervisors Federal D. Glover and John Gioia) meets quarterly on the first Monday of the month at 10:30 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Internal Operations Committee** (Supervisors Candace Andersen and Diane Burgis) meets on the second Monday of the month at 10:30 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Legislation Committee** (Supervisors Karen Mitchoff and Diane Burgis) meets on the second Monday of the month at 1:00 p.m. in Room 110, County Administration Building, 1025 Street, Martinez.

The **Public Protection Committee** (Supervisors Andersen and Federal D. Glover) meets on the fourth Monday of the month at 10:30 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Sustainability Committee** (Supervisors Federal D. Glover and John Gioia) meets on the fourth Monday of every other month at 1:00 p.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Transportation, Water & Infrastructure Committee** (Supervisors Candace Andersen and Karen Mitchoff) meets on the second Monday of the month at 9:00 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

**AGENDA DEADLINE: Thursday, 12 noon, 12 days before the Tuesday Board meetings.**

### Glossary of Acronyms, Abbreviations, and other Terms (in alphabetical order):

Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in its Board of Supervisors meetings and written materials. Following is a list of commonly used language that may appear in oral presentations and written materials associated with Board meetings:

**AB** Assembly Bill  
**ABAG** Association of Bay Area Governments  
**ACA** Assembly Constitutional Amendment  
**ADA** Americans with Disabilities Act of 1990  
**AFSCME** American Federation of State County and Municipal Employees

**AICP** American Institute of Certified Planners  
**AIDS** Acquired Immunodeficiency Syndrome  
**ALUC** Airport Land Use Commission  
**AOD** Alcohol and Other Drugs  
**ARRA** American Recovery & Reinvestment Act of 2009  
**BAAQMD** Bay Area Air Quality Management District  
**BART** Bay Area Rapid Transit District  
**BayRICS** Bay Area Regional Interoperable Communications System  
**BCDC** Bay Conservation & Development Commission  
**BGO** Better Government Ordinance  
**BOS** Board of Supervisors  
**CALTRANS** California Department of Transportation  
**CalWIN** California Works Information Network  
**CalWORKS** California Work Opportunity and Responsibility to Kids  
**CAER** Community Awareness Emergency Response  
**CAO** County Administrative Officer or Office  
**CCCPCD (ConFire)** Contra Costa County Fire Protection District  
**CCHP** Contra Costa Health Plan  
**CCTA** Contra Costa Transportation Authority  
**CCRMC** Contra Costa Regional Medical Center  
**CCWD** Contra Costa Water District  
**CDBG** Community Development Block Grant  
**CFDA** Catalog of Federal Domestic Assistance  
**CEQA** California Environmental Quality Act  
**CIO** Chief Information Officer  
**COLA** Cost of living adjustment  
**ConFire (CCCPCD)** Contra Costa County Fire Protection District  
**CPA** Certified Public Accountant  
**CPI** Consumer Price Index  
**CSA** County Service Area  
**CSAC** California State Association of Counties  
**CTC** California Transportation Commission  
**dba** doing business as  
**DSRIP** Delivery System Reform Incentive Program  
**EBMUD** East Bay Municipal Utility District  
**ECCPCD** East Contra Costa Fire Protection District  
**EIR** Environmental Impact Report  
**EIS** Environmental Impact Statement  
**EMCC** Emergency Medical Care Committee  
**EMS** Emergency Medical Services  
**EPSDT** Early State Periodic Screening, Diagnosis and Treatment Program (Mental Health)  
**et al.** et alii (and others)  
**FAA** Federal Aviation Administration  
**FEMA** Federal Emergency Management Agency  
**F&HS** Family and Human Services Committee  
**First 5** First Five Children and Families Commission (Proposition 10)  
**FTE** Full Time Equivalent  
**FY** Fiscal Year  
**GHAD** Geologic Hazard Abatement District  
**GIS** Geographic Information System  
**HCD** (State Dept of) Housing & Community Development  
**HHS** (State Dept of ) Health and Human Services  
**HIPAA** Health Insurance Portability and Accountability Act  
**HIV** Human Immunodeficiency Syndrome  
**HOV** High Occupancy Vehicle  
**HR** Human Resources  
**HUD** United States Department of Housing and Urban Development  
**IHSS** In-Home Supportive Services  
**Inc.** Incorporated  
**IOC** Internal Operations Committee

**ISO** Industrial Safety Ordinance  
**JPA** Joint (exercise of) Powers Authority or Agreement  
**Lamorinda** Lafayette-Moraga-Orinda Area  
**LAFCo** Local Agency Formation Commission  
**LLC** Limited Liability Company  
**LLP** Limited Liability Partnership  
**Local 1** Public Employees Union Local 1  
**LVN** Licensed Vocational Nurse  
**MAC** Municipal Advisory Council  
**MBE** Minority Business Enterprise  
**M.D.** Medical Doctor  
**M.F.T.** Marriage and Family Therapist  
**MIS** Management Information System  
**MOE** Maintenance of Effort  
**MOU** Memorandum of Understanding  
**MTC** Metropolitan Transportation Commission  
**NACo** National Association of Counties  
**NEPA** National Environmental Policy Act  
**OB-GYN** Obstetrics and Gynecology  
**O.D.** Doctor of Optometry  
**OES-EOC** Office of Emergency Services-Emergency Operations Center  
**OPEB** Other Post Employment Benefits  
**OSHA** Occupational Safety and Health Administration  
**PARS** Public Agencies Retirement Services  
**PEPRA** Public Employees Pension Reform Act  
**Psy.D.** Doctor of Psychology  
**RDA** Redevelopment Agency  
**RFI** Request For Information  
**RFP** Request For Proposal  
**RFQ** Request For Qualifications  
**RN** Registered Nurse  
**SB** Senate Bill  
**SBE** Small Business Enterprise  
**SEIU** Service Employees International Union  
**SUASI** Super Urban Area Security Initiative  
**SWAT** Southwest Area Transportation Committee  
**TRANSPAC** Transportation Partnership & Cooperation (Central)  
**TRANSPLAN** Transportation Planning Committee (East County)  
**TRE** or **TTE** Trustee  
**TWIC** Transportation, Water and Infrastructure Committee  
**UASI** Urban Area Security Initiative  
**VA** Department of Veterans Affairs  
**vs.** versus (against)  
**WAN** Wide Area Network  
**WBE** Women Business Enterprise  
**WCCTAC** West Contra Costa Transportation Advisory Committee





**Contra  
Costa  
County**

To: Board of Supervisors  
From: Monica Nino, County Administrator  
Date: May 17, 2022

**Subject:** Consider the strategic options in the draft Master Facilities Plan presentation and PROVIDE direction to staff

---

**RECOMMENDATION(S):**

CONSIDER the strategic options in the draft Master Facilities Plan presentation and PROVIDE direction to staff on the preferred option for finalizing the Master Facilities Plan and Implementation Plan for adoption.

**FISCAL IMPACT:**

No direct fiscal impact at this time. The option chosen will guide future capital budgeting decisions. The direction provided will allow staff to produce a five-year implementation plan that will detail proposed capital spending for that five-year period.

**BACKGROUND:**

Contra Costa County has not had an adopted Capital Facilities Master Plan since the Fiscal Year (FY) 1999-2000 plan was approved by the Board on January 25, 2000. On April 27, 2021, the Public Works Department issued a Request for Qualifications to solicit Statements of Qualifications ("SOQs") for Comprehensive Master Plan Services. The Public Works Department received seven SOQ's from interested firms. A selection committee comprised of various County staff conducted evaluation of SOQs and unanimously ranked and selected Gensler as the top scoring firm. At the July 13, 2021 meeting, the Board authorized staff to contract with Gensler to produce a new strategic Master Facilities Plan to guide capital planning for County departments other than Health Services and the detention facilities. Health Services has its own Facilities Master Plan which is in the process of being updated. Detention facilities are currently being examined in response to a consent decree and other internal planning efforts.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Eric Angstadt; 925-655-2042

By: , Deputy

cc:

## BACKGROUND: (CONT'D)

Over the last nine months, Gensler has conducted extensive research, surveys, and interviews with County departments and employees in the facilities covered by the plan. Those efforts have included:

**2,177** Employee Survey Responses (35% Response Rate)

**51** Sites Toured

**20** Department Leadership Questionnaire Responses

**22** Department Leadership Interviews

**Two** Steering Committee Workshops (10 members)

**One** Board of Supervisors Retreat Workshop (five members)

**100+** County Documents, Reports, etc.

In addition to Gensler's work, and to provide a current baseline of facilities condition for the Gensler team to use, the County also completed a Facilities Condition Assessment (FCA) of the entire County portfolio. The FCA was completed by Gordian, and it identified a deferred maintenance need of \$159.3 million dollars in the next five years for the 75 facilities (44 owned, 31 leased) comprising approximately 1.49 million square feet in the Master Facility Plan. The Plan also includes 26 other facilities, approximately 0.24 million square feet, where the County operates but the facilities are maintained by other jurisdictions. Most of these are libraries where the city owns the building, but the County staffs the library. The total County portfolio has 274 facilities comprising 3.79 million square feet, with a total five-year deferred maintenance need identified of \$536.0 million dollars. The Master Facilities Plan includes 27% of the County facilities by count, 47% by square footage and 30% by deferred maintenance needs. As a reminder, the vast majority of the County facilities not included in this Master Facilities Plan are in Health Services or are detention facilities.

Over the last ten years, the County has usually budgeted between \$13 million to \$15 million dollars for capital facilities maintenance and addressing deferred maintenance in the County portfolio. Some, but not all, of that money has gone to the facilities in the study. A conservative estimate of continuing that average spending level for the Master Facilities Plan facilities (estimating 40% of annual spending at \$14 million average, equaling \$ 5.6 million per year) would be \$112 million over the next 20 years for buildings in the plan. Gordian's work and forecasting indicates that this level of annual spending would result in a near complete deterioration of the condition of the facilities over 20 years, as the deferred maintenance backlog on these facilities would increase from the present \$160 million to \$550 million. In contrast, it would require approximately \$24.8 million annually over the next 20 years to maintain the existing facilities in the same condition as they are now. It is clear that the current spending levels are not adequate to maintain the facilities in their present condition and that \$496 million over the next 20 years would be required to keep the current status quo.

In response to this present condition, Gensler prepared three options for the Board's consideration. They range from major, transformative change to minimal change. The details and discussion of the options are presented in the attached slides. These options present a 20-year future strategic vision for the capital planning for County facilities. Following the Board determining the strategic vision it prefers, staff and the Gensler team would prepare the initial Five-Year Implementation Plan which will outline the initial steps to take each year for the next five years to begin to realize the strategic vision. The Implementation Plan guides each year's budget development for capital projects and maintenance. The Implementation Plan is reviewed and modified or amended as necessary every three to five years to respond to progress or changing conditions.

Following the staff and Gensler's presentation, Board questions and discussion and public comment, staff requests the Board to take action to select which option it prefers the County to pursue as its strategic vision. Gensler and staff will then prepare the initial Five-Year Implementation Plan and return to the Board for final approval of the Master Facilities Plan and Implementation Plan.

### CONSEQUENCE OF NEGATIVE ACTION:

Not choosing an option for the strategic vision of the Master Facilities Plan will delay the finalization of the Plan and prevent the development of the initial Implementation Plan.

### CLERK'S ADDENDUM

**Speakers: Carolyn Stein; No Name Given; Liz Ritchie; Caller 6770.**

Following discussion, the Board indicated its preferences incorporating part of Option 1 and part of Option 2 (Major and Moderate) noting that each region has different needs. They expressed the following things they would like prioritized for further information and consideration:

1) The volume and type of services such as retrieval of vital records that is currently available via the internet (online) and what departments intend to add or expand remote access to services for public convenience, with emphasis on what trends and desires of the public are; 2) The siting of regional hubs/consolidated service centers where the public might have access to multiple types of services and information, possibly with employee assistance to navigate the system, to shorten travel burdens for the public; particularly in far east county; 3) The possibility of a mix 'n match approach to optimize the setup adopted in accordance with the needs of that region; The location of departments in near proximity that have synergy, whose functions are closely related; Concerted effort to place locations providing county services on a major transit route; 4) A balance between offering remote work for employees and scheduling and staffing for public needs. The County Administrators Office will meet individually with each Supervisor to review the particular needs of their district.

## ATTACHMENTS

County Facilities Master Plan PowerPoint

Contra Costa County | BOS Options Review | May 17, 2022

# COUNTY FACILITIES MASTER PLAN



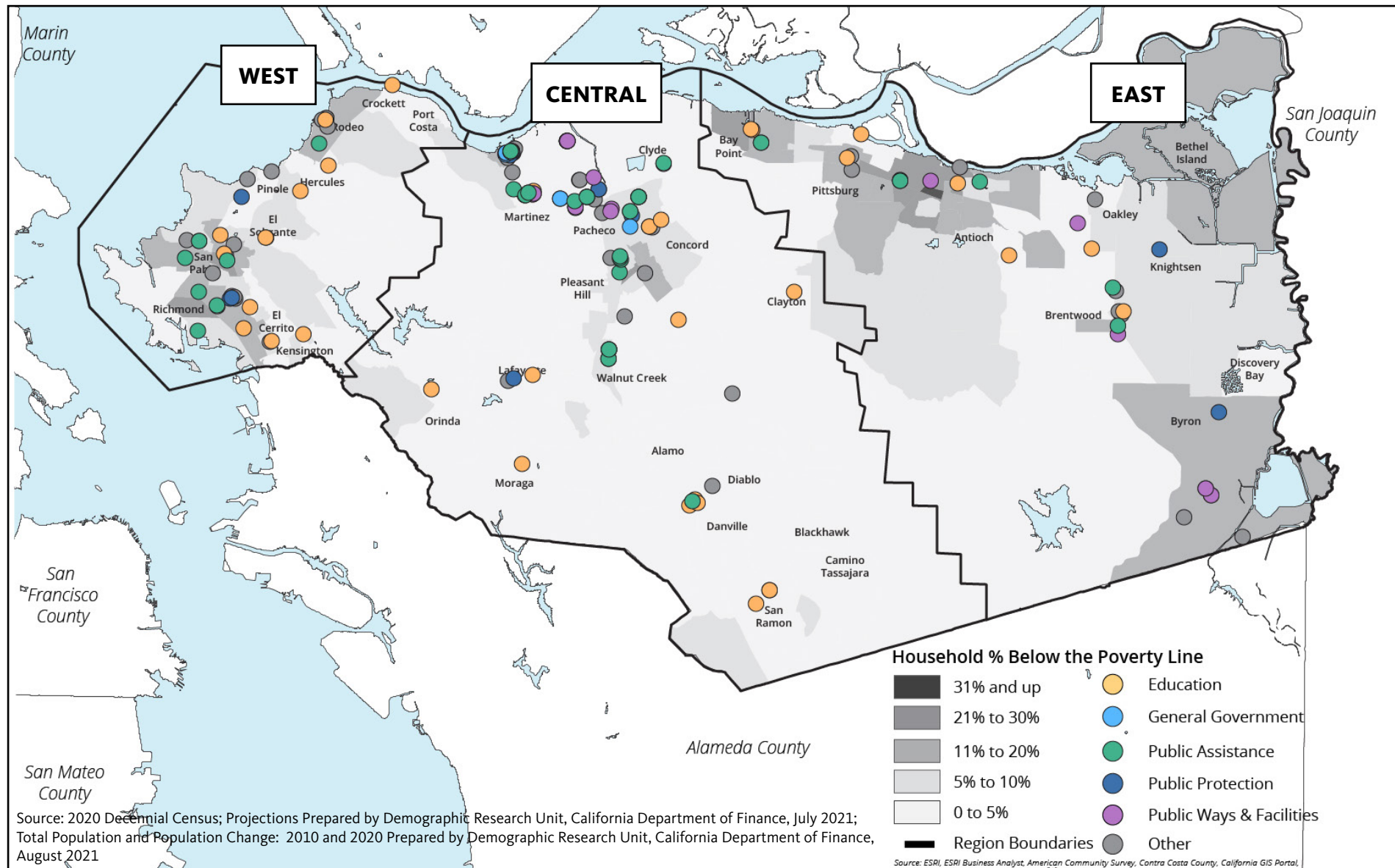
# Agenda

- 1 Options
- 2 Assumptions
- 3 Project Update

Decision Needed:

**Please choose an option or combination of options in order to further develop an implementation plan.**

# Overview of County Facilities



- Facilities aren't always proximate to the populations needing County services, especially in East County.
- Population growth was 11% between 2010 and 2020, with **highest growth in East County. 8% growth is projected through 2030.**
- **Public transit to reach County facilities is poor**, car commutes are long, and not all facilities have dedicated visitor parking.

CITY OR TOWN	POPULATION CHANGE, 2010-20
Brentwood, East County	25%
Oakley, East County	22%
Pittsburg, East County	21%
San Ramon, Central County	17%
Antioch, East County	13%

**General Government:** Assessor; Auditor-Controller; County Counsel; Clerk-Recorder; Human Resources; Information Technology; Public Works; Tax Collector-Treasurer; County Administrator's Office; Risk Management.

**Public Protection:** Agriculture, Animal Services, Child Support Services, Conservation and Development, District Attorney, Probation, Public Defender.

**Public Assistance:** Employment and Human Services; Veteran Services.

**Public Ways and Facilities:** Public Works

**Education:** Library



# Guiding Principles



**01**  
Improve equity, access to services,  
and the overall customer experience



**02**  
Reduce facility and real estate-  
related costs



**03**  
Increase collaboration and resource  
sharing between departments

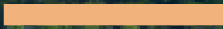


**04**  
Provide flexibility, upgrade work  
spaces, and improve the overall  
employee experience



**05**  
Continue to increase technology  
adoption





# OPTIONS: 20-YEAR VISION

# Options: 20-Year Vision

## Recommended

### OPTION 1

## MAJOR CHANGE

Consolidate into regional service centers

### KEY ACTIONS

- **Colocate** complementary departments and services into **service centers** in Central, West, and East County
- **Increase presence in East County**
- **Reduce addresses\*** by ~30%, by consolidating into owned facilities and eliminating leases
- **Densify offices** by updating furniture standards and introducing seat sharing
- **Make FCA\*\* identified improvements**
- **Increase remote work** from 50% to 60% for departments that can support it

### GUIDING PRINCIPLES ACHIEVED



### OPTION 2

## MODERATE CHANGE

Densify owned parcels and strengthen East presence

### KEY ACTIONS

- **Colocate** some complementary departments and services into **service centers** in Central County
- **Increase presence in East County**
- **Reduce addresses\*** by ~10%, by consolidating into owned facilities and eliminating leases
- **Densify offices** by updating furniture standards and introducing seat sharing
- **Make FCA\*\* identified improvements**
- **Increase remote work** from 50% to 60% for departments that can support it

### GUIDING PRINCIPLES ACHIEVED



### OPTION 3

## MINIMAL CHANGE

Grow in place with limited disruptions

### KEY ACTIONS

- **Densify offices** by updating furniture standards
- **Make FCA\*\* identified improvements**

### GUIDING PRINCIPLES ACHIEVED



\*Refers to distinct addresses that don't share common spaces (e.g. parking). 4545 and 4549 Delta Fair is considered a common address and campus

\*\*FCA = 2021-2022 Facility Condition Assessment performed by Gordian

# Options: 20-Year Vision

2020 Staff Headcount (4,080)

## STATUS QUO

**1.73M sf**  
Square Feet

**79**  
Addresses\*

**\$24.8M**  
Av. Annual FCA Funding  
(Total = \$496M)

**\$8M**  
Annual Rents

### Recommended

OPTION 1 - 2030 Staff Headcount (4,820)

## MAJOR CHANGE

Consolidate into regional service centers

**1.5M - 1.6M sf**  
Square Feet (-7% to -11%)

**57-58**  
Addresses\*

**\$30.3 - 32.3M**  
Av. Annual Construction/Reno  
(Total = \$605.8M - \$645.7M)

**\$4.3M**  
Annual Rents

OPTION 2 - 2030 Staff Headcount (4,820)

## MODERATE CHANGE

Densify owned parcels and strengthen East presence

**1.67M sf**  
Square Feet (-3%)

**70**  
Addresses\*

**\$27.2M**  
Av. Annual Construction/Reno  
(Total = \$544.2M)

**\$7.3M**  
Annual Rents

OPTION 3 - 2030 Staff Headcount (4,820)

## MINIMAL CHANGE\*\*

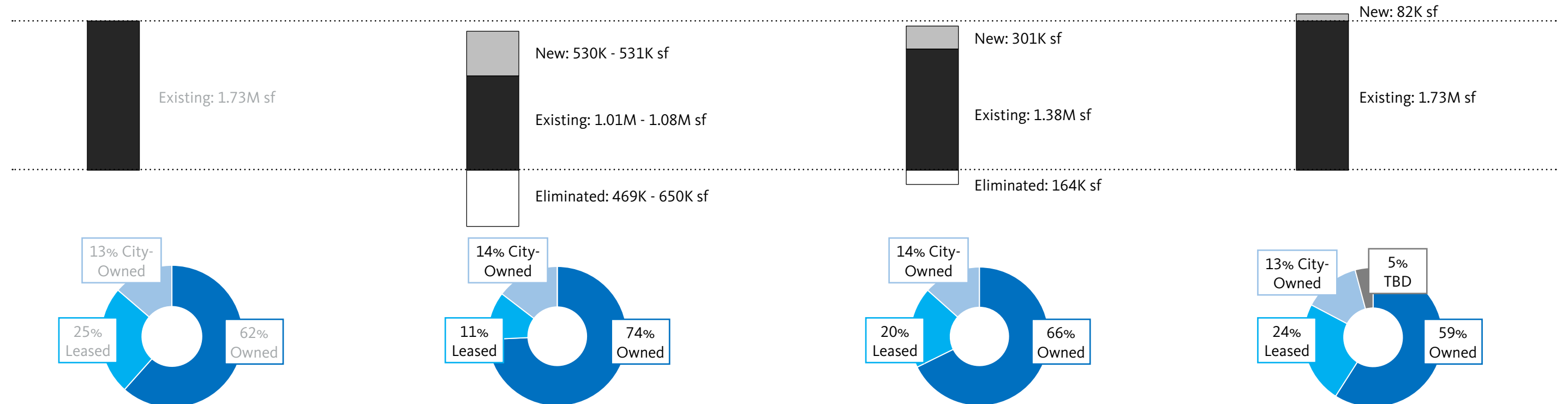
Grow in place with limited disruptions

**1.81M sf+**  
Square Feet (+5%)

**79+**  
Addresses\*

**\$21.9M+**  
Av. Annual Construction/Reno  
(Total = \$438.6M+)

**\$8M+**  
Annual Rents



\*Refers to distinct addresses that don't share common spaces (e.g. parking). 4545 and 4549 Delta Fair is considered a common address and campus.

\*\*Does not include costs associated with additional 82Ksf needed (the need is distributed across 12 existing facilities)



# Regional Service Centers



1



2



3



4

Regional service centers are one-stop campuses where multiple departments can be collocated for increased collaboration and resource sharing, and for the public to access different County services in one convenient location.

Common features of regional service centers:

- Common entry / front door to County services
- Space for community activities
- Access to public transportation
- Common support spaces for staff (e.g. amenities, mail rooms)
- Private suites for departments with confidentiality needs
- Drop-in spaces for other departments

## EXAMPLES

### 1 Zev Yaroslavsky Family Support Center, LA County

**7 Depts:** Public Social Services, Children and Family Services, Child Support Services, Probation, Public Health, Health Services, and Mental Health

### 2 Eden Area Multi-Service Center, Alameda County

**6 Depts:** Social Services Agency, Rehabilitation, Library, Employment Development, Center for Education and Careers, Adult and Career Education

### 3 Administration Building, LA County

**4 Depts:** Public Social Services, Mental Health, Child Support Services, Children & Family Services

### 4 South County Service Center, Santa Cruz County

**4 Depts:** Career Center, Child Support Services, Agricultural Commissioner's office, Adult and Juvenile Probation.

# Option 1 Major Change: Benefits & Challenges

## Consolidate Into Regional Service Centers

### OVERVIEW

**\$30.3 - 32.3M**

Av. Annual Construction/Reno  
Total = \$605.8M - \$645.7M  
(+22 to +30%)

**1.5M - 1.6M sf**

Square Feet  
(-7% to -11%)

**\$4.3M**

Annual Rents  
(-46%)

**57-58**

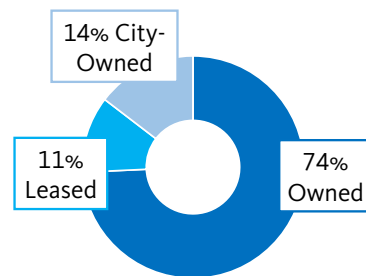
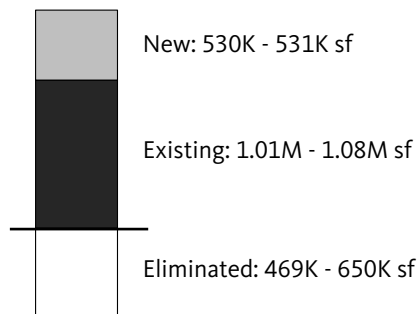
Addresses\*  
(-27%)

**\$69.7M - \$83.1M**

FCA Cost Avoidance

**82-84**

Facilities  
(-18%)



### BENEFITS

- **Improved and equitable customer experience** across Central, East, and West with service centers as one-stop for multiple County services
- **Better proximity to East County customers** for DA, PD, Clerk, and Animal Services
- **Better collaboration and resource sharing** between departments through service centers
- **46% reduction in annual rental costs**
- **~10% less SF needed** due to denser furniture standards and seat sharing
- **Easier facility maintenance** with reduced facilities and addresses
- **\$69.7M - \$83.1M FCA cost avoidance from vacated facilities**
- **5-13 owned facilities and 18-19 leased facilities can be vacated** and considered for other uses
- **Supports employee desire for increased remote work**

### CHALLENGES

- **Highest construction and renovation costs**
- **Financing costs will be significant**
- **High-level of consolidation may not be supported** by some departments
- **Phased construction is necessary** to minimize service disruptions

*\*Refers to distinct addresses that don't share common spaces (e.g. parking). 4545 and 4549 Delta Fair is considered a common address and campus.*

# Option 1 Major Change: Central County Service Centers

## Consolidate Into Regional Service Centers

Central Multi-Service Center				Planning, Development, and Storage Center			
<p>Scenario 1A</p> <p>Build new facilities &amp; renovate existing facilities at <b>2530 Arnold Dr, Martinez**</b> (dispose Douglas Dr)</p>				<p>Scenario 1A</p> <p>Renovate existing &amp; build new facilities at <b>Waterbird Way, Martinez</b> (dispose Glacier Dr)</p>			
<p><b>294K GSF</b> (384K GSF without seat sharing)</p>	<p><b>\$196.3M</b> (\$265.6M without seat sharing)</p>	<p><b>1,142 Staff</b> (2030 Headcount projections)</p>	<p><b>10 Depts</b> Assessor, Risk Management + <b>CAO, DA, DCSS, DoIT, EHSD, Library, Probation, Veterans Services</b></p>	<p><b>222K GSF</b> (237K GSF without seat sharing)</p>	<p><b>\$120.8M</b> (\$132.4M without seat sharing)</p>	<p><b>643 Staff</b> (2030 Headcount projections)</p>	<p><b>3 Depts</b> <b>Public Works, Agriculture, DCD?</b></p>
<b>OR</b>				<b>OR</b>			
<p>Scenario 1B</p> <p>Demolish &amp; build new facilities at <b>10, 30, 40 &amp; 50 Douglas Dr, Martinez</b> (dispose Arnold Dr**)</p>				<p>Scenario 1B</p> <p>Renovate existing &amp; build new facilities at <b>255 Glacier Dr, Martinez</b> (maintain Waterbird Way*)</p>			
<p><b>223K GSF</b> (331K GSF without seat sharing)</p>	<p><b>\$174.9M</b> (\$258.1M without seat sharing)</p>	<p><b>1,142 Staff</b> (2030 Headcount projections)</p>	<p><b>10 Depts</b> DA, DCSS, DoIT, Probation, Veterans Services + <b>Assessor, EHSD, Library, Risk Management</b></p>	<p><b>170K GSF</b> (186K GSF without seat sharing)</p>	<p><b>\$103.3M</b> (\$115.6M without seat sharing)</p>	<p><b>423 Staff</b> (2030 Headcount projections)</p>	<p><b>3 Depts</b> <b>Public Works, Agriculture, DCD?</b></p>

\*Included in costs  
 \*\* Impact on departments (e.g. Sheriff) not in study not evaluated  
 Departments with new staff at this location (relocated from other facilities)

# Option 1 Major Change: East & West County Service Centers

## Consolidate Into Regional Service Centers

East Multi-Service Center				West Multi-Service Center			
<p>Scenario 1A</p> <p>Build new facilities at <b>Technology Way, Brentwood</b> (maintain Delta Fair*)</p>				<p>Scenario 1A</p> <p>Build new facilities at <b>San Pablo Ave Corridor near El Cerrito del Norte BART</b> (dispose 1305 Macdonald Ave)</p>			
<p><b>55K GSF</b> (71K GSF without seat sharing)</p>	<p><b>\$81.5M</b> (\$93.8M without seat sharing)</p>	<p><b>211 Staff</b> (2030 Headcount projections)</p>	<p><b>3 Depts</b> EHSD, PD, Clerk</p>	<p><b>90K GSF</b> (124K GSF without seat sharing)</p>	<p><b>\$69.3M</b> (\$95.5M without seat sharing)</p>	<p><b>375 Staff</b> (2030 Headcount projections)</p>	<p><b>2 Depts</b> EHSD, Clerk</p>
<b>OR</b>				<b>OR</b>			
<p>Scenario 1B</p> <p>Renovate existing &amp; build new facilities at <b>Delta Fair, Antioch</b> (dispose Technology Way)</p>				<p>Scenario 1B</p> <p>Demolish existing &amp; build new facilities at <b>1305 Macdonald Ave, Richmond</b> (San Pablo Ave Corridor facilities not needed)</p>			
<p><b>146K GSF</b> (161K GSF without seat sharing)</p>	<p><b>\$79.7M</b> (\$91.9M without seat sharing)</p>	<p><b>686 Staff</b> (2030 Headcount projections)</p>	<p><b>4 Depts</b> Probation + EHSD, PD, Clerk</p>	<p><b>90K GSF</b> (124K GSF without seat sharing)</p>	<p><b>\$70.1M</b> (\$96.3M without seat sharing)</p>	<p><b>375 Staff</b> (2030 Headcount projections)</p>	<p><b>2 Depts</b> EHSD, Clerk</p>

\*Included in costs  
Departments with new staff at this location (relocated from other facilities)



**Recommended**

# Option 1 Major Change: Proposed Disposals

## Consolidate Into Regional Service Centers

Owned Facility Address	1A Disposal	1B Disposal	Department	Potential Re-Use	Revenue Potential @ \$1M/Acre Less Demolition
30 Muir Rd, Martinez	X	X	Public Works, DCD	Multi-Family Housing	\$2.8M
40 Muir Rd, Martinez	X	X	Public Works, DCD		
4491 Bixler Rd, Byron	X	X	Probation	Unknown. Extensive infrastructure, LAFCO involvement, annexation, etc., likely needed to develop for housing.	Nil
1650 Cavallo Road, Antioch	X	X	EHSD	Multi-Family Housing	\$1.6M
220 Glacier Dr, Martinez	X		Many departments	Multi-Family Housing	\$4.2M
255 Glacier Dr (Main Bldg), Martinez	X		Public Works		
255 Glacier Dr Bldg 500, Martinez	X		Public Works		
255 Glacier Dr (Storage), Martinez	X		Public Works		
10 Douglas Dr, Martinez	X		Veterans Service, DA		
30 Douglas Dr, Martinez	X		DoIT	Multi-Family Housing	\$3.8M
40 Douglas Dr, Martinez	X		EHSD		
50 Douglas Dr, Martinez	X		Probation, DCSS, Health Services		
1305 MacDonald Ave, Richmond	X		EHSD	Unknown; potentially Affordable Housing	Nil (land donation)
2530 Arnold Dr, Martinez		X	EHSD, Assessor, Risk Management, Crime lab	Multi-Family Housing and/or Office Complex	\$15M*
<b>Total Revenue Potential: 1A = ~\$15.4M; 1B = ~\$19.4M</b>					

Leased Facility Address	1A Disposal	1B Disposal	Department
3685 Mt Diablo Blvd, Lafayette	X	X	DCD
2600 Stanwell, Concord	X	X	EHSD
4071 Port Chicago Hwy, Concord	X	X	EHSD
1470 Civic Dr, Concord	X	X	EHSD
3755 Alhambra, Martinez	X	X	EHSD
1875 Arnold Dr, Martinez	X	X	EHSD
777 Arnold Dr, Martinez	X	X	Library
1330 Arnold Dr, Martinez	X	X	DA
2250 Galaxy Ct, Concord	X	X	Clerk
4061 Port Chicago Hwy, Concord	X	X	Public Works
1535 Fred Jackson Way, Richmond	X	X	EHSD
1275 Hall Ave, Richmond	X	X	EHSD
627 Ferry St, Martinez	X	X	DA
611 Las Juntas St, Martinez	X	X	DA
2380 Bisso Ln, Ste A, Concord	X	X	Agriculture
2101 Vale Rd, San Pablo	X	X	Veterans Service
3361 Walnut Blvd, Brentwood	X	X	Veterans Service
151 Sand Creek Rd, Brentwood	X		EHSD
3103 Willow Pass Rd., Bay Point		X	EHSD
3105 Willow Pass Rd, Bay Point		X	EHSD

City Owned Facility Address	1A Disposal	1B Disposal	Department
100 37th St, Richmond	X	X	DA

\*No demolition assumed

# Option 2 Moderate Change: Benefits & Challenges

## Densify Owned Parcels and Strengthen East Presence

### OVERVIEW

**\$27.2M**

Av. Annual Construction/Reno  
Total = \$544.2M (+10%)

**1.67M sf**

Square Feet  
(-3%)

**\$7.3M**

Annual Rents  
(-8.8%)

**70**

Addresses\*  
(-11%)

**\$43.3M**

FCA Cost  
Avoidance

**92**

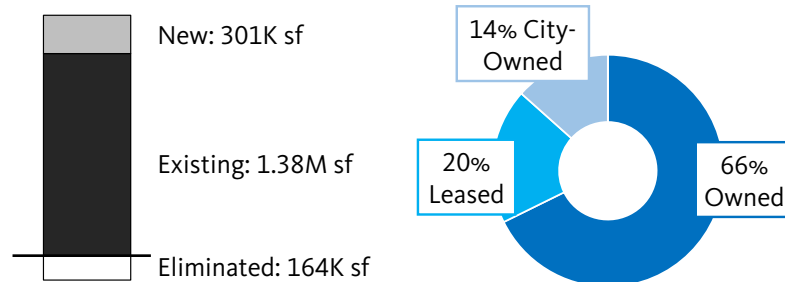
Facilities  
(-9%)

### BENEFITS

- **Better proximity to East County customers** for DA, PD, Clerk, and Animal Services
- **8.8% reduction in annual rental costs**
- **~3% less SF needed** due to denser furniture standards and seat sharing
- **Easier facility maintenance** with reduced facilities and addresses
- **\$43.3M FCA cost avoidance from vacated and demolished facilities**
- **3 owned facilities and 9 leased facilities can be vacated** and considered for other uses
- **Supports employee desire for increased remote work**

### CHALLENGES

- **Customers continue to need to visit multiple addresses** and facilities to access services
- **High cost and time impact of potentially needing to relocate staff** to swing spaces during renovations



*\*Refers to distinct addresses that don't share common spaces (e.g. parking). 4545 and 4549 Delta Fair is considered a common address and campus.*

# Option 2 Moderate Change: Service Centers

## Densify Owned Parcels and Strengthen East Presence

Central Multi-Service Center			
Demolish & build new facilities at <b>10, 30, 40 &amp; 50 Douglas Dr, Martinez</b>			
<b>179K GSF</b> (270K GSF without seat sharing)	<b>\$151.6M</b> (\$220.9M without seat sharing)	<b>940 Staff</b> (2030 Headcount projections)	<b>7 Depts</b> DA, DCSS, DoIT, Probation, Veterans Services + <b>EHSD, Library</b>

Storage Center			
Renovate existing & build at <b>Waterbird Way, Martinez</b>			
<b>115.8K GSF</b>	<b>\$30.8M</b>	<b>220 Staff</b> (2030 Headcount projections)	<b>1 Depts</b> Public Works

*Departments with new staff at this location (relocated from other facilities)*

# Option 2 Moderate Change: Proposed Disposals

## Densify Owned Parcels and Strengthen East Presence

Owned Facility Address	Department	Potential Re-Use	Revenue Potential @ \$1M/Acre Less Demolition
220 Glacier Dr, Martinez	Many departments	Other County Uses	Nil
1650 Cavallo Road, Antioch	EHSD	Multi-Family Housing	\$1.6M
4491 Bixler Rd, Byron	Probation	Unknown. Extensive infrastructure , LAFCO involvement, annexation, etc., likely needed to develop for housing.	Nil
<b>Total Revenue Potential ~\$1.6M</b>			

Leased Facility Address	Department
2600 Stanwell, Concord	EHSD
777 Arnold Dr, Martinez	Library
2250 Galaxy Ct, Concord	Clerk
4061 Port Chicago Hwy, Concord	Public Works
627 Ferry St, Martinez	DA
611 Las Juntas St, Martinez	DA
2380 Bisso Ln, Ste A, Concord	Agriculture Weights and Measures
2101 Vale Rd, San Pablo	Veterans Service
3361 Walnut Blvd, Brentwood	Veterans Service

# Option 3 Minimal Change: Benefits & Challenges

## Grow In Place with Limited Disruptions

### OVERVIEW

**\$21.9M+**

Av. Annual Construction/Reno  
Total = \$438.6M+ (-11%)

**1.81M sf+**

Square Feet  
(+5%)

**\$8M+**

Annual Rents  
(+TBD%)

**79+**

Addresses\*  
(+TBD%)

**\$0**

FCA Cost  
Avoidance

**101+**

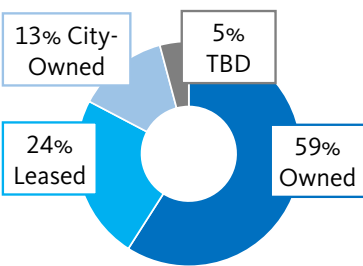
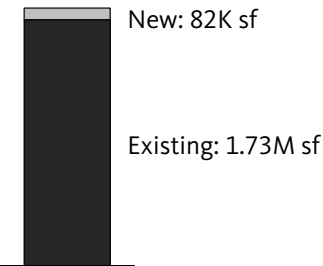
Facilities  
(+TBD%)

### BENEFITS

- **Only 5% additional SF needed** due to denser furniture standards

### CHALLENGES

- **At least 82K additional SF needed for 2030 headcount\*\***
- **Customers continue to need to visit multiple addresses** and facilities to access services
- **High cost and time impact of potentially needing to relocate staff** to swing spaces during renovations



\*Refers to distinct addresses that don't share common spaces (e.g. parking). 4545 and 4549 Delta Fair is considered a common address and campus.

\*\*Does not include costs associated with additional 82Ksf needed (the need is distributed across 12 existing facilities)



# ASSUMPTIONS

# General Assumptions

## The options assume:

- Adoption of guiding principles
- Continuation and potential expansion of remote service delivery
- Owned properties are prioritized when considering facilities to maintain in portfolio
- No disruption to facilities already in planning process, unless stated otherwise
- Highest population growth in East County
- 2030 headcount projections from department leadership (Department Questionnaire, Interviews, Emails)
- Exclusion of Health Services, Fire, Sheriff, Detention Facilities, and EHSD Head Start Facilities
- Consideration of CAPEX, OPEX, FCI, service delivery and access
- Expansion of remote work policy and adoption of seat sharing for Options 1 and 2
- Furniture standards for office facilities = 190 usable square feet/230 gross square feet per seat
- New build for office facilities = 190 usable square feet/230 gross square feet per seat, additional collaboration space for departments implementing seat sharing, and additional 25% contingency on total square feet proposed

## Acronyms Used:

- Agriculture = Agriculture / Weights & Measures
- CAO = County Administrator's Office
- CAPEX = Capital Expenditure
- Clerk = Clerk-Recorder-Elections Department
- DA = Office of the District Attorney
- DCD = Department of Conservation and Development
- DCSS = Department of Child Support Services
- DoIT = Department of Information Technology
- EHSD = Employment and Human Services Department
- FCA = 2021-2022 Facility Condition Assessment performed by Gordian
- FCI = Facility Condition Index = the value of the capital needs, divided into the value of the asset (a lower FCI value indicates 'better' condition; a higher value indicates 'worse' condition)
- HR = Human Resources Department
- Op = Option
- OPEX = Operating Expenses
- PD = Office of the Public Defender
- PWD = Public Works Department

# Financial Assumptions

- Non office facilities = 100% FCI costs assumed
- Office facilities = Tenant improvement cost at \$185/sf; Furniture, Fixtures and Equipment improvements at \$75/sf; and 75% of FCI costs
- Rents = 2021 rent costs assumed
- Demolition = \$16/sf (assumes haz mat abatement)
- No reimbursements considered



# Seat Sharing Assumptions

## 0-30% REMOTE

*Onsite 4-5 days per week*

No seat sharing assumed



1:1 Ratio (Staff:Seat)

*No additional collaboration space assumed*

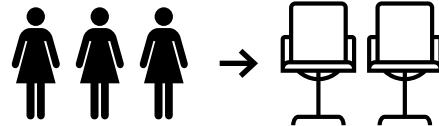
**DEPARTMENTS CONSIDERED:**

- Agriculture
- Auditor-Controller
- CAO
- DA
- PD
- PWD
- Risk Management

## 40% REMOTE

*Onsite 3 days per week*

3 staff share 2 seats



1.5:1 Ratio

*5% additional collaboration space assumed*

- Animal Services
- Assessor
- Clerk
- County Counsel
- DCD
- EHSD
- Probation
- Treasurer-Tax Collector

## 60% REMOTE

*Onsite 2 days per week*

5 staff share 2 seats



2.5:1 Ratio

*10% additional collaboration space assumed*

- DCSS
- DoIT
- Library
- HR
- Veterans Services



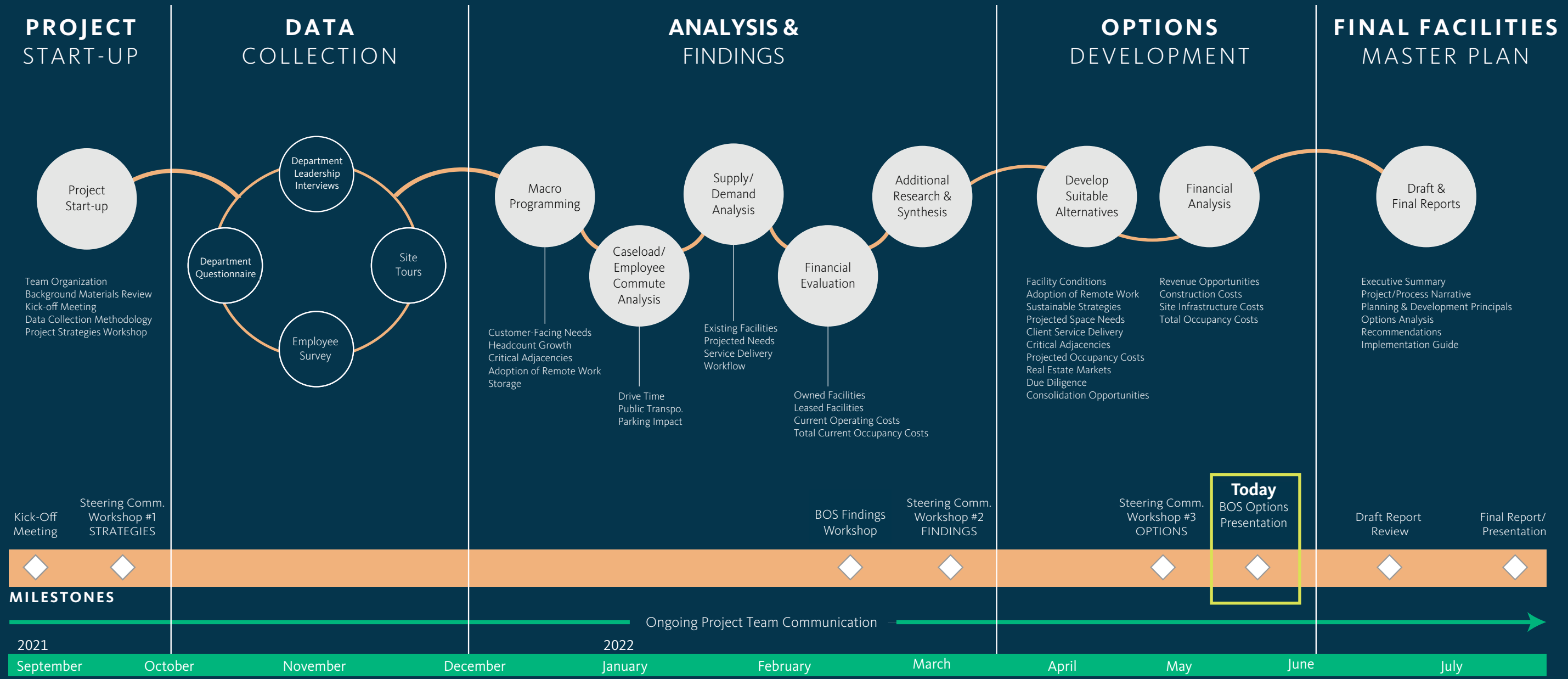


---

# PROJECT UPDATE



# Project Schedule



# Recap of Findings Workshop



## CUSTOMER EXPERIENCE

- Population growth was 11% between 2010 and 2020, with **highest growth in East County. 8% growth is projected through 2030.**
- Facilities **aren't always proximate to the populations needing County services**, especially in East County.
- **Public transit to reach County facilities is poor**, car commutes are long, and not all facilities have dedicated visitor parking.



## EMPLOYEE EXPERIENCE

- County employees are collaborative and service-oriented, but **can be better supported with improved adjacencies to complementary departments.**
- Employees want **more remote work opportunities** than the current policy allows.
- Most employees currently commute via car but want to **explore other transit options in the future.**
- Department leaders project that employee **headcount will grow by 17% by 2030.**



## FACILITY CONDITIONS

- **Most facilities are rated as average by occupants**; poor privacy, overcrowding, and insufficient storage are key issues.
- **Office facilities were likely underutilized pre-COVID.**
- **\$580.8M worth of needs have been identified for improvements** to County facilities by the Gordian Facility Condition Assessment.
- **Office facilities comprise most of the County's occupancy costs**, and will generate 76% of future occupancy costs, assuming no changes to the portfolio.
- **All leases expire by the year 2035.**



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 17, 2022

**Subject:** MOU with City of San Ramon to participate in the San Ramon Valley Street Smarts Program, San Ramon area.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Memorandum of Understanding with the City of San Ramon (City) to pay the City \$20,000 for the County's share of program costs, to participate in the San Ramon Valley Street Smarts Program, for the period July 1, 2021 through June 30, 2022, San Ramon area. (District II)

**FISCAL IMPACT:**

In addition to the \$20,000 payment to the City of San Ramon, the County will incur labor costs for staff to attend program meetings. An allocation of \$20,000 has been approved to be transferred from The Livable Communities Trust Fund to the Local Road Fund. (90% Livable Communities Trust Funds and 10% Local Road Funds)

**BACKGROUND:**

The San Ramon Valley Street Smarts Program ("Street Smarts Program") is a collaborative effort among the County Public Works Department, the City of San Ramon, the Town of Danville, the San Ramon Valley Unified School District, and the San Ramon Valley Fire Protection District to support traffic, bicyclist and pedestrian safety for school children. It supports goal five of the Smart Growth Action Plan to help fund transit and other transportation improvements that foster smart growth principles.

The County has participated in this program since 2004 by funding a share of the costs to implement the program. During Fiscal Year 2021/22, the City of San Ramon is administering the program and is requesting that the County fund a total of \$20,000 for program development and administrative support services. On May 10, 2022, the Board of Supervisors approved an allocation of \$40,000 from

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Monish Sen, 925.313.2187

cc:

BACKGROUND: (CONT'D)

the Livable Communities Trust Fund to the Public Works Department to participate in the Street Smarts program for FY2021/22 and FY2022/23.

The Public Works Director, or designee, will execute on behalf of the County, a Memorandum of Understanding (MOU) with the City of San Ramon to participate in the Street Smarts Program for the period July 1, 2021 through June 30, 2022. The MOU is attached in its substantially final form and will be executed in a form approved by County Counsel.

The Street Smarts Program campaign is implemented through the collaborative effort of the Street Smarts Advisory Committee ("Advisory Committee"), which meets periodically to implement program components. The Advisory Committee has adopted several large-scale programs to be implemented. They include the following:

- Street Smarts Media Annual Press Release: An annual press release will be sent out at the beginning of the program year outlining the upcoming Street Smarts Program. The release will encourage members of the media and the public to learn about Street Smarts' traffic safety education activities for the upcoming school year.
- Elementary School Safety Assembly: Street Smarts devised an elementary school safety assembly designed to teach students the basics of pedestrian and bicycle safety. For the 2021/22 school year, a contest is offered for students to have the opportunity to learn about traffic safety through short, interactive, and entertaining bike and pedestrian themes.
- Community Bike Rodeo/Festival: As a component of Street Smarts' Safe Routes to School Efforts, a community bike rodeo/festival is tentatively scheduled for Spring 2022 that allows students to practice their cycling and traffic safety skills in a controlled, supervised environment.
- Community Outreach Efforts: Street Smarts staff attends over two dozen community events as part of its outreach efforts. At the events, Street Smarts representatives staff an informational booth with traffic safety educational program materials and activities for children and teen drivers.

The Street Smarts Program advances traffic, bicyclist, and pedestrian safety within the San Ramon Valley. For these reasons, Supervisor Andersen recommends that the Board of Supervisors approve continuing participation in the program during Fiscal Year 2021/2022, and allocating an award of \$20,000 for program support and administrative services.

CONSEQUENCE OF NEGATIVE ACTION:

Contra Costa County will no longer be a participant in the Street Smarts Program.

ATTACHMENTS

MOU & Invoice



---

## CITY OF SAN RAMON

7000 BOLLINGER CANYON ROAD  
SAN RAMON, CALIFORNIA 94583  
PHONE: (925) 973-2500  
WEB SITE: WWW.SANRAMON.CA.GOV

---

September 29, 2021

Brian Balbas  
Public Works Director  
Contra Costa County Public Works Department  
255 Glacier Drive  
Martinez, CA 94553

**RE: Memorandum of Understanding – 2021/2022 Street Smarts Program,  
Program Development and Administration Staffing Services**

Dear Mr. Balbas:

The City of San Ramon (“City”) is pleased to continue to partner with Contra Costa County (“County”) in the implementation of programs, such as the Street Smarts Program, that are of importance to the San Ramon Valley and on issues, which do not recognize political boundaries.

This Memorandum of Understanding (MOU) outlines the apportionment of duties and responsibilities between the City and County regarding the provisions of the Street Smarts Program development, materials, and administrative staffing services for the 2021/2022 Program Year.

### **1. Program Background**

The Street Smarts Program is a traffic safety public education campaign that is implemented valley-wide through the collaborative efforts of the City of San Ramon, Town of Danville, Contra Costa County, San Ramon Valley Unified School District, and the San Ramon Valley Fire Protection District.

The Program is funded and directed by the five primary public agencies listed above with additional funds provided by private sponsors, including the San Ramon Valley Council of PTAs. The federal Safe Routes to School Program will fund significant components of the Street Smarts efforts during the 2021/2022 Program Year. On an annual basis, each of the five public agencies appropriate funds for Program development, materials, and administrative costs.

This MOU outlines the provisions of Program development, materials, and Program administrative services to the County, by the City, for the 2021/2022 Program Year.

## **2. Responsibilities of the City and the County**

### **A. The City shall:**

- a. Program staffing services within unincorporated Contra Costa County (in the geographic area known as the San Ramon Valley and as defined by the San Ramon Valley Unified School District) as outlined in the Street Smarts Program 2021/2022 Work Plan (Attachment A) and 2021/2022 Financial Plan (Attachment B).
- b. Continue to participate in the Street Smarts Advisory Committee and contribute staff time towards the ongoing implementation of the Program.

### **B. The County shall:**

- a. Contribute Ten Thousand Dollars (\$10,000.00) in funds to the City of San Ramon for its share of the Program's administrative staffing costs outlined in Attachments A and B for the 2021/2022 Program Year.
- b. Contribute Ten Thousand Dollars (\$10,000.00) in funds to the City of San Ramon for its share of the Program's general support costs for the 2021/2022 Program Year.
- c. Continue to participate in the Street Smarts Program Advisory Committee and contribute staff time towards the ongoing implementation of the Program during the 2021/2022 Program Year.

## **3. Unsanctioned Programs**

A public agency partner may choose to conduct programs or activities within their jurisdiction using the Street Smarts brand. These are known as Unsanctioned Programs and are individual agencies' efforts to promote Traffic Safety Education or enhance the Street Smarts brand beyond those identified in the 2021/2022 Work Plan.

Examples of Unsanctioned Programs include the Town of Danville's efforts to include the Street Smarts logo on Traffic Safety Education pamphlets at schools or the City of San Ramon's Safe Routes to School My Beat / My School Officer Program.

All financial and human resources used to implement Unsanctioned Programs must be borne by the sponsoring agency. The Valley-wide Street Smarts Program budget and other resources shall not be used.

## **4. Modifications**

The Program Work Plan may be augmented at any time during the Program year, subject to the review and agreement of both parties. All Work Plan modifications shall be documented in writing and shall be executed with an amended MOU.



**5. Termination**

This MOU is in effect beginning July 1, 2021 and ending June 30, 2022.

**6. Renewal**

This MOU may be renewed beyond this Program Year, subject to the review and agreement of both parties. All MOU renewals shall be documented in writing and shall be executed with an amended MOU.

If you agree to the terms and conditions above, please execute this MOU on both originals to indicate your acceptance and return one original for our files.

We look forward to continuing our collaboration on programs of regional significance. Please do not hesitate to contact Lisa Bobadilla, Division Manager, at (925) 973-2651 if you have any questions.

  
\_\_\_\_\_ X  
Maria Pierner  
Public Works Director  
City of San Ramon

\_\_\_\_\_ X  
Brian Balbas  
Public Works Director  
Contra Costa County

Date: 09-30-21

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



## 2021/2022 PROGRAM WORK PLAN

Revised: September 22, 2021

### PROGRAM AREA

#### 1. Elementary School Safety Assembly (TBD per SRVUSD)

*Roles & Responsibilities for Street Smarts Coordinator:*

- Serve as the primary point of contact and personal interface with San Ramon Valley Unified School District (SRVUSD) Administrative Staff, Principal and school office staff for scheduling;
- Produce and develop Traffic Safety Presentations; and
- Purchase and order Traffic Safety prizes and supplies, as needed for assemblies.

*Roles & Responsibilities for Street Smarts Assistant:*

- Assist and deliver Traffic Safety to students at school site assembly; and
- Provide assistance with data entry and follow up.

*Roles & Responsibilities for Advisory Committee Members:*

- Advisory Committee will support and attend School Assemblies, if possible.
- Advisory Committee will support and attend Bike Safety Assemblies, if possible.

#### 2. Community Bike Rodeo / Festival (Tentative Spring 2022)

*Roles & Responsibilities for Street Smarts Coordinator:*

- Serve as the lead in coordinating Community Bike Rodeo/Festival;
- Make regular posts to social media accounts, including Facebook, Instagram and Twitter;
- Design and upload flyers to Street Smarts website;
- Develop and promote event through local Press Releases, SRVUSD (Peach Jar) distribution email system and Town and City Activity Guides;
- Coordinate participating vendors, agencies, Police Departments, Bike Organizations, food booths, entertainment and sponsors for participation;
- Coordinate and recruit volunteers from local schools, groups and City Programs; and
- Purchase Traffic Safety prizes and supplies, as needed.

*Roles & Responsibilities for Street Smarts Assistant:*

- Assist with the coordination of planning event; and
- Provide assistance to Program Coordinator on day of event.

*Roles & Responsibilities for Advisory Committee Members:*

- Advisory Committee support and attend Bike Rodeo/Festival, if possible.

#### 3. Elementary School Poster Contest (Fall 2021)

*Roles & Responsibilities for Street Smarts Coordinator:*

- Serve as the primary point of contact and personal interface with the community (including schools and cable stations) for the Poster Contest;
- Serve as the lead in coordinating Poster Contest submittals, issuing invitations, etc.;
- Make regular posts to social media accounts, including Facebook and Twitter;

- Maintain and upload flyers, marketing, promotion and videos to Street Smarts website;
- Coordinate, plan, and implement the Poster Contest Awards Ceremony, online or in person; and
- Purchase awards and prizes.

***Roles & Responsibilities for Street Smarts Assistant:***

- Provide assistance with dissemination of Poster Contest information; and
- Provide assistance with data entry for Poster Contest and related special events.

***Roles & Responsibilities for Advisory Committee Members:***

- Advisory Committee will continue to support and attend the Poster Contest Awards Ceremony, if available.

**4. Middle School Bike Safety Assemblies (on hold due to COVID - TBD per SRVUSD)**

***Roles & Responsibilities for Street Smarts Coordinator:***

- Schedule and coordinate the Bike Safety Assemblies with middle school Principals at each of the eight San Ramon Valley District (SRVUSD) campuses;
- Coordinate schedule with staff leading the assembly; and
- Purchase Traffic Safety prizes and supplies, as needed.

***Roles & Responsibilities for Street Smarts Assistant:***

- Assist and deliver Traffic Safety message to students at school site assembly; and
- Provide assistance with data entry and follow up.

***Roles & Responsibilities for Advisory Committee Members:***

- Advisory Committee will support and attend Bike Safety Assemblies, if possible.

**5. Middle School "Be Reel" Video Contest (Winter 2022)**

***Roles & Responsibilities for Street Smarts Coordinator:***

- Serve as the primary point of contact and personal interface with the community (including schools and cable stations) for the Video Contest;
- Serve as the lead in coordinating Video Contest submittals, issuing invitations, etc.;
- Make regular posts to social media accounts, including Facebook and Twitter;
- Maintain and upload flyers, marketing, promotion and videos to Street Smarts website;
- Coordinate, plan, and implement the Video Contest Awards Ceremony, online or in person; and
- Purchase awards and prizes.

***Roles & Responsibilities for Street Smarts Assistant:***

- Provide assistance with dissemination of Video Contest information and collection of banners; and
- Provide assistance with data entry for Video Contest and related special events.

***Roles & Responsibilities for Advisory Committee Members:***

- Advisory Committee will continue to support and attend the Video Contest Awards Ceremony, if available.

**6. High School "Start Smart" Classes (On-site: Tentatively postponed until January, 2022)**

***Roles & Responsibilities for Street Smarts Coordinator:***

- Schedule and coordinate the "Start Smart" events with high school Principals at each of the four (SRVUSD) campuses;
- Support (SRVUSD) with the dissemination of high school program information,

marketing and promotion, etc.;

- Maintain and upload flyers, marketing and promotion to Street Smarts website;
- Serve as liaison with (SRVUSD) and California Highway Patrol (CHP); and
- Serve as lead in purchasing prizes, subject to approval of current program sponsor.

***Roles & Responsibilities for Street Smarts Assistant:***

- Provide assistance with dissemination of Event information as needed.

***Roles & Responsibilities for City of San Ramon Staff:***

- San Ramon police will attend on-campus "Start Smart" events, when possible.

***Roles & Responsibilities for Town of Danville Staff:***

- Danville police will attend on-campus "Start Smart" events, when possible.

***Roles & Responsibilities for Advisory Committee Members:***

- Advisory Committee will continue to support and attend a "Start Smart" Class, if available.

**7. Federal Safe Routes to School Component – Assemblies and Community Bike Rodeo (on line programs due to COVID. In-person events TBD) ADD the virtual programs**

***Roles & Responsibilities for Street Smarts Coordinator:***

- Serve as the primary point of contact for Street Smarts' federally funded Safe Routes to School education and encouragement program components (assemblies, bike rodeos etc.); and
- Manage temporary part-time employee.

***Roles & Responsibilities for Street Smarts Assistant:***

- Implement bike rodeo, assemblies, encouragement and education program components, under the direction of the Street Smarts Coordinator;
- Develop Safe Routes to School toolkits for assemblies and bike rodeos, for use by community members, community groups, schools and PTAs;
- Develop more efficient delivery models for Safe Routes to School program components, including assemblies and rodeos, under the direction of the Street Smart Coordinator;
- Deliver assemblies and bike rodeos; and
- Attend and represent the Street Smarts Program at Community Outreach Events.

***Roles & Responsibilities for City of San Ramon Staff:***

- San Ramon police will attend on-campus educational events, such as assemblies and bike rodeos, when possible.

***Roles & Responsibilities for Town of Danville Staff:***

- Danville police will attend on-campus educational events, such as assemblies and bike rodeos, when possible.

**8. Community Marketing: News Articles & Media**

***Roles & Responsibilities for Street Smarts Coordinator:***

- Serve as the primary Street Smarts Program newsletter article and press release writer;
- Serve as coordinator to distribute press releases to the media;
- Serve as the primary editor for written work of contractors; and
- Serve as the primary Street Smarts Program website editor and coordinator.

***Roles & Responsibilities for Advisory Committee Members:***

- Serve as internal editors to modify generic newsletter articles to suit their agencies' needs; and

- Forward news articles to their Public Information Officers IT departments for upload onto agency websites and distribution through internal and external newsletters.

## 9. Community Marketing: Community Events

### *Roles & Responsibilities for Street Smarts Coordinator:*

- Determine which events Street Smarts will participate in during the year;
- Schedule temporary part-time employee to delivery of Safe Routes to School program components at community outreach events; and
- Manage inventory of promotional and informational items.

### *Roles & Responsibilities for Street Smarts Assistant:*

- Oversee the delivery of Safe Routes to School program components at community outreach events; and
- Serve as the primary Street Smarts personnel responsible for distributing program materials to public places, such as community centers and libraries.

### *Roles & Responsibilities for Advisory Committee Members:*

- Attend community events as Street Smarts representatives, when possible.

## 10. Administration

### *Roles & Responsibilities for Street Smarts Coordinator:*

- Serve as primary contact person for the Street Smarts Program;
- In concert with San Ramon Transportation Division Manager, develop the annual Street Smarts Financial Plan and present to San Ramon Valley Street Smarts Advisory Committee;
- Maintain and update the Street Smarts website;
- Oversee the social media elements of the Street Smarts Program;
- Maintain inventory of Street Smarts program supplies;
- Coordinate fundraising efforts on an as-needed basis with the City of San Ramon; and
- Attend meetings within the San Ramon Valley wide including the following:
  - Town of Danville: Approximately 8 hours per year (including transportation staff meetings – as permitted),
  - Contra Costa County: Approximately 4 hours per year, as permitted; and
  - Attend public agency council meetings and present annual Street Smarts program accomplishments.

### *Roles & Responsibilities for City of San Ramon Staff:*

- Serve as treasurer for Street Smarts Program (holds Street Smarts funds); and
- Process invoices, donations, contracts and financial transactions.
- Serve as the primary point of contact for administration of the federal Safe Routes to School grant ; and
- Coordinate fulfillment of the federal Safe Routes to School grant requirements.



## 2021-2022 Estimated Budget

## Revenue (Est.)

	City of San Ramon	Town of Danville	Contra Costa County	SRVUSD	SRVFPD	TOTAL
<b>Public Agency Contributions</b>						
General Program Support	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000
Administrative Support	\$25,000	\$10,000	\$10,000			\$45,000
<b>Total Public Agency Contributions</b>	<b>\$35,000</b>	<b>\$20,000</b>	<b>\$20,000</b>	<b>\$10,000</b>	<b>\$10,000</b>	<b>\$95,000</b>
<b>Community Contributions / Sponsorships</b>						
Safe Routes to School Federal Grant	\$97,750					
San Ramon Valley Council of PTAs	\$750					
State Farm	\$10,000					
Misc. Donations	\$1,000					
	<u>\$109,500</u>					
<b>Total Revenue Contributions</b>	<b><u>\$204,500</u></b>					
<b>Expenditures (Est.)</b>						
			<b>FY2021-22 Budget</b>			
<b>Corporate and Community Contributions</b>						
<b>SRTS Program Leaders</b>						
Street Smarts Coordinator (Salary/Benefits)			\$155,030			
Part-time Program Assistant			\$12,500			
Mileage			\$1,500			
<b>Total SRTS Program Leaders</b>			<u>\$169,030</u>			
<b>Professional Services</b>						
Photography Services			\$1,500			
Video Production Services			\$1,500			
Marketing & Promotional Items			\$12,000			
Printing & Advertising Services			\$2,000			
Web Site/Development Services			\$2,500			
Graphic Design Services			\$4,000			
Event Production Services			\$2,000			
Online Services			\$2,500			
<b>Total Professional Services - Other</b>			<u>\$28,000</u>			
<b>Operations</b>						
Office Equipment / Supplies			\$5,670			
Program Incentives			\$6,500			
Postage			\$300			
Rents and Leases - Events 2			\$1,000			
Equipment and Supplies			\$0			
Meetings, Conferences, Trainings			\$1,000			
<b>Total Operations</b>			<u>\$14,470</u>			
<b>Total Expenses</b>			<b><u>\$211,500</u></b>			



City of San Ramon, San Ramon, CA 94583

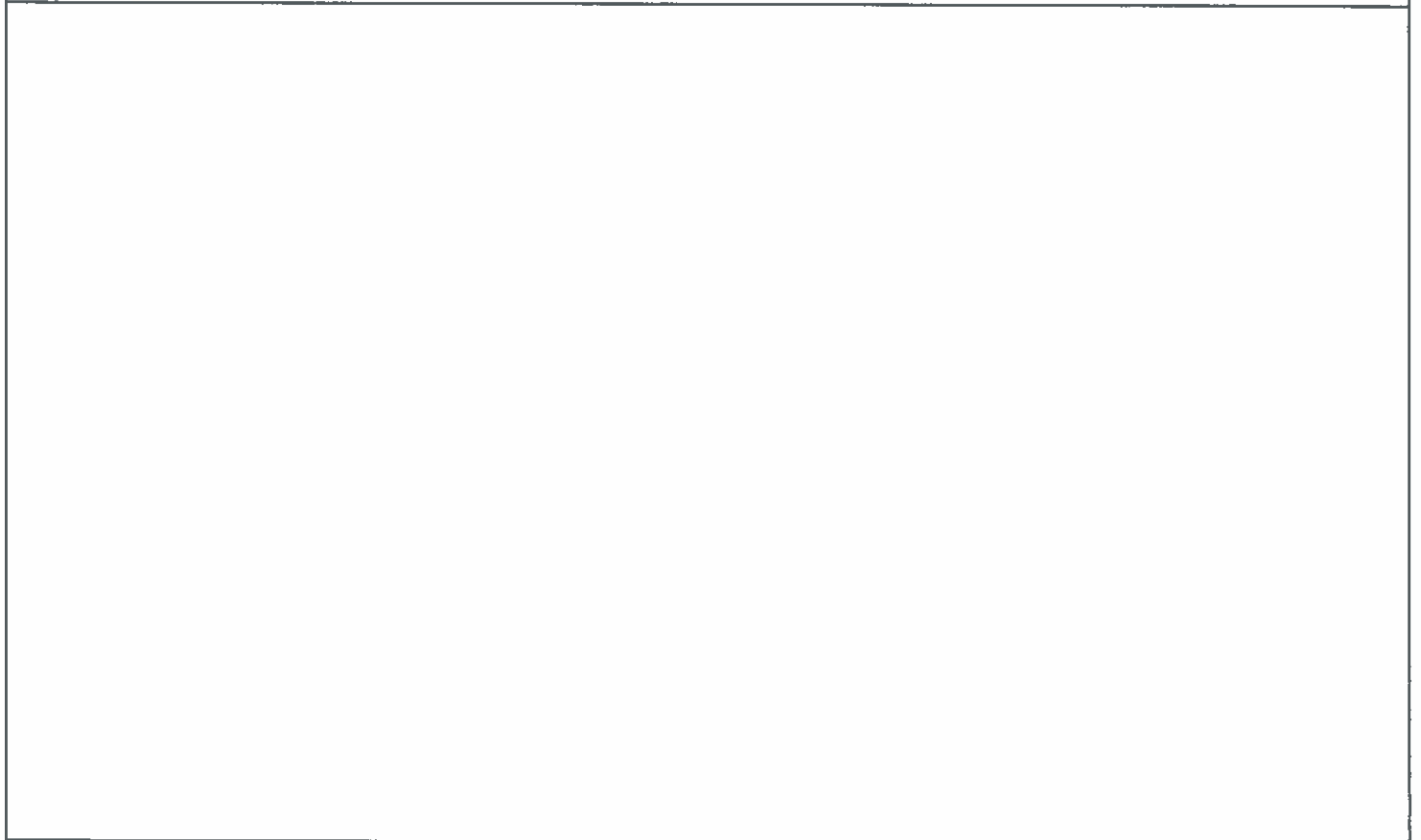
Invoice Number: 4190774

Invoice Date: 09/14/2021

Customer Number: 1151

Description	Quantity	Price	UOM	Original Bill	Adjusted	Paid	Amount Due
STREET SMARTS FEE	1	\$20,000.00	EACH	\$20,000.00	\$0.00	\$0.00	\$20,000.00

Regarding: STREET SMARTS PROGRAM 21/22



This account is due and payable to: City of San Ramon within 30 days.  
 Any remaining unpaid balance will be turned over to collections after 60 days.

**Invoice Total:**

**\$20,000.00**

**PLEASE RETURN BOTTOM PORTION WITH PAYMENT**



Mail your remittance to:

**City of San Ramon**

Attn: Accounts Receivable  
 7000 Bollinger Canyon Road  
 San Ramon, CA 94583  
 (925) 973-2609  
 Fax (925) 866-1436

<b>Invoice Date</b>	<b>Invoice No.</b>
09/14/2021	4190774
<b>Customer Number</b>	
1151	
<b>Invoice Total Due</b>	
\$20,000.00	
<b>Amount Paid</b>	

1151  
 CONTRA COSTA PUBLIC WORKS  
 DEPT.  
 ATTN: MARK A. DE LA O  
 255 GLACIER DRIVE  
 MARTINEZ, CA 94553



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 17, 2022

**Subject:** Approve the Annual County Miles in the Total Maintained Mileage for County Roads Report, Countywide.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2022/167 approving the annual county miles in the Total Maintained Mileage for County Roads Report, as recommended by the Public Works Director, Countywide.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The California Department of Transportation (Caltrans) requires annual total mileage to determine the amount of money allocated to the County from the gasoline tax.

**CONSEQUENCE OF NEGATIVE ACTION:**

The report cannot be submitted to Caltrans without Board approval.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Jim Stein, 925-313-2343

AGENDA ATTACHMENTS

Resolution No. 2022/167

Exhibit A - Contra Costa County Road  
Mileage

MINUTES ATTACHMENTS

Signed: Resolution No. 2022/167

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**  
**and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 05/17/2022 by the following vote:

		<b>John Gioia</b>
		<b>Candace Andersen</b>
<b>AYE:</b>	<input type="text" value="5"/>	<b>Diane Burgis</b>
		<b>Karen Mitchoff</b>
		<b>Federal D. Glover</b>
<b>NO:</b>	<input type="text"/>	
<b>ABSENT:</b>	<input type="text"/>	
<b>ABSTAIN:</b>	<input type="text"/>	
<b>RECUSE:</b>	<input type="text"/>	



**Resolution No. 2022/167**

IN THE MATTER OF: Correcting the total maintained mileage for County Roads Report. (Countywide)

WHEREAS, Section 2121 of the Streets and Highways Code provides that in May of each year, each County shall submit to the State Department of Transportation any additions or exclusions from its mileage of maintained county roads, specifying the terminuses and mileage of each route added or excluded; and

WHEREAS, the State Department of Transportation certified to the State Controller on May 1, 2021, that the total mileage of maintained county roads in Contra Costa County was 661.63,

WHEREAS, the Public Works Department now reports that the total mileage of maintained county roads as of January 1, 2022, is 660.75.

NOW, THEREFORE, BE IT RESOLVED, that the Board finds and determines that the mileage of maintained county roads in Contra Costa County is 660.75 and that the mileage of each route added to or excluded from the County's maintained roads is as shown in Exhibit "A", such exhibit being made a part of the resolution.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**Contact: Jim Stein, 925-313-2343**

**ATTESTED: May 17, 2022**

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

**cc:** Jim Stein - Survey's, Chris Lau - Maintenance, Michelle Gonsalves - Finance, Jerry Fahy- Transportation, Renee Hutchins - Records, Karen Piona-Records

**“EXHIBIT A”  
CONTRA COSTA COUNTY  
ROAD MILEAGE (+ & -)**

**Additions to Road Mileage**

<b>Road No.</b>	<b>Road Name</b>	<b>Class</b>	<b>Mileage</b>	<b>CRS Page</b>	<b>Coord.</b>
4557C	LAS LOMAS WAY	7	0.12	5L15	1H
3667CT	SECLUSION VALLEY WAY	7	0.25	5K55	8A
8571A	SOUTH LEVEE ACCESS RD	7	0.10	6K	8H
8572	WELLS RD	7	0.11	6K	8H

\*EXISTING ROAD

**Road Mileage loss due to Annexation or Vacation**

<b>Road No.</b>	<b>Road Name</b>	<b>Class</b>	<b>Mileage</b>	<b>CRS Page</b>	<b>Coord</b>
4177B	JOHN GLENN DR	7	0.14	5K55	3E
8774	JERSEY ISLAND RD	7	1.50	6K	8C

**Corrections to Road Mileage**

<b>Road No.</b>	<b>Road Name</b>	<b>Class</b>	<b>Mileage + or -</b>	<b>CRS Page</b>	<b>Coord.</b>
3224	CAMINO PABLO	7	+0.07	5L24	3J
0871	EL PORTAL DR	7	+0.11	5K52	5H

**“EXHIBIT A”  
CONTRA COSTA COUNTY  
ROAD MILEAGE (+ & -)**

Maintained Mileage Reported on January 1, 2021	<b>661.63</b>
Total Additions	<b>+0.58</b>
Total Subtractions	<b>-1.64</b>
Total Corrections	<b>+0.18</b>
Maintained Mileage as of January 1, 2022	<b>660.75</b>

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**  
**and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 05/17/2022 by the following vote:

**John Gioia**  
**Candace Andersen**  
AYE:  **Diane Burgis**  
**Karen Mitchoff**  
**Federal D. Glover**

NO:   
ABSENT:   
ABSTAIN:   
RECUSE:



**Resolution No. 2022/167**

IN THE MATTER OF: Correcting the total maintained mileage for County Roads Report. (Countywide)

WHEREAS, Section 2121 of the Streets and Highways Code provides that in May of each year, each County shall submit to the State Department of Transportation any additions or exclusions from its mileage of maintained county roads, specifying the terminuses and mileage of each route added or excluded; and

WHEREAS, the State Department of Transportation certified to the State Controller on May 1, 2021, that the total mileage of maintained county roads in Contra Costa County was 661.63,

WHEREAS, the Public Works Department now reports that the total mileage of maintained county roads as of January 1, 2022, is 660.75.

NOW, THEREFORE, BE IT RESOLVED, that the Board finds and determines that the mileage of maintained county roads in Contra Costa County is 660.75 and that the mileage of each route added to or excluded from the County's maintained roads is as shown in Exhibit "A", such exhibit being made a part of the resolution.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: Jim Stein, 925-313-2343

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

*Stacey M Boyd*  
By: Stacey M. Boyd, Deputy

cc: Jim Stein - Survey's, Chris Lau - Maintenance, Michelle Gonsalves - Finance, Jerry Fahy- Transportation, Renee Hutchins - Records, Karen Piona-Records





Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 17, 2022

**Subject:** Accepting for recording purposes only an Offer of Dedication for Road Purposes for land use permit LP19-02014, Bay Point area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2022/156 accepting for recording purposes only an Offer of Dedication for Road Purposes for land use permit LP19-02014, for a project being developed by Contra Costa County Fire Protection District, as recommended by the Public Works Director, Bay Point area. (District V)

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Offer of Dedication for Road Purposes is required per Condition of Approval No. 44. The Fire Chief, or designee, has been approved and authorized to execute an Offer of Dedication - Road Purposes on behalf of the Contra Costa County Fire Protection District by the Board of Directors on March 9, 2021.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Offer of Dedication for Road Purposes will not be recorded, and compliance with the requisite condition of approval will remain unfulfilled.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Larry Gossett, 925-313-2016

AGENDA ATTACHMENTS

Resolution No. 2022/156

Offer of Dedication-Road

Purposes

MINUTES ATTACHMENTS

Signed: Resolution No. 2022/156

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA  
and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 05/17/2022 by the following vote:

**AYE:** John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**

Resolution No. 2022/156

IN THE MATTER OF accepting for recording purposes only an Offer of Dedication for Road Purposes for land use permit LP19-02014, for a project being developed by Contra Costa County Fire Protection District, as recommended by the Public Works Director, Bay Point area. (District V)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED FOR RECORDING ONLY:

INSTRUMENT: Offer of Dedication for Road Purposes

REFERENCE: APN 091-030-012

GRANTOR: Contra Costa Fire Protection District

AREA: Bay Point

DISTRICT: V

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**ATTESTED: May 17, 2022**

Monica Nino, County Administrator and Clerk of the Board of Supervisors

**Contact: Larry Gossett, 925-313-2016**

By: Stacey M. Boyd, Deputy

**cc:** Larry Gossett- Engineering Services, Deborah Preciado - Engineering Services, Syd Sotoodeh- DCD, Renee Hutchins - Records, Karen Piona- Records, Chris Lau - Maintenance, Dante Morabe - Design & Construction, Contra Costa Fire Protection District

Recorded at the request of:  
Contra Costa County  
Board of Supervisors  
Return to:  
Public Works Department  
Engineering Services Division  
Records Section

Area: Bay Point  
Road: Goble Drive  
Co. Road No.: 5181A  
Development No.: LP19-2014  
APN: 091-030-012

**OFFER OF DEDICATION - ROAD PURPOSES**

Contra Costa County Fire Protection District, a fire protection district existing under the laws of the State of California, the undersigned, being the present title owner of record of the herein described parcel of land, do hereby make an irrevocable offer of dedication to **Contra Costa County**, a political subdivision of the State of California and its successors or assigns, for street, highway landscaping and other public purposes, including maintenance thereof, the fee title to real property situated in the County of Contra Costa, State of California, as described in Exhibit "A" (written description) and as shown on Exhibit "B" (plat map) attached hereto.

It is understood and agreed that **Contra Costa County** and its successors or assigns shall incur no liability with respect to such offer of dedication, and shall not assume any responsibility for the offered parcel of land or any improvements thereon or therein, until such offer has been accepted by appropriate action of the Board of Supervisors, or of the local governing bodies of its successors or assigns.

The provisions hereof shall inure to the benefit of **Contra Costa County** and its successors or assigns and will be binding upon the title owner of record and that owner's heirs, successors or assigns.

The undersigned executed this instrument on March 11, 2021  
(Date)

Contra Costa County Fire Protection District, a County  
fire protection district organized pursuant to Health &  
Safety Code Section 13800, et seq.

(Name of owner as shown in title report)

(Signature)

  
Lewis Broschard  
Fire Chief

(See attached notary)

## ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of the document.

State of California

County of Contra Costa

On March 11, 2021, before me, Latonia Ellingberg, Notary Public, personally appeared **LEWIS BROSCARD** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature: \_\_\_\_\_

Latonia Ellingberg

The notary commission extended pursuant to Executive Order N-63-20.

Goble Drive Roadway Dedication  
Contra Costa County Fire Protection District  
Portion of APN 091-030-012

**EXHIBIT "A"**

Real property located in an unincorporated area of the County of Contra Costa, State of California, being a portion of the Northwest Quarter of Section 15, Township 2 North, Range 1 West, Mount Diablo Meridian, also being a portion of the property described in the Quit Claim Deed from Contra Costa County to Contra Costa County Fire Protection District recorded October 22, 2004 at Recorder's Series Number 2004-0405463, Contra Costa County records, described as follows:

**Roadway Dedication**

Commencing at the east corner of said Parcel (2004-0405463); thence along a north line of said Parcel north 49°12'15" west for a distance of 49.72 feet to a northeast corner of said Parcel and the Point of Beginning; thence continuing north 49°12'15" west for a distance of 4.05 feet; thence north 41°47'51" east for a distance of 16.21 feet; thence north 37°24'55" east for a distance of 94.73 feet; thence north 37°43'29" east for a distance of 28.72 feet; thence north 38°40'34" east for a distance of 15.51 feet to the beginning of a tangent curve, concave northwesterly, having a radius of 160.00 feet; thence along said curve through a central angle of 16°20'43" for an arc distance of 45.64 feet to the beginning of a tangent curve, concave westerly, having a radius of 34.50 feet; thence along said curve through a central angle of 27°44'40" for an arc distance of 16.71 feet to the beginning of a tangent curve, concave southwesterly, having a radius of 30.00 feet; thence along said curve through a central angle of 28°48'02" for an arc distance of 15.08 feet; thence north 50°49'04" west for a distance of 13.25 feet; thence north 5°42'20" west for a distance of 3.15 feet to a point on the north line of said Parcel (2004-0405463) and the beginning of a non-tangent curve concave southwesterly, having a radius of 27.00 feet, the central point of which bears south 7°06'35" west; thence along said north line and along said curve through a central angle of 96°42'05" for an arc distance of 45.57 feet; thence along the east line of said Parcel south 13°48'40" west for a distance of 18.06 feet; thence continuing along said east line south 28°29'46" west for a distance of 31.47 feet; thence continuing along said east line south 39°44'42" west for a distance 165.77 feet to the Point of Beginning.

Containing 1,666 square feet (0.038 acres), more or less



**Exhibit "B"**, a plat is attached hereto, and by this reference, made a part hereof.

This real property description has been prepared by me or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: *James A. Stein*

Licensed Land Surveyor  
Contra Costa County Public Works Department

Date: 12/15/2020



Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA  
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 05/17/2022 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2022/156

IN THE MATTER OF accepting for recording purposes only an Offer of Dedication for Road Purposes for land use permit LP19-02014, for a project being developed by Contra Costa County Fire Protection District, as recommended by the Public Works Director, Bay Point area. (District V)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED FOR RECORDING ONLY:

INSTRUMENT: Offer of Dedication for Road Purposes

REFERENCE: APN 091-030-012

GRANTOR: Contra Costa Fire Protection District

AREA: Bay Point

DISTRICT: V

Contact: Larry Gossett, 925-313-2016

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

*Stacey M Boyd*  
By: Stacey M. Boyd, Deputy

cc: Larry Gossett- Engineering Services, Deborah Preciado - Engineering Services, Syd Sotoodeh- DCD, Renee Hutchins - Records, Karen Piona- Records, Chris Lau - Maintenance, Dante Morabe - Design & Construction, Contra Costa Fire Protection District



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 17, 2022

**Subject:** Accepting for recording purposes only an Offer of Dedication for Drainage Purposes for land use permit LP19-02014, Bay Point area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2022/157 accepting for recording purposes only an Offer of Dedication for Drainage Purposes for land use permit LP19-02014, for a project being developed by Contra Costa County Fire Protection District, as recommended by the Public Works Director, Bay Point area. (District V)

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Offer of Dedication for Drainage Purposes is required per Condition of Approval No. 52. The Fire Chief, or designee, has been approved and authorized to execute an Offer of Dedication for Drainage Purposes on behalf of the Contra Costa County Fire Protection District by the Board of Directors on March 9, 2021.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Offer of Dedication for Drainage Purposes will not be recorded, and compliance with the requisite condition of approval will remain unfulfilled.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Larry Gossett, 925-313-2016

AGENDA ATTACHMENTS

Resolution No. 2022/157

Offer of Dedication - Drainage  
Purposes

MINUTES ATTACHMENTS

Signed: Resolution No. 2022/157

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA  
and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 05/17/2022 by the following vote:

**AYE:** John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**

Resolution No. 2022/157

IN THE MATTER OF accepting for recording purposes only an Offer of Dedication for Drainage Purposes for land use permit LP19-02014, for a project being developed by Contra Costa County Fire Protection District, as recommended by the Public Works Director, Bay Point area. (District V)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED FOR RECORDING ONLY:

INSTRUMENT: Offer of Dedication for Drainage Purposes

REFERENCE: APN 091-030-012

GRANTOR: Contra Costa Fire Protection District

AREA: Bay Point

DISTRICT: V

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**ATTESTED: May 17, 2022**

Monica Nino, County Administrator and Clerk of the Board of Supervisors

**Contact: Larry Gossett, 925-313-2016**

By: Stacey M. Boyd, Deputy

**cc:** Larry Gossett- Engineering Services, Deborah Preciado - Engineering Services, Syd Sotoodeh- DCD, Renee Hutchins - Records, Karen Piona- Records, Chris Lau - Maintenance, Dante Morabe - Design & Construction, Syd Sotoodeh- DCD, Contra Costa Fire Protection District

**Recorded at the request of:**  
Contra Costa County  
Public Works Department  
**Return to:**  
Contra Costa County  
Public Works Department  
Records Section

**Area:** Bay Point  
**Road:** Goble Drive  
**Co. Road No.:** 5181A  
**Development No.:** LP19-2014  
**APN:** 091-030-012

### OFFER OF DEDICATION - DRAINAGE PURPOSES

Contra Costa County Fire Protection District, a fire protection district existing under the laws of the State of California, the undersigned, being the present title owner(s) of record of the herein described parcel of land, does hereby make an irrevocable offer of dedication to COUNTY OF CONTRA COSTA, a political subdivision of the State of California, and its successors or assigns, of an easement for storm, flood and surface water drainage, including construction, access or maintenance of work, improvements and structures, whether covered or open, or the clearing of obstructions and vegetation, upon the real property situated in the County of Contra Costa, State of California, described in Exhibit "A" (written description) and shown on Exhibit "B" (plat map) attached hereto.

It is understood and agreed that COUNTY OF CONTRA COSTA and its successors or assigns shall incur no liability with respect to such offer of dedication, and shall not assume any responsibility for the offered parcel of land or any improvements thereon or therein, until such offer has been accepted by appropriate action of the Board of Supervisors, or of the local governing bodies of its successors or assigns.

The provisions hereof shall inure to the benefit of and be binding upon heirs, successors, assigns, and personal representatives of the respective parties hereto.

The undersigned executed this instrument on March 11, 2021 (Date).

Contra Costa County Fire Protection District, a County  
fire protection district organized pursuant to Health &  
Safety Code Section 13800, et seq.  
(Name of owner as shown in title report)

(Signature)

  
\_\_\_\_\_  
Lewis Broschard  
Fire Chief

(See attached notary)



## ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of the document.

State of California

County of Contra Costa

On March 11, 2021, before me, Latonia Ellingberg, Notary Public, personally appeared **LEWIS BROSCARD** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature: \_\_\_\_\_

  
Latonia Ellingberg

The notary commission extended pursuant to Executive Order N-63-20.

Drainage Easement  
Contra Costa County Fire Protection District  
Portion of APN 091-030-012

**EXHIBIT "A"**

Real property located in an unincorporated area of the County of Contra Costa, State of California, being a portion of the Northwest Quarter of Section 15, Township 2 North, Range 1 West, Mount Diablo Meridian, also being a portion of the property described in the Quit Claim Deed from Contra Costa County to Contra Costa County Fire Protection District recorded October 22, 2004 at Recorder's Series Number 2004-0405463, Contra Costa County records, described as follows:

**Drainage Easement**

Commencing at the northwest corner of said Parcel (2004-0405463) and the beginning of a curve, concave to the southeast, having a radius of 1068.00 feet and the center point of which bears south 25°13'25" east; thence along the northwest line of said Parcel and along said curve through a central angle of 7°48'13" for an arc distance of 145.46 feet; thence continuing along said northwest line north 72°34'48" east for a distance of 34.73 feet to the Point of Beginning; thence continuing along said northwest line north 72°34'48" east for a distance of 10.02 feet; thence leaving said northwest line south 21°14'52" east for a distance of 12.22 feet; thence north 78°55'21" east for a distance of 136.52 feet; thence south 15°05'13" east for a distance of 119.45 feet to a point on the southeast line of said Parcel (2004-0405463); thence along said southeast line south 39°44'42" west for a distance of 12.23 feet; thence leaving said southeast line north 15°05'13" west for a distance of 117.17 feet; thence south 78°55'21" west for a distance of 135.57 feet; thence north 21°14'52" west for a distance of 21.26 feet to the Point of Beginning.

Containing 2711 square feet (0.062 acres), more or less.

**Exhibit "B"**, a plat is attached hereto, and by this reference, made a part hereof.

This real property description has been prepared by me or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: James A. Stein

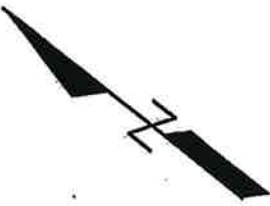
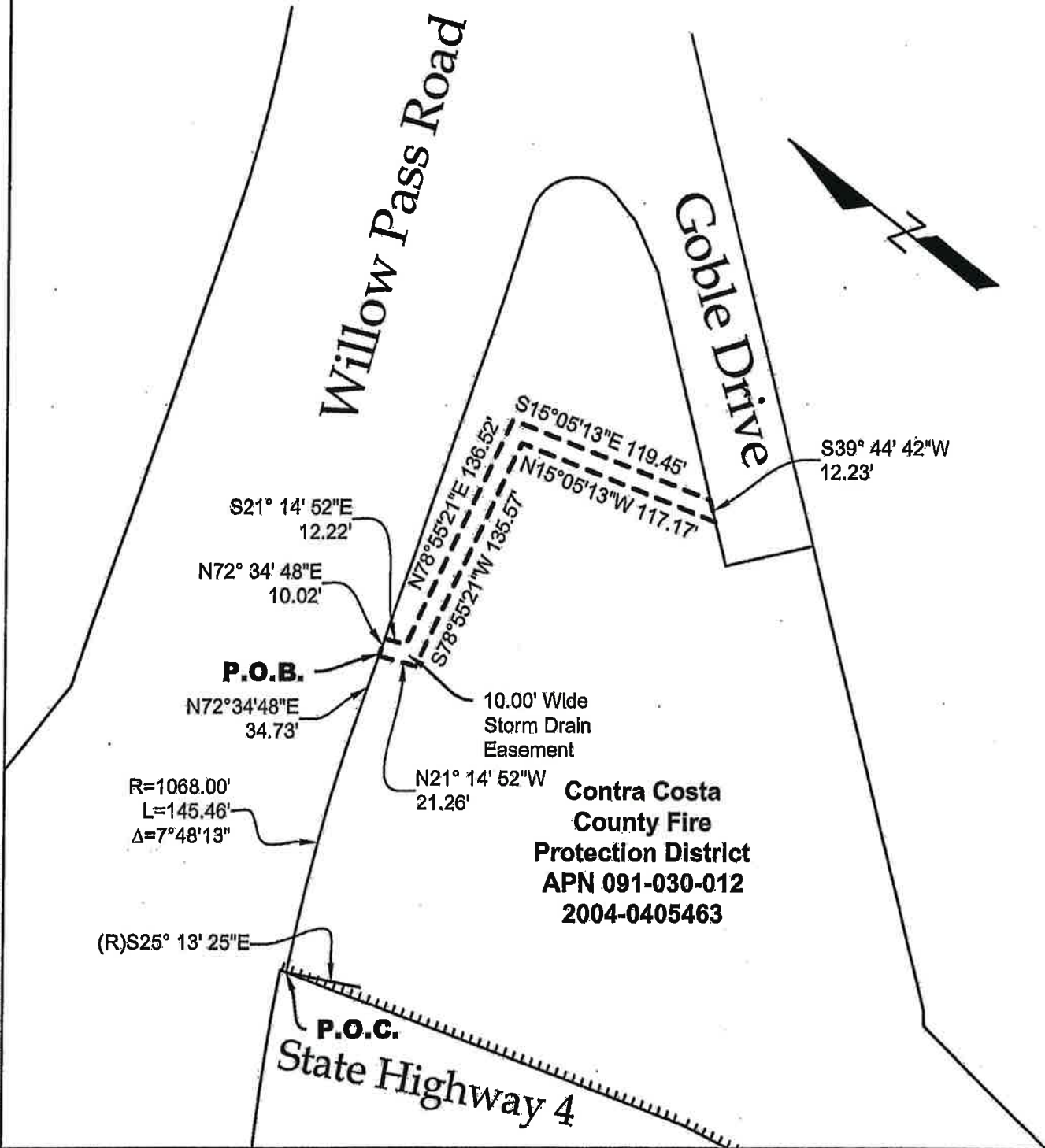
Licensed Land Surveyor  
Contra Costa County Public Works Department



Date: 12/15/2020

# EXHIBIT "B"

## PLAT TO ACCOMPANY EXHIBIT "A"



File Path: K:\survey\Right of Way\Misc\RW433220\RW433220.003.dwg Plot Date: 12/14/2020 11:20:48 AM

### Storm Drain Easement

Instr \_\_\_\_\_ Recorded \_\_\_\_\_

Series # \_\_\_\_\_

CAD FILE: RW433220.003.dwg



Contra Costa County  
 Public Works Department  
 255 Glacier Drive  
 Martinez, CA 94553

SCALE: 1"=80'

DATE: 12/14/2020

DRAWN BY: BD

DRAWING NO.

CHECKED BY: JS

**MA-254-2020**

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**  
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 05/17/2022 by the following vote:

**AYE:** John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**

Resolution No. 2022/157

IN THE MATTER OF accepting for recording purposes only an Offer of Dedication for Drainage Purposes for land use permit LP19-02014, for a project being developed by Contra Costa County Fire Protection District, as recommended by the Public Works Director, Bay Point area. (District V)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED FOR RECORDING ONLY:

INSTRUMENT: Offer of Dedication for Drainage Purposes

REFERENCE: APN 091-030-012

GRANTOR: Contra Costa Fire Protection District

AREA: Bay Point

DISTRICT: V

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**ATTESTED: May 17, 2022**

Monica Nino, County Administrator and Clerk of the Board of Supervisors



By: Stacey M. Boyd, Deputy

Contact: Larry Gossett, 925-313-2016

cc: Larry Gossett- Engineering Services, Deborah Preciado - Engineering Services, Syd Sotoodeh- DCD, Renee Hutchins - Records, Karen Piona- Records, Chris Lau - Maintenance, Dante Morabe - Design & Construction, Syd Sotoodeh- DCD, Contra Costa Fire Protection District



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 17, 2022

**Subject:** Accepting for recording purposes only an Offer of Dedication for Road Purposes for minor subdivision MS21-00015, Pleasanton area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2022/159 accepting for recording purposes only an Offer of Dedication for Road Purposes for minor subdivision MS21-00015, for a project being developed by Jeffrey C. Wiedemann and Nancy A. Wiedemann, trustees of The Wiedemann Trust dated June 4, 1993, and any amendments thereto, as recommended by the Public Works Director, Pleasanton area. (District II)

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Offer of Dedication for Road Purposes is required per Condition of Approval No. 55.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Offer of Dedication for Road Purposes will not be recorded, and compliance with the requisite condition of approval will remain unfulfilled.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Larry Gossett (925)313-2016

AGENDA ATTACHMENTS

Resolution No. 2022/159

Offer of Dedication - Road

Purposes

MINUTES ATTACHMENTS

Signed: Resolution No. 2022/159



Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA  
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 05/17/2022 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2022/159

IN THE MATTER OF accepting for recording only an Offer of Dedication for Road Purposes for minor subdivision MS21-00015, for a project being developed by Jeffrey C. Wiedemann and Nancy A. Wiedemann, trustees of The Wiedemann Trust dated June 4, 1993, and any amendments thereto, as recommended by the Public Works Director, Pleasanton area. (District II)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED:

INSTRUMENT: Offer of Dedication for Road Purposes

REFERENCE: APN 205-020-015

GRANTOR: Jeffrey C. Wiedemann and Nancy A. Wiedemann, trustees of The Wiedemann Trust Dated June 4, 1993, and any amendments thereto

AREA: Pleasanton

DISTRICT: II

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Larry Gossett (925)313-2016

By: Stacey M. Boyd, Deputy

cc: Larry Gossett- Engineering Services, Joshua Laranang- Engineering Services, Stanley Muroaka- DCD, Renee Hutchins - Records, Karen Piona- Records, Chris Lau - Maintenance, Dante Morabe - Design & Construction, Jeffrey C. Wiedemann & Nancy A. Wiedemann

Recorded at the request of:  
Contra Costa County  
Board of Supervisors  
Return to:  
Public Works Department  
Engineering Services Division  
Records Section

Area: Pleasanton  
Road: Highland Road  
Co. Road No.: 6311  
Development No.: MS21-00015  
APN: 205-020-015

**OFFER OF DEDICATION - ROAD PURPOSES**


Jeffrey C. Wiedemann and Nancy A. Wiedemann, Trustees of The Wiedemann Trust, dated June 4, 1993, as Amended and Restated in 2020., the undersigned, being the present title owner of record of the herein described parcel of land, do hereby make an irrevocable offer of dedication to **Contra Costa County**, a political subdivision of the State of California and its successors or assigns, for street, highway landscaping and other public purposes, including maintenance thereof, the fee title to real property situated in the County of Contra Costa, State of California, as described in Exhibit "A" (written description) and as shown on Exhibit "B" (plat map) attached hereto.

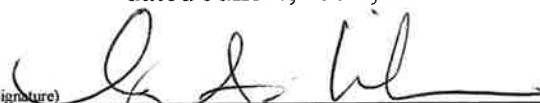
It is understood and agreed that **Contra Costa County** and its successors or assigns shall incur no liability with respect to such offer of dedication, and shall not assume any responsibility for the offered parcel of land or any improvements thereon or therein, until such offer has been accepted by appropriate action of the Board of Supervisors, or of the local governing bodies of its successors or assigns.

The provisions hereof shall inure to the benefit of **Contra Costa County** and its successors or assigns and will be binding upon the title owner of record and that owner's heirs, successors or assigns.

For more information, see attached resolution that was approved by the BOS for this offer of dedication.

The undersigned executed this instrument on 4/20/22 (Date)

(Signature)   
(Print Name & Title) Jeffrey C. Wiedemann, Trustee of The Wiedemann Trust, dated June 4, 1993, as Amended and Restated in 2020.

(Signature)   
(Print Name & Title) Nancy A. Wiedemann, Trustee of The Wiedemann Trust, dated June 4, 1993, as Amended and Restated in 2020.

Attachments: Notary  
Exhibit A, B, & C  
Resolution  
JD:lad:rm  
G:\engsvc\Land Dev\MS\MS 21-0015\OF-6 - Road Purposes, Highland.doc  
Rev. May 1, 2003  
Approved by County Counsel - 4/29/03

**PLEASE, SEE  
THE ATTACHED  
FROM NOTARY PUBLIC**

# CALIFORNIA ACKNOWLEDGMENT CERTIFICATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State Of: **California**

County Of: **Contra Costa**

On April 20, 2022 before me, **Haresh M. Rajani**, Notary Public, personally appeared, Jeffrey C. Niedemann and Nancy A. Niedemann who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they executed the same in her/his/their authorized capacity(ies), and that by her/his/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

*Haresh M. Rajani*  
Signature: **Haresh M. Rajani**



*Seal*

Title of Document: Offer of Dedication - Road Purposes

Total Number of Pages including Attachment: 2

Notary Commission Expiration Date: Dec. 8<sup>th</sup>, 2025

Notary Commission Number: 2385029

**EXHIBIT 'A'**

**DEDICATION FOR ROAD PURPOSES  
PARCEL A  
LEGAL DESCRIPTION**

*THAT CERTAIN REAL PROPERTY SITUATED IN SECTION 11, TOWNSHIP 2 SOUTH, RANGE 1 EAST, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:*

*BEING A PORTION OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN THAT CERTIFICATE OF COMPLIANCE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, ON JANUARY 6, 2000 RECORDER'S DOCUMENT NUMBER 2000-0106886-00, MORE PARTICULARLY DESCRIBED AS FOLLOWS:*

*COMMENCING ON THE CENTER LINE OF THAT CERTAIN FORTY FOOT WIDE COUNTY ROAD KNOWN AS HIGHLAND ROAD AT HL-19 AS DELINEATED IN THE COUNTY PRECISE TRAVERSE H.P.2 4-59 ROAD NUMBER 6311 DATED 02-03-1977 AND PROCEEDING THENCE ALONG THE CENTERLINE OF SAID HIGHLAND ROAD NORTH 32° 01' 00" WEST, 18.04 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID CENTERLINE OF HIGHLAND ROAD NORTH 32° 01' 00" WEST, 262.22 FEET TO HL-18; THENCE NORTH 63° 43' 32" WEST, 321.90 FEET TO HL-17; THENCE NORTH 31° 04' 46" WEST, 815.82 FEET TO A POINT OF CUSP CONCAVE TO THE SOUTHWEST; THENCE LEAVING SAID CENTER LINE OF HIGHLAND ROAD AND PROCEEDING THENCE ALONG SAID CURVE, THE CENTER OF WHICH BEARS SOUTH 41° 50' 16" WEST, HAVING A RADIUS OF 680.00 FEET, THROUGH A CENTRAL ANGLE OF 17° 04' 58" AND AN ARC DISTANCE OF 202.74 FEET; THENCE SOUTH 31° 04' 46" EAST, 499.00 FEET; THENCE ALONG A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 370.00 FEET, THROUGH A CENTRAL ANGLE OF 32° 37' 11" AND AN ARC DISTANCE OF 210.65 FEET; THENCE SOUTH 63° 41' 57" EAST, 111.16 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 430.00 FEET, THROUGH A CENTRAL ANGLE OF 30° 39' 29" AND AN ARC DISTANCE OF 230.09 FEET; THENCE SOUTH 33° 02' 28" EAST, 108.45 FEET; THENCE ALONG A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 370.00 FEET, THROUGH A CENTRAL ANGLE OF 08° 02' 22" AND AN ARC DISTANCE OF 51.92 FEET; THENCE SOUTH 81° 46' 48" WEST, 51.04 FEET TO THE CENTERLINE OF SAID HIGHLAND ROAD AND THE **POINT OF BEGINNING**.*

*SAID PARCEL A CONTAINS 0.99 ACRES, MORE OR LESS.*

*A PORTION OF APN 205-020-015.*

*BASIS OF BEARINGS TAKEN BETWEEN FOUND MONUMENTS HL-17 AND HL-19 IN HIGHLAND ROAD AS DELINEATED IN THE COUNTY PRECISE TRAVERSE H.P.2 4-59 ROAD NUMBER 6311 DATED 02-03-1977. BEARING TAKEN AS NORTH 48° 59' 51" WEST.*

*ATTACHED HERETO IS A PLAT ENTITLED EXHIBIT 'C' AND BY THIS REFERENCE IS MADE PART HEREOF FOR INFORMATIONAL PURPOSES ONLY.*



*Mark E Woods 08/07/2021*  
MARK E. WOODS DATED  
R.C.E. 29851

**EXHIBIT 'B'**

**DEDICATION FOR ROAD PURPOSES  
PARCEL B  
LEGAL DESCRIPTION**

*THAT CERTAIN REAL PROPERTY SITUATED IN SECTION 11, TOWNSHIP 2 SOUTH, RANGE 1 EAST, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:*

*BEING A PORTION OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN THAT CERTIFICATE OF COMPLIANCE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, ON JANUARY 6, 2000 RECORDER'S DOCUMENT NUMBER 2000-0106886-00, MORE PARTICULARLY DESCRIBED AS FOLLOWS:*

*COMMENCING ON THE CENTER LINE OF THAT CERTAIN FORTY FOOT WIDE COUNTY ROAD KNOWN AS HIGHLAND ROAD AT HL-19 AS DELINEATED IN THE COUNTY PRECISE TRAVERSE H.P.2 4-59 ROAD NUMBER 6311 DATED 02-03-1977 AND PROCEEDING THENCE ALONG THE CENTERLINE OF SAID HIGHLAND ROAD NORTH 32° 01' 00" WEST, 280.26 FEET TO HL-18; THENCE NORTH 63° 43' 32" WEST, 321.90 FEET TO HL-17; THENCE NORTH 31° 04' 46" WEST, 851.82 FEET; THENCE NORTH 70° 57' 13" WEST, 35.99 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID CENTERLINE OF HIGHLAND ROAD NORTH 70° 57' 13" WEST, 139.40 FEET; THENCE LEAVING SAID CENTER LINE OF HIGHLAND ROAD AND PROCEEDING THENCE NORTH 00° 00' 00" EAST, 29.75 FEET TO A POINT OF CUSP CONCAVE TO THE SOUTHWEST; THENCE ALONG SAID CURVE, THE CENTER OF WHICH BEARS SOUTH 23° 19' 17" WEST, HAVING A RADIUS OF 680.00 FEET, THROUGH A CENTRAL ANGLE OF 12° 48' 42" AND AN ARC DISTANCE OF 152.05 FEET TO THE CENTERLINE OF SAID HIGHLAND ROAD AND THE **POINT OF BEGINNING**.*

*SAID PARCEL B CONTAINS 2,390 SQUARE FEET, 0.05 ACRES, MORE OR LESS.*

*A PORTION OF APN 205-020-015.*

BASIS OF BEARINGS TAKEN BETWEEN FOUND MONUMENTS HL-17 AND HL-19 IN  
HIGHLAND ROAD AS DELINEATED IN THE COUNTY PRECISE TRAVERSE H.P.2 4-59  
ROAD NUMBER 6311 DATED 02-03-1977. BEARING TAKEN AS NORTH 48° 59' 51" WEST.

ATTACHED HERETO IS A PLAT ENTITLED EXHIBIT 'C' AND BY THIS REFERENCE IS  
MADE PART HEREOF FOR INFORMATIONAL PURPOSES ONLY.



*Mark E Woods 08/02/2021*  
MARK E. WOODS DATED  
R.C.E. 29851



SEE SHEET 2



**HIGHLAND ROAD ALIGNMENT  
DEDICATED TO CONTRA COSTA  
COUNTY FOR ROADWAY PURPOSES  
PARCEL A**

HIGHLAND ROAD

R=370.00'  
Δ=32°37'11"  
L=210.65'

HL-17  
FOUND 1 1/4" IP

S63°41'57"E 111.16'

R=430.00'  
Δ=30°39'29"  
L=230.09'

HL-18  
FOUND 1 1/4" IP

N63°43'32"W 321.90'  
N48°59'51"W 579.37'

**BASIS OF BEARINGS**

S33°02'28"E 108.45'  
S81°46'48"W 51.04'  
R=370.00'  
Δ=08°02'22"  
L=51.92'

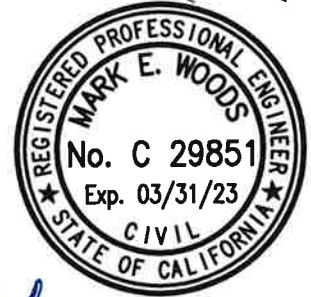
N48°55'10"E(R)

P.O.B. PARCEL A

N32°01'00"W 18.04'

N32°01'00"W 280.26'

P.O.C.  
HL-19  
FOUND 1 1/4" IP



**LEGEND:**

P.O.B. POINT OF BEGINNING  
P.O.C. POINT OF COMMENCEMENT

**BASIS OF BEARINGS:**

TAKEN BETWEEN FOUND MONUMENTS HL-17 AND HL-19  
IN HIGHLAND ROAD AS DELINEATED IN THE COUNTY  
PRECISE TRAVERSE H.P.2 4-59, ROAD NO. 6311 DATED  
02-03-1977. BEARING TAKEN AS N48°59'51"W.

*Mark E. Woods* 08/02/2021  
MARK E. WOODS DATE  
R.C.E. 29851

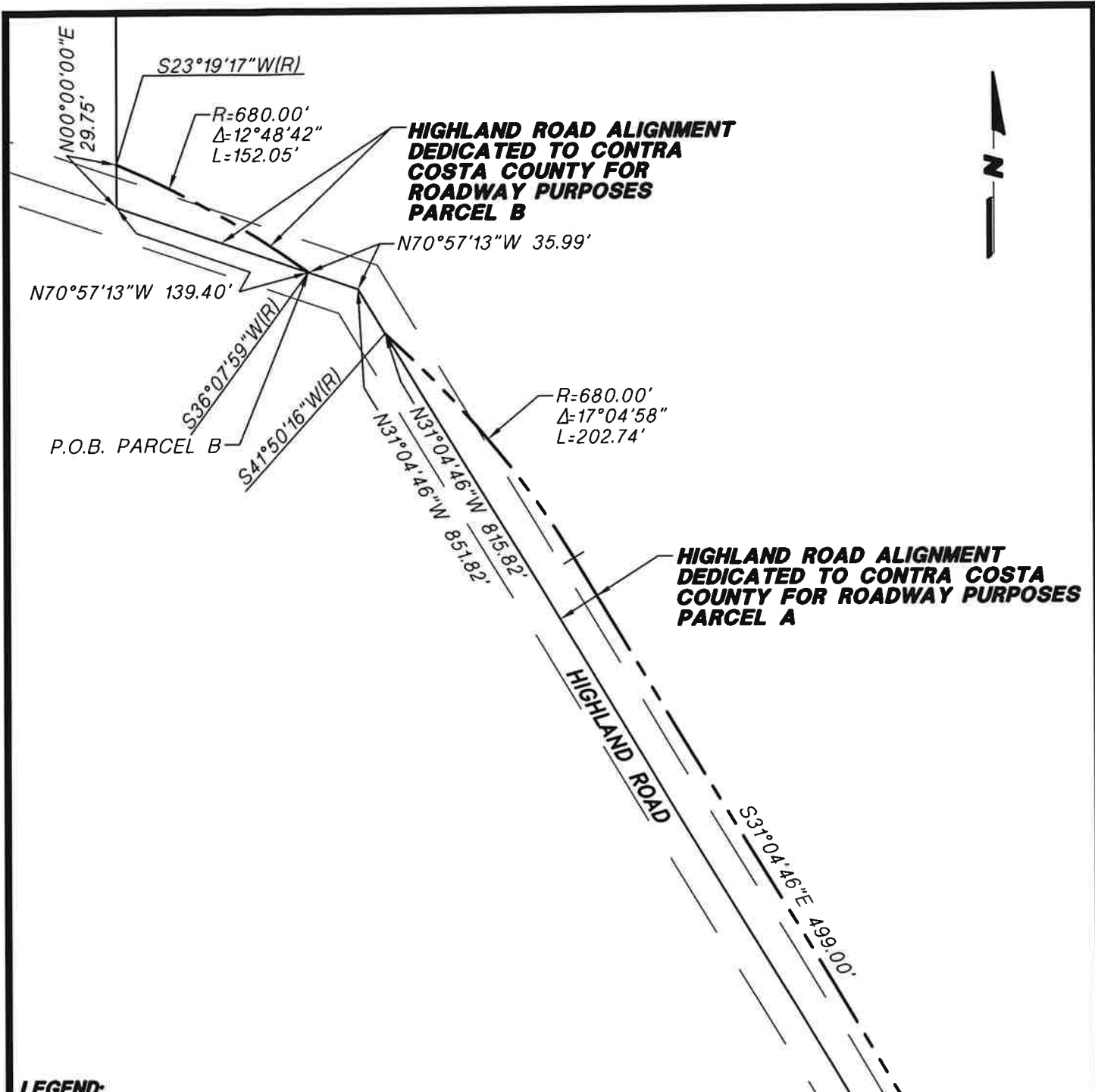
DATE: 10-16-2020
SCALE: 1"=100'
SHEET
<b>1</b>
OF 2 SHEETS
PROJ. NO. 19022-20

**EXHIBIT 'C'**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION  
DEDICATION FOR ROAD PURPOSES  
APN 205-020-015**

**CONTRA COSTA COUNTY, CALIFORNIA**

**P/A Design Resources, Inc.**  
Planning • Engineering • Surveying

3021 Citrus Circle, Suite 150  
Walnut Creek, California 94598-2635 TEL (925) 210-9300



**LEGEND:**

P.O.B. POINT OF BEGINNING  
 P.O.C. POINT OF COMMENCEMENT

**BASIS OF BEARINGS:**

TAKEN BETWEEN FOUND MONUMENTS HL-17 AND HL-19  
 IN HIGHLAND ROAD AS DELINEATED IN THE COUNTY  
 PRECISE TRAVERSE H.P.2 4-59, ROAD NO. 6311 DATED  
 02-03-1977. BEARING TAKEN AS N48°59'51"W.

**SEE SHEET 1**

DATE: 10-16-2020
SCALE: 1"=100'
SHEET
<b>2</b>
OF 2 SHEETS
PROJ. NO. 19022-20

**EXHIBIT 'C'**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**DEDICATION FOR ROAD PURPOSES**  
**APN 205-020-015**

**CONTRA COSTA COUNTY, CALIFORNIA**

**P/A Design Resources, Inc.**  
 Planning • Engineering • Surveying

3021 Citrus Circle, Suite 150  
 Walnut Creek, California 94598-2635 TEL (925) 210-9300

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**  
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 05/17/2022 by the following vote:

**AYE:** John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**

Resolution No. 2022/159

IN THE MATTER OF accepting for recording only an Offer of Dedication for Road Purposes for minor subdivision MS21-00015, for a project being developed by Jeffrey C. Wiedemann and Nancy A. Wiedemann, trustees of The Wiedemann Trust dated June 4, 1993, and any amendments thereto, as recommended by the Public Works Director, Pleasanton area. (District II)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED:

INSTRUMENT: Offer of Dedication for Road Purposes

REFERENCE: APN 205-020-015

GRANTOR: Jeffrey C. Wiedemann and Nancy A. Wiedemann, trustees of The Wiedemann Trust Dated June 4, 1993, and any amendments thereto

AREA: Pleasanton

DISTRICT: II

Contact: Larry Gossett (925)313-2016

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

*Stacey M. Boyd*  
By: Stacey M. Boyd, Deputy

cc: Larry Gossett- Engineering Services, Joshua Laranang- Engineering Services, Stanley Muroaka- DCD, Renee Hutchins - Records, Karen Piona- Records, Chris Lau - Maintenance, Dante Morabe - Design & Construction, Jeffrey C. Wiedemann & Nancy A. Wiedemann

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 17, 2022



Contra  
Costa  
County

**Subject:** Accepting a Grant Deed of Development Rights (Creek Structure Setback Area) for minor subdivision MS21-00015, Pleasanton area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2022/160 accepting a Grant Deed of Development Rights (Creek Structure Setback Area) for minor subdivision MS21-00015, for a project being developed by Jeffrey C. Wiedemann and Nancy A. Wiedemann, trustees of The Wiedemann Trust dated June 4, 1993, and any amendments thereto, as recommended by the Public Works Director, Pleasanton area. (District II)

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Grant Deed of Development Rights for the creek structure setback area is required per Condition of Approval No. 60.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Grant Deed of Development Rights will not be recorded, and compliance with the requisite condition of approval will remain unfulfilled.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Larry Gossett, 925-313-2016

AGENDA ATTACHMENTS

Resolution No. 2022/160

Grant Deed of Development Rights

MINUTES ATTACHMENTS

Signed: Resolution No. 2022/160

Signed: Grant Deed of Development  
Rights

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA  
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 05/17/2022 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2022/160

IN THE MATTER OF accepting a Grant Deed of Development Rights for the creek structure setback area for minor subdivision MS21-00015, for a project being developed by Jeffrey C. Wiedemann and Nancy A. Wiedemann, trustees of The Wiedemann Trust dated June 4, 1993, and any amendments thereto, as recommended by the Public Works Director, Pleasanton area. (District II)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED:

INSTRUMENT: Grant Deed of Development Rights (Creek Structure Setback Area)

REFERENCE: APN 205-020-015

GRANTOR: Jeffrey C. Wiedemann and Nancy A. Wiedemann, trustees of The Wiedemann Trust Dated June 4, 1993, and any amendments thereto

AREA: Pleasanton

DISTRICT: II

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Larry Gossett, 925-313-2016

By: Stacey M. Boyd, Deputy

cc: Larry Gossett- Engineering Services, Joshua Laranang- Engineering Services, Stanley Muroaka- DCD, Renee Hutchins - Records, Karen Piona- Records, Chris Lau - Maintenance, Dante Morabe - Design & Construction, Jeffrey C. Wiedemann & Nancy A. Wiedemann

**RECORDED AT THE REQUEST OF, AND  
AFTER RECORDING, RETURN TO:**

Contra Costa County  
Public Works Department  
Engineering Services Division  
Records Section  
255 Glacier Drive  
Martinez, CA 94553

APN: 205-020-015

---

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**GRANT DEED OF DEVELOPMENT RIGHTS**  
(Creek Structure Setback Area)

This Grant Deed of Development Rights is made by and between the Grantors, Jeffrey C. Wiedemann and Nancy A. Wiedemann, trustees of The Wiedemann Trust dated June 4, 1993, and any amendments thereto, and their successors and assigns (“Grantors”), and the Grantee, Contra Costa County, a political subdivision of the State of California, and its successors and assigns (“County”).

**RECITALS**

- A. On March 7, 2022, the Contra Costa County Zoning Administrator conditionally approved an application (CDMS21-00015) to subdivide an approximately 172.61-acre parcel, located at 6989 Highland Road in an unincorporated area near Pleasanton, in the County of Contra Costa, State of California, into two agricultural lots.
- B. The subdivision property referenced in Recital A is owned by the Grantors.
- C. A tributary of Tassajara Creek, an unimproved earth channel, traverses the southern portion of the subdivision property, and will be referred to as the “Creek.”
- D. Under County Ordinance Code sections 914-14.012, subdivision (a) [“Section 914-14.012(a)”] and 914-14.014, no permanent structures other than drainage structures may be constructed within, under or over any structure setback area of an unimproved earth channel located in a subdivision. Section 914-14.012(a) also requires the development rights for the portion of a lot within a structure setback area of an unimproved earth channel to be offered for dedication to the County.
- E. In accordance with section 914-14.012(a), Condition of Approval #60 of CDMS21-00015 requires development rights for the portion of the subdivision property within



the structure setback area of the Creek to be conveyed to the County by grant deed. The structure setback area of unimproved earth channels is defined by Section 914-14.012, subdivision (b) and (c), of the County Ordinance Code.

- F. The area described in Exhibit A and depicted in Exhibit B (the "Property") constitute the structure setback area described in the above-referenced condition of approval. Exhibits A and B are attached hereto and incorporated herein by this reference.
- G. Grantors desire to evidence their intent and ensure that the obligations specified herein are covenants, conditions and restrictions that run with the land and are for the benefit of the County.

NOW, THEREFORE, for good and valuable consideration, including but not limited to the agreements contained herein, the receipt and sufficiency of which is hereby acknowledged, Grantors hereby grant to the County, and its successors and assigns, on the terms and conditions set forth below, all the Development Rights within, on, and over the Property.

1. **Recitals.** The recitals are intended to be and shall be part of this Grant Deed.
2. **Development Rights.** "Development Rights" are defined to mean and refer to the right to construct permanent structures on all or any portion of the Property.
3. **Negative Easement.** This Grant Deed of Development Rights is in the form of a negative easement, which shall run with the Property and shall bind the Grantors and any future owners of all or any portion of the Property. This Grant Deed is an agreement in writing affecting the title or possession of the Property.
4. **Development Restrictions.** Except for drainage structures, Grantors shall not construct permanent structures on any portion of the Property, and Grantors agree that no building permits or other permits shall be issued for the purpose of constructing such permanent structures on any portion of the Property. Grantors hereby waive and relinquish any rights they might otherwise have to such permits.
5. **Covenants Running With Land.** This Grant Deed shall be binding on the parties hereto and the provisions hereof shall be covenants running with the land and shall inure to the benefit of and be binding on the heirs, successors and assigns of the Grantors and County, all of the Property and all other parties having or acquiring any right, title or interest in any part of the Property.
6. **Remedies.** If Grantors violate any of the provisions hereof, the County shall be entitled to all rights and remedies available at law or in equity, including without limitation, an order enjoining the activity in violation hereof and an order requiring the removal of the improvements constructed in violation hereof. In addition, the County shall be entitled to an award

of all expenses incurred by the County in pursuing such violation(s), including costs, interest, attorney's fees and other litigation expenses.

IN WITNESS WHEREOF, this Grant Deed of Development Rights is signed and executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

GRANTEE

GRANTOR

CONTRA COSTA COUNTY

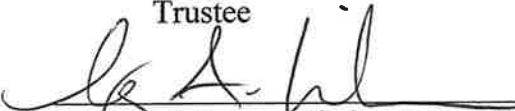
JEFFREY C. WIEDEMANN AND NANCY A. WIEDEMANN, TRUSTEES OF THE WIEDEMANN TRUST DATED JUNE 4, 1993, AND ANY AMENDMENTS THERETO

By: \_\_\_\_\_  
Chair, Board of Supervisors

Attest: Monica Nino, Clerk of the Board of Supervisors and County Administrator

  
\_\_\_\_\_  
Jeffrey C. Wiedemann  
Trustee

By: \_\_\_\_\_  
Deputy

  
\_\_\_\_\_  
Nancy A. Wiedemann  
Trustee

Approved as to form:

Mary Ann McNett Mason  
County Counsel

[Note: All Property Owner signatures must be notarized.]

By: \_\_\_\_\_  
Deputy County Counsel

Attachments: Exhibit A (Legal Description)  
Exhibit B (Plat to Accompany Legal Description)  
Acknowledgment

H:\Public Works\EngServ\GDDRs\GDDR.CDMS21-00015.4.18.22.dotx

**EXHIBIT 'A'**

**RESTRICTED DEVELOPMENT PARCEL(CREEK STRUCTURE SETBACK)  
LEGAL DESCRIPTION**

THAT CERTAIN REAL PROPERTY SITUATED IN SECTION 11, TOWNSHIP 2 SOUTH, RANGE 1 EAST, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN THAT CERTIFICATE OF COMPLIANCE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, ON JANUARY 6, 2000 RECORDER'S DOCUMENT NUMBER 2000-0106886-00, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING ON THE CENTER LINE OF THAT CERTAIN FORTY FOOT WIDE COUNTY ROAD KNOWN AS HIGHLAND ROAD AT HL-19 AS DELINEATED IN THE COUNTY PRECISE TRAVERSE H.P.2 4-59 ROAD NUMBER 6311 DATED 02-03-1977 AND PROCEEDING THENCE ALONG THE CENTERLINE OF SAID HIGHLAND ROAD NORTH 32° 01' 00" WEST, 228.25 FEET TO THE **POINT OF BEGINNING**; THENCE LEAVING SAID CENTERLINE OF HIGHLAND ROAD AND PROCEEDING THENCE SOUTH 79° 55' 43" EAST, 26.87 FEET; THENCE SOUTH 67° 48' 37" EAST, 343.91 FEET; THENCE SOUTH 78° 21' 50" EAST, 167.68 FEET; THENCE NORTH 78° 04' 14" EAST, 252.87 FEET; THENCE NORTH 86° 13' 20" EAST, 125.69 FEET; THENCE SOUTH 58° 34' 44" EAST, 147.69 FEET; THENCE SOUTH 70° 03' 12" EAST, 365.70 FEET; THENCE SOUTH 72° 41' 17" EAST, 329.70 FEET; THENCE NORTH 62° 26' 48" EAST, 79.40 FEET TO THE EASTERLY LINE OF SAID PARCEL; THENCE ALONG THE EASTERLY AND SOUTHERLY LINE OF SAID PARCEL SOUTH 17° 39' 18" WEST, 162.63 FEET; THENCE NORTH 78° 16' 12" WEST, 382.00 FEET; THENCE NORTH 62° 49' 12" WEST, 467.00 FEET; THENCE NORTH 89° 47' 12" WEST, 174.00 FEET; THENCE SOUTH 78° 00' 48" WEST, 238.00 FEET; THENCE NORTH 86° 02' 12" WEST, 178.00 FEET; THENCE NORTH 49° 14' 12" WEST, 160.60 FEET; THENCE SOUTH 81° 46' 48" WEST, 81.50 FEET TO THE CENTERLINE OF SAID HIGHLAND ROAD; THENCE ALONG THE CENTERLINE OF SAID HIGHLAND ROAD NORTH 32° 01' 00" WEST, 210.21 FEET TO THE **POINT OF BEGINNING**.

SAID RESTRICTED DEVELOPMENT PARCEL CONTAINS 4.75 ACRES, MORE OR LESS.

A PORTION OF APN 205-020-015.

BASIS OF BEARINGS TAKEN BETWEEN FOUND MONUMENTS HL-17 AND HL-19 IN HIGHLAND ROAD AS DELINEATED IN THE COUNTY PRECISE TRAVERSE H.P.2 4-59 ROAD NUMBER 6311 DATED 02-03-1977. BEARING TAKEN AS NORTH 48° 59' 51" WEST.

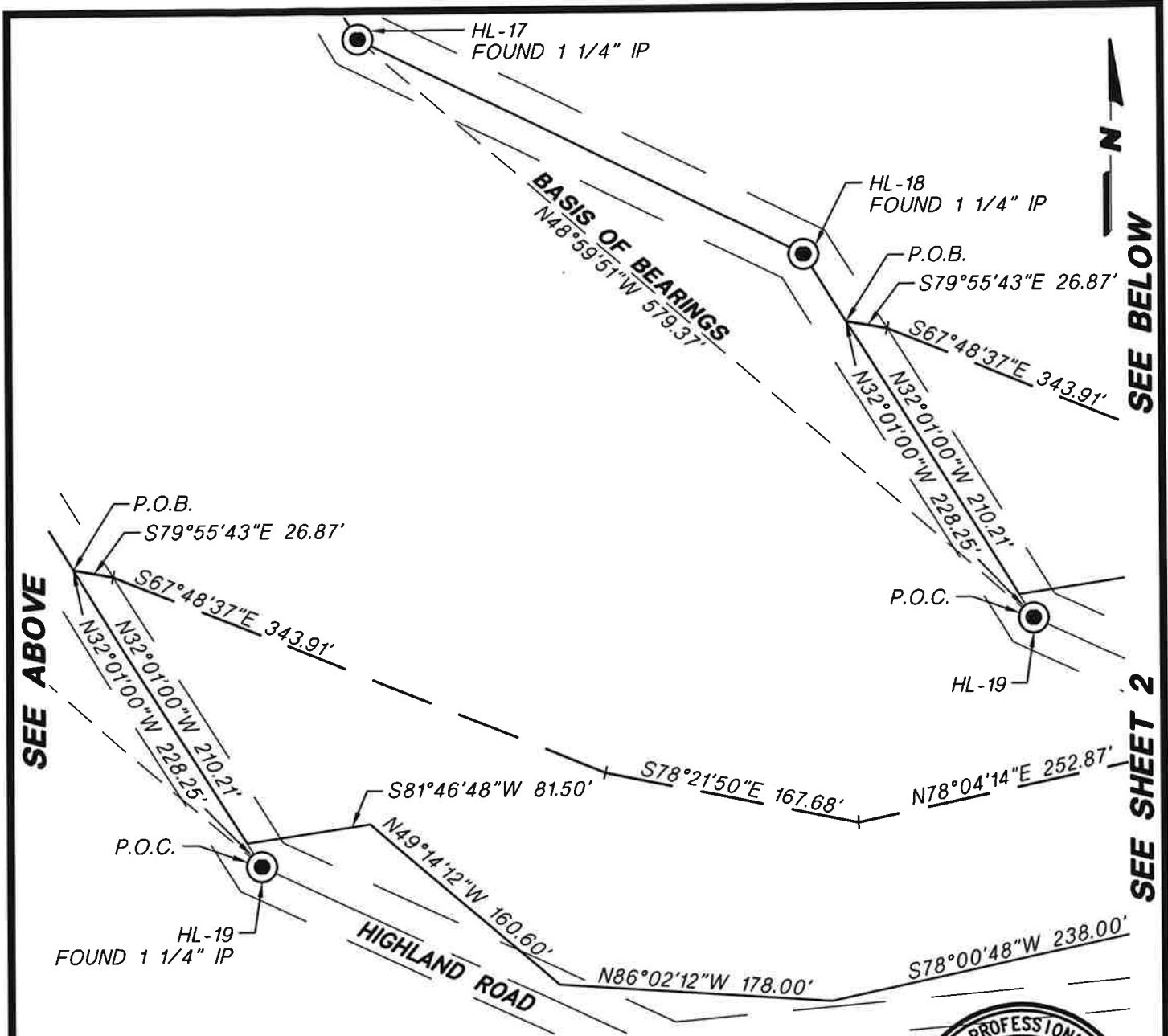
ATTACHED HERETO IS A PLAT ENTITLED EXHIBIT 'B' AND BY THIS REFERENCE IS MADE PART HEREOF FOR INFORMATIONAL PURPOSES ONLY.



*Mark E. Woods* 10-26-2021

MARK E. WOODS  
R.C.E. 29851

DATED



SEE ABOVE

SEE BELOW

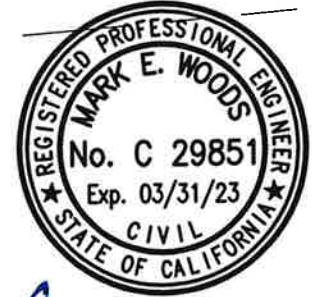
SEE SHEET 2

**LEGEND:**

- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

**BASIS OF BEARINGS:**

TAKEN BETWEEN FOUND MONUMENTS HL-17 AND HL-19 IN HIGHLAND ROAD AS DELINEATED IN THE COUNTY PRECISE TRAVERSE H.P.2 4-59, ROAD NO. 6311 DATED 02-03-1977. BEARING TAKEN AS N48°59'51"W.



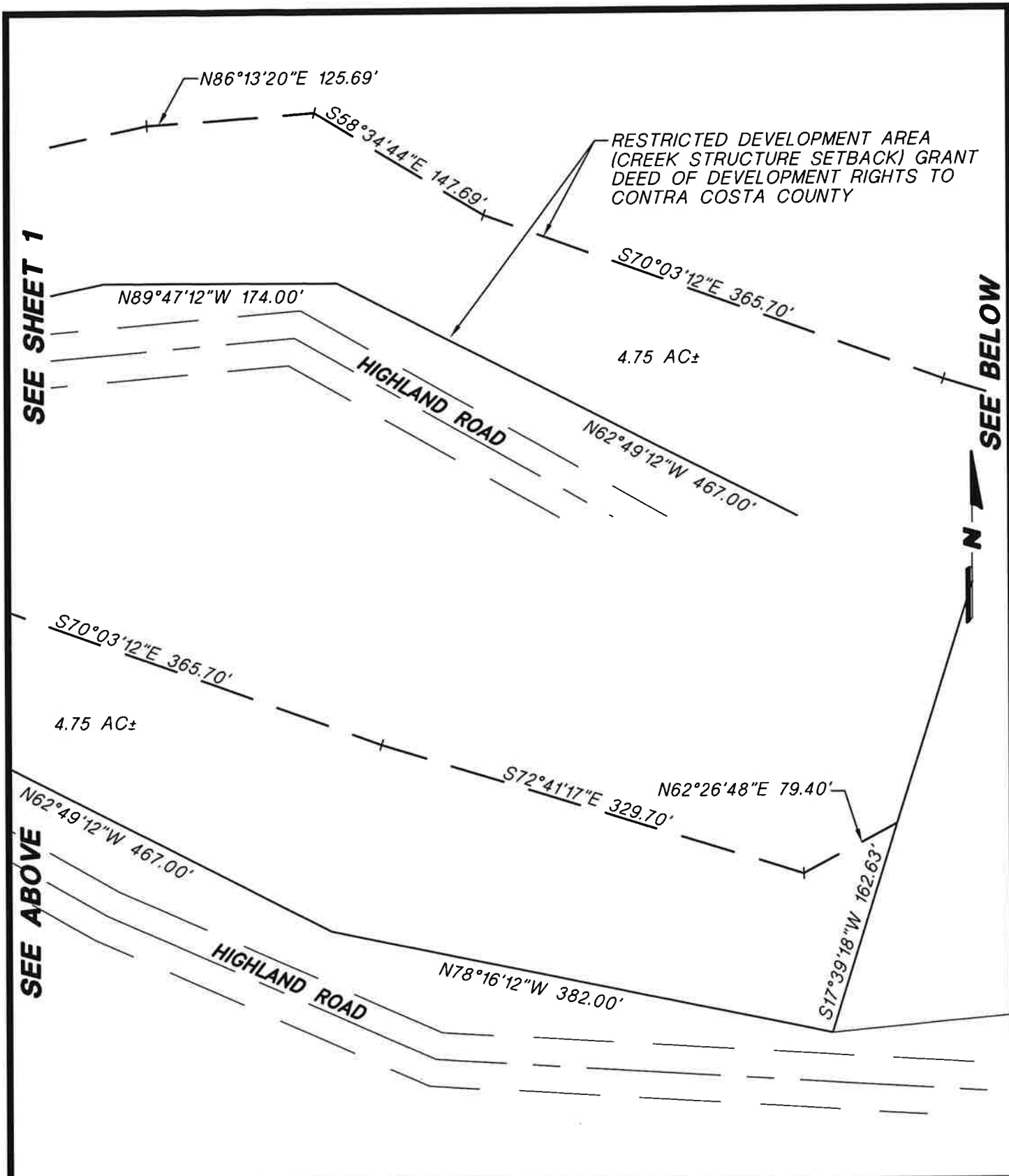
*Mark E. Woods* 10-26-2021  
 MARK E. WOODS DATE  
 R.C.E. 29851

DATE: 10-26-2021
SCALE: 1"=100'
SHEET
<b>1</b>
OF 2 SHEETS
PROJ. NO. 19022-20

**EXHIBIT 'B'**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**RESTRICTED DEVELOPMENT AREA**  
**APN 205-020-015**

**CONTRA COSTA COUNTY, CALIFORNIA**

**P/A Design Resources, Inc.**  
 Planning ■ Engineering ■ Surveying  
 3021 Citrus Circle, Suite 150  
 Walnut Creek, California 94598-2635 TEL (925) 210-9300



DATE: 10-26-2021  
 SCALE: 1"=100'  
 SHEET  
**2**  
 OF 2 SHEETS  
 PROJ. NO. 19022-20

**EXHIBIT 'B'**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**RESTRICTED DEVELOPMENT AREA**  
**APN 205-020-015**  
**CONTRA COSTA COUNTY, CALIFORNIA**

**P/A Design Resources, Inc.**  
 Planning • Engineering • Surveying  
3021 Citrus Circle, Suite 150  
 Walnut Creek, California 94598-2635 TEL (925) 210-9300

# CALIFORNIA ACKNOWLEDGMENT CERTIFICATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State Of: **California**  
County Of: **Contra Costa**

On April 20, 2022 before me, **Haresh M. Rajani**, Notary Public, personally appeared, Jeffrey C. Niedemann and Nancy A. Niedemann who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they executed the same in her/his/their authorized capacity(ies), and that by her/his/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

  
Signature: **Haresh M. Rajani**



*Seal*

Title of Document: Grant Deed of Development Rights

Total Number of Pages including Attachment: \_\_\_\_\_

Notary Commission Expiration Date: Dec. 8<sup>th</sup>, 2025

Notary Commission Number: 2385029

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**  
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 05/17/2022 by the following vote:

**AYE:** John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**

Resolution No. 2022/160

IN THE MATTER OF accepting a Grant Deed of Development Rights for the creek structure setback area for minor subdivision MS21-00015, for a project being developed by Jeffrey C. Wiedemann and Nancy A. Wiedemann, trustees of The Wiedemann Trust dated June 4, 1993, and any amendments thereto, as recommended by the Public Works Director, Pleasanton area. (District II)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED:

INSTRUMENT: Grant Deed of Development Rights (Creek Structure Setback Area)

REFERENCE: APN 205-020-015

GRANTOR: Jeffrey C. Wiedemann and Nancy A. Wiedemann, trustees of The Wiedemann Trust Dated June 4, 1993, and any amendments thereto

AREA: Pleasanton

DISTRICT: II

Contact: Larry Gossett, 925-313-2016

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

*Stacey M. Boyd*  
By: Stacey M. Boyd, Deputy

cc: Larry Gossett- Engineering Services, Joshua Laranang- Engineering Services, Stanley Muroaka- DCD, Renee Hutchins - Records, Karen Piona- Records, Chris Lau - Maintenance, Dante Morabe - Design & Construction, Jeffrey C. Wiedemann & Nancy A. Wiedemann



**RECORDED AT THE REQUEST OF, AND  
AFTER RECORDING, RETURN TO:**

Contra Costa County  
Public Works Department  
Engineering Services Division  
Records Section  
255 Glacier Drive  
Martinez, CA 94553

APN: 205-020-015

---

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**GRANT DEED OF DEVELOPMENT RIGHTS  
(Creek Structure Setback Area)**

This Grant Deed of Development Rights is made by and between the Grantors, Jeffrey C. Wiedemann and Nancy A. Wiedemann, trustees of The Wiedemann Trust dated June 4, 1993, and any amendments thereto, and their successors and assigns ("Grantors"), and the Grantee, Contra Costa County, a political subdivision of the State of California, and its successors and assigns ("County").

**RECITALS**

- A. On March 7, 2022, the Contra Costa County Zoning Administrator conditionally approved an application (CDMS21-00015) to subdivide an approximately 172.61-acre parcel, located at 6989 Highland Road in an unincorporated area near Pleasanton, in the County of Contra Costa, State of California, into two agricultural lots.
- B. The subdivision property referenced in Recital A is owned by the Grantors.
- C. A tributary of Tassajara Creek, an unimproved earth channel, traverses the southern portion of the subdivision property, and will be referred to as the "Creek."
- D. Under County Ordinance Code sections 914-14.012, subdivision (a) ["Section 914-14.012(a)"] and 914-14.014, no permanent structures other than drainage structures may be constructed within, under or over any structure setback area of an unimproved earth channel located in a subdivision. Section 914-14.012(a) also requires the development rights for the portion of a lot within a structure setback area of an unimproved earth channel to be offered for dedication to the County.
- E. In accordance with section 914-14.012(a), Condition of Approval #60 of CDMS21-00015 requires development rights for the portion of the subdivision property within

the structure setback area of the Creek to be conveyed to the County by grant deed. The structure setback area of unimproved earth channels is defined by Section 914-14.012, subdivision (b) and (c), of the County Ordinance Code.

- F. The area described in Exhibit A and depicted in Exhibit B (the "Property") constitute the structure setback area described in the above-referenced condition of approval. Exhibits A and B are attached hereto and incorporated herein by this reference.
- G. Grantors desire to evidence their intent and ensure that the obligations specified herein are covenants, conditions and restrictions that run with the land and are for the benefit of the County.

NOW, THEREFORE, for good and valuable consideration, including but not limited to the agreements contained herein, the receipt and sufficiency of which is hereby acknowledged, Grantors hereby grant to the County, and its successors and assigns, on the terms and conditions set forth below, all the Development Rights within, on, and over the Property.

1. **Recitals.** The recitals are intended to be and shall be part of this Grant Deed.
2. **Development Rights.** "Development Rights" are defined to mean and refer to the right to construct permanent structures on all or any portion of the Property.
3. **Negative Easement.** This Grant Deed of Development Rights is in the form of a negative easement, which shall run with the Property and shall bind the Grantors and any future owners of all or any portion of the Property. This Grant Deed is an agreement in writing affecting the title or possession of the Property.
4. **Development Restrictions.** Except for drainage structures, Grantors shall not construct permanent structures on any portion of the Property, and Grantors agree that no building permits or other permits shall be issued for the purpose of constructing such permanent structures on any portion of the Property. Grantors hereby waive and relinquish any rights they might otherwise have to such permits.
5. **Covenants Running With Land.** This Grant Deed shall be binding on the parties hereto and the provisions hereof shall be covenants running with the land and shall inure to the benefit of and be binding on the heirs, successors and assigns of the Grantors and County, all of the Property and all other parties having or acquiring any right, title or interest in any part of the Property.
6. **Remedies.** If Grantors violate any of the provisions hereof, the County shall be entitled to all rights and remedies available at law or in equity, including without limitation, an order enjoining the activity in violation hereof and an order requiring the removal of the improvements constructed in violation hereof. In addition, the County shall be entitled to an award

of all expenses incurred by the County in pursuing such violation(s), including costs, interest, attorney's fees and other litigation expenses.

IN WITNESS WHEREOF, this Grant Deed of Development Rights is signed and executed this 17<sup>th</sup> day of MAY, 2022.

GRANTEE

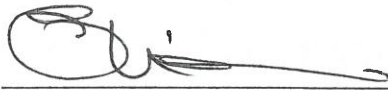
GRANTOR

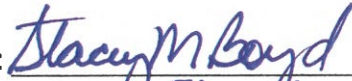
CONTRA COSTA COUNTY

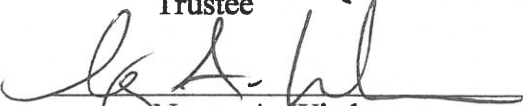
JEFFREY C. WIEDEMANN AND NANCY A. WIEDEMANN, TRUSTEES OF THE WIEDEMANN TRUST DATED JUNE 4, 1993, AND ANY AMENDMENTS THERETO

By:   
Chair, Board of Supervisors

Attest: Monica Nino, Clerk of the Board of Supervisors and County Administrator

  
Jeffrey C. Wiedemann  
Trustee

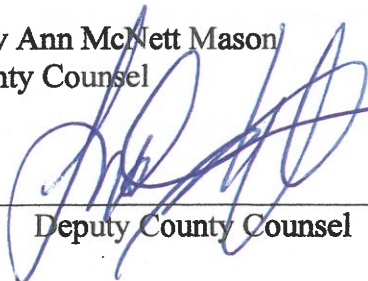
By:   
Deputy, Stacey M. Boyd

  
Nancy A. Wiedemann  
Trustee

Approved as to form:

Mary Ann McNett Mason  
County Counsel

[Note: All Property Owner signatures must be notarized.]

By:   
Deputy County Counsel

Attachments: Exhibit A (Legal Description)  
Exhibit B (Plat to Accompany Legal Description)  
Acknowledgment

**EXHIBIT 'A'**

**RESTRICTED DEVELOPMENT PARCEL (CREEK STRUCTURE SETBACK)  
LEGAL DESCRIPTION**

THAT CERTAIN REAL PROPERTY SITUATED IN SECTION 11, TOWNSHIP 2 SOUTH, RANGE 1 EAST, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN THAT CERTIFICATE OF COMPLIANCE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, ON JANUARY 6, 2000 RECORDER'S DOCUMENT NUMBER 2000-0106886-00, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

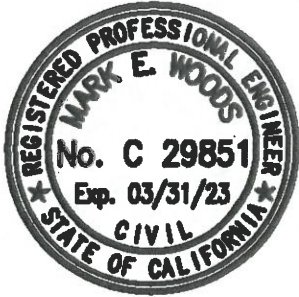
COMMENCING ON THE CENTER LINE OF THAT CERTAIN FORTY FOOT WIDE COUNTY ROAD KNOWN AS HIGHLAND ROAD AT HL-19 AS DELINEATED IN THE COUNTY PRECISE TRAVERSE H.P.2 4-59 ROAD NUMBER 6311 DATED 02-03-1977 AND PROCEEDING THENCE ALONG THE CENTERLINE OF SAID HIGHLAND ROAD NORTH 32° 01' 00" WEST, 228.25 FEET TO THE **POINT OF BEGINNING**; THENCE LEAVING SAID CENTERLINE OF HIGHLAND ROAD AND PROCEEDING THENCE SOUTH 79° 55' 43" EAST, 26.87 FEET; THENCE SOUTH 67° 48' 37" EAST, 343.91 FEET; THENCE SOUTH 78° 21' 50" EAST, 167.68 FEET; THENCE NORTH 78° 04' 14" EAST, 252.87 FEET; THENCE NORTH 86° 13' 20" EAST, 125.69 FEET; THENCE SOUTH 58° 34' 44" EAST, 147.69 FEET; THENCE SOUTH 70° 03' 12" EAST, 365.70 FEET; THENCE SOUTH 72° 41' 17" EAST, 329.70 FEET; THENCE NORTH 62° 26' 48" EAST, 79.40 FEET TO THE EASTERLY LINE OF SAID PARCEL; THENCE ALONG THE EASTERLY AND SOUTHERLY LINE OF SAID PARCEL SOUTH 17° 39' 18" WEST, 162.63 FEET; THENCE NORTH 78° 16' 12" WEST, 382.00 FEET; THENCE NORTH 62° 49' 12" WEST, 467.00 FEET; THENCE NORTH 89° 47' 12" WEST, 174.00 FEET; THENCE SOUTH 78° 00' 48" WEST, 238.00 FEET; THENCE NORTH 86° 02' 12" WEST, 178.00 FEET; THENCE NORTH 49° 14' 12" WEST, 160.60 FEET; THENCE SOUTH 81° 46' 48" WEST, 81.50 FEET TO THE CENTERLINE OF SAID HIGHLAND ROAD; THENCE ALONG THE CENTERLINE OF SAID HIGHLAND ROAD NORTH 32° 01' 00" WEST, 210.21 FEET TO THE **POINT OF BEGINNING**.

SAID RESTRICTED DEVELOPMENT PARCEL CONTAINS 4.75 ACRES, MORE OR LESS.

A PORTION OF APN 205-020-015.

BASIS OF BEARINGS TAKEN BETWEEN FOUND MONUMENTS HL-17 AND HL-19 IN HIGHLAND ROAD AS DELINEATED IN THE COUNTY PRECISE TRAVERSE H.P.2 4-59 ROAD NUMBER 6311 DATED 02-03-1977. BEARING TAKEN AS NORTH 48° 59' 51" WEST.

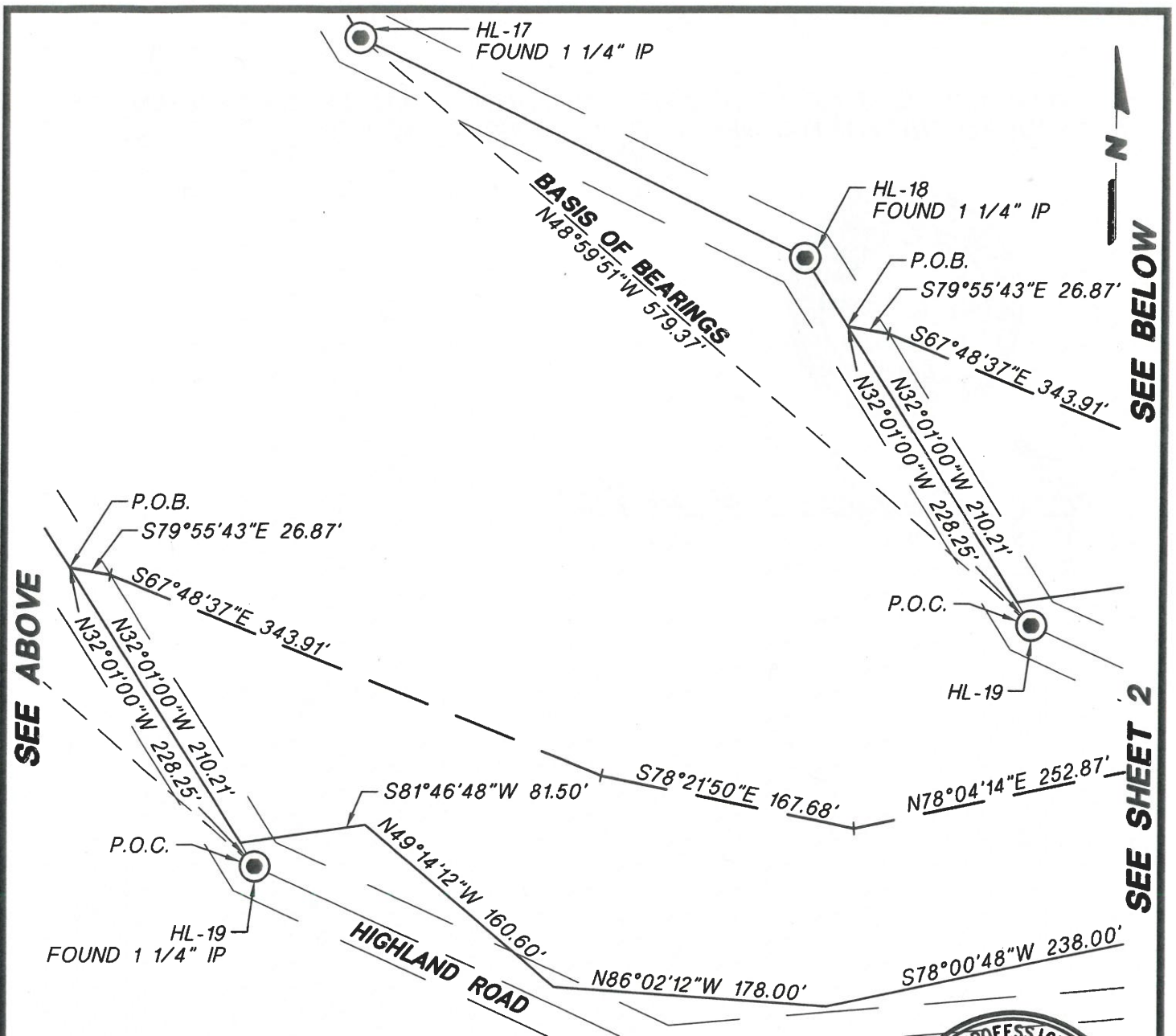
ATTACHED HERETO IS A PLAT ENTITLED EXHIBIT 'B' AND BY THIS REFERENCE IS MADE PART HEREOF FOR INFORMATIONAL PURPOSES ONLY.



*Mark E Woods* 10-26-2021

MARK E. WOODS  
R.C.E. 29851

DATED



SEE ABOVE

SEE BELOW

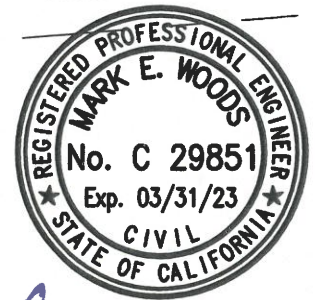
SEE SHEET 2

**LEGEND:**

- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

**BASIS OF BEARINGS:**

TAKEN BETWEEN FOUND MONUMENTS HL-17 AND HL-19 IN HIGHLAND ROAD AS DELINEATED IN THE COUNTY PRECISE TRAVERSE H.P.2 4-59, ROAD NO. 6311 DATED 02-03-1977. BEARING TAKEN AS N48°59'51\"/>

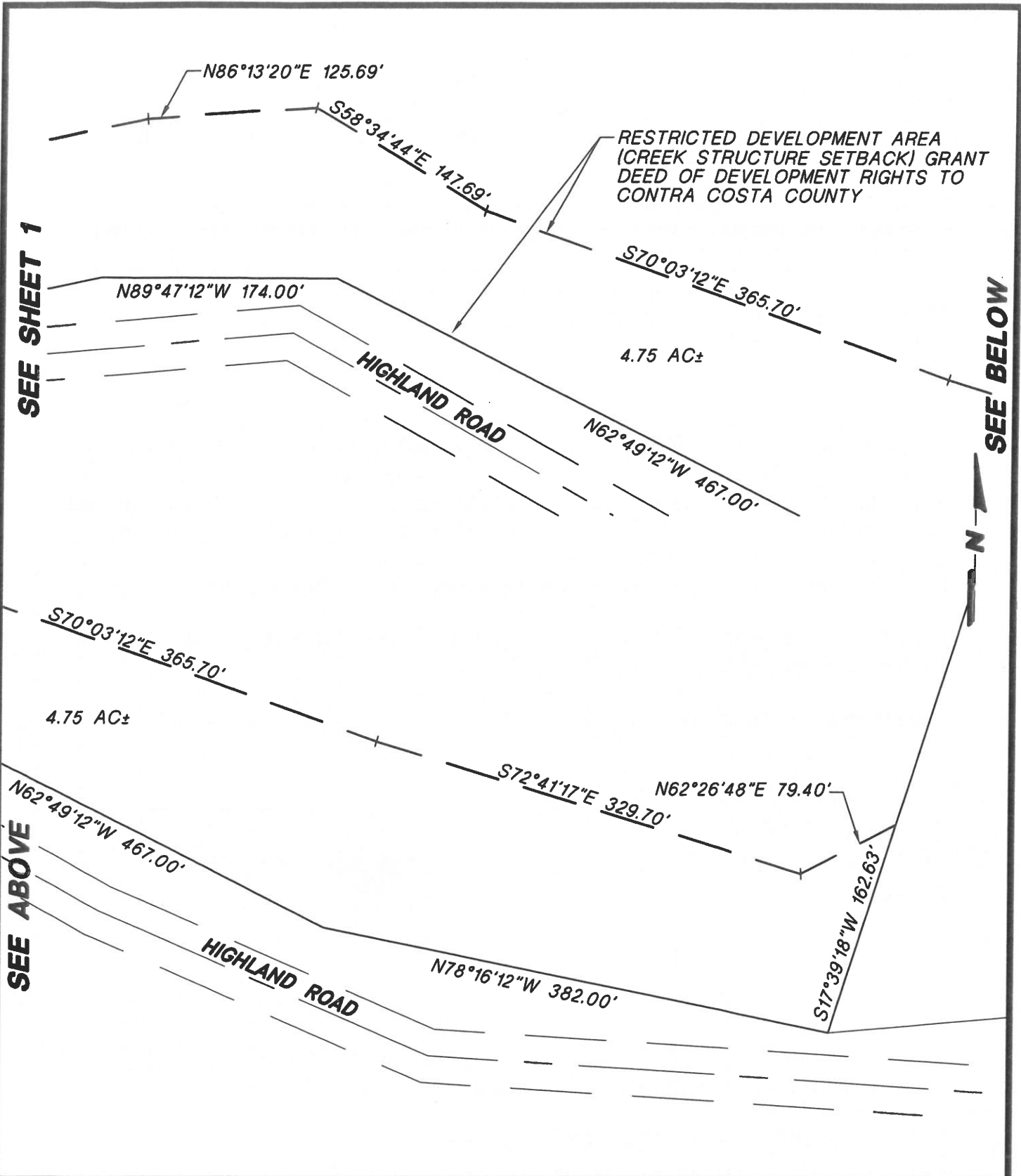


*Mark E. Woods* 10-26-2021  
 MARK E. WOODS DATE  
 R.C.E. 29851

DATE: 10-26-2021
SCALE: 1"=100'
SHEET
<b>1</b>
OF 2 SHEETS
PROJ. NO. 19022-20

**EXHIBIT 'B'**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**RESTRICTED DEVELOPMENT AREA**  
**APN 205-020-015**  
**CONTRA COSTA COUNTY, CALIFORNIA**

**P/A Design Resources, Inc.**  
 Planning • Engineering • Surveying  
3021 Citrus Circle, Suite 160  
 Walnut Creek, California 94598-2635 TEL (925) 210-9300



DATE: 10-26-2021  
 SCALE: 1"=100'  
 SHEET  
**2**  
 OF 2 SHEETS  
 PROJ. NO. 19022-20

**EXHIBIT 'B'**  
**PLAT TO ACCOMPANY LEGAL DESCRIPTION**  
**RESTRICTED DEVELOPMENT AREA**  
**APN 205-020-015**  
**CONTRA COSTA COUNTY, CALIFORNIA**

**P/A Design Resources, Inc.**  
 Planning • Engineering • Surveying  
3021 Citrus Circle, Suite 150  
 Walnut Creek, California 94698-2635 TEL (925) 210-8300



# CALIFORNIA ACKNOWLEDGMENT CERTIFICATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

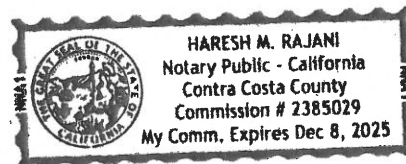
State Of: **California**  
County Of: **Contra Costa**

On April 20, 2022 before me, **Haresh M. Rajani**, Notary Public, personally appeared, Jeffrey C. Niedemann and Nancy A. Niedemann who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they executed the same in her/his/their authorized capacity(ies), and that by her/his/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

  
Signature: **Haresh M. Rajani**



*Seal*

Title of Document: Grant Deed of Development Rights

Total Number of Pages including Attachment: \_\_\_\_\_

Notary Commission Expiration Date: Dec. 8<sup>th</sup>, 2025

Notary Commission Number: 2385029





Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 17, 2022

**Subject:** Approve the Stormwater Management Facilities Operation and Maintenance Agreement for development plan permit DP18-03031, Walnut Creek area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2022/161 approving the Stormwater Management Facilities Operation and Maintenance Agreement for development plan permit DP18-03031, for a project being developed by Del Hombre Walnut Creek Holdings LLC, as recommended by the Public Works Director, Walnut Creek area. (District IV)

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Stormwater Management Facilities Operation and Maintenance Agreement is required by Condition of Approval No. 85.

**CONSEQUENCE OF NEGATIVE ACTION:**

The agreement will not be recorded and Contra Costa County may not be in full compliance with its National Pollutant Discharge Elimination System (NPDES) permit and Stormwater Management Discharge Control Ordinance.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022  
Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Larry Gossett, 925-313-2016

By: Stacey M. Boyd, Deputy

AGENDA ATTACHMENTS

Resolution No. 2022/161

Stormwater Management Facilities Operation & Maintenance Agreement and Right of Entry

MINUTES ATTACHMENTS

Signed: Resolution No. 2022/161

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA  
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 05/17/2022 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2022/161

IN THE MATTER OF approving the Stormwater Management Facilities Operation and Maintenance Agreement for development plan permit DP18-03031 (APN 148-170-051), Walnut Creek area. (District IV)

WHEREAS the Public Works Director has recommended that he be authorized to execute the Stormwater Management Facilities Operation and Agreement with Del Hombre Walnut Creek Holdings LLC, as required by the Conditions of Approval for development plan permit DP18-03031. This agreement would ensure the operation and maintenance of the stormwater facilities in accordance with the approved Stormwater Control Plan and approved Operation and Maintenance Plan for development plan permit DP18-03031, which is located at 112 Roble Road, and 3010, 3018, 3050, and 3070 Del Hombre Lane in the Walnut Creek area.

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Larry Gossett, 925-313-2016

By: Stacey M. Boyd, Deputy

cc: Larry Gossett- Engineering Services, Brian Louis- Engineering Services, Joshua Laranang- Engineering Services, Michelle Mancuso- Watershed Program, Flood Control, John Steere, Watershed Program, Flood Control, Renee Hutchins - Records, Karen Piona- Records, Catherine Windham, Flood Control, Del Hombre Walnut Creek Holdings, LLC

**Recording Requested By:  
COUNTY OF CONTRA COSTA**

**When Recorded, Return To:  
COUNTY OF CONTRA COSTA  
Contra Costa County Public Works Department  
Attn: County Watershed Program  
255 Glacier Drive  
Martinez, CA 94553**

---

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**Document Title**

**COUNTY OF CONTRA COSTA**

**COVENANT RUNNING WITH THE LAND,  
STORMWATER MANAGEMENT FACILITIES OPERATION  
AND MAINTENANCE AGREEMENT, AND RIGHT OF ENTRY**

**PROJECT: DP18-3031**

**PROPERTY OWNER(S): Del Hombre Walnut Creek Holdings LLC**

**ASSESSOR'S PARCEL NUMBER(S): 148-170-051**

**COVENANT RUNNING WITH THE LAND,  
STORMWATER MANAGEMENT FACILITIES  
OPERATION AND MAINTENANCE AGREEMENT,  
AND RIGHT OF ENTRY**

This Covenant Running with the Land, Stormwater Management Facilities Operation and Maintenance Agreement, and Right of Entry ("Agreement") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by and between Del Hombre Walnut Creek Holdings LLC and the County of Contra Costa, a political subdivision of the State of California.

**DEFINITIONS**

The following terms used in this Agreement have the meanings specified below:

**County:** The term "**County**" means the County of Contra Costa and its authorized officers, agents, and employees.

**County Engineer:** The term "**County Engineer**" means the Public Works Director for the County or his/her designee.

**Maintain:** The terms "**maintain,**" "**maintained,**" or "**maintenance**" mean taking all actions reasonably necessary to keep the Stormwater Facilities in first-class operation, condition, and repair, as described in the Stormwater Control Plan and the Operation and Maintenance Plan, which actions include but are not limited to annual inspection and reporting, painting, cleaning, refinishing, repairing, replacing, and reconstructing the Stormwater Facilities, the payment of any applicable County fees, and in the case of landscaping, plant replacement, mulch replacement, irrigating, trimming, mowing, and fertilizing the landscaping.

**NPDES Permit:** The term "**NPDES Permit**" means the National Pollutant Discharge Elimination System (NPDES) Permit No. CAS612008 issued to the County and other co-permittees by the San Francisco Regional Water Quality Control Board, as amended, and as may be superseded by subsequent NPDES permits that are issued from time to time.

**Operation and Maintenance Plan:** The term "**Operation and Maintenance Plan**" means the Stormwater Control Operation and Maintenance Plan for the Property prepared by BKF Engineers, and deemed consistent with the Ordinance by the County, which may only be modified when, upon written application for such changes, the County Engineer, in his/her sole discretion, provides written consent to such changes. The Operation and Maintenance Plan and any approved changes are on file at the County Public Works Department.

**Ordinance:** The term "**Ordinance**" means Division 1014 of Title 10 of the Contra Costa County Code (Stormwater Management and Discharge Control), as may be amended from time to time.

**Project:** The term "**Project**" means DP18-3031, which is being developed on the Property by the Property Owner.

**Property:** The term "**Property**" means that real property described in Exhibit A attached to this Agreement.

**Property Owner:** The terms "**Property Owner**" and "**Property Owners**" mean Del Hombre Walnut Creek Holdings LLC, and all heirs, successors, executors, administrators, and assigns of any interest in the Property, it being the intent of the parties that the obligations under this Agreement, as provided in Civil Code Section 1468, run with the Property.

**Stormwater Control Plan:** The term "**Stormwater Control Plan**" means the Stormwater Control Plan prepared by BKF Engineers, and deemed consistent with the Ordinance by the County, which may only be modified when, upon written application for such changes, the County Engineer, in his/her sole discretion, provides written consent to such changes. The Stormwater Control Plan and any approved changes are on file at the County Public Works Department.

**Stormwater Facilities:** The term "**Stormwater Facilities**" means the permanent stormwater management facilities and appurtenant design features located and constructed on the Property, as described in the Stormwater Control Plan and/or the Operation and Maintenance Plan.

## RECITALS

This Agreement is made and entered into with reference to the following facts:

- A. The Property Owner is the owner of the Property and intends to develop the Property with impervious surfaces.
- B. The County is the owner of a 239-foot section of the easterly portion of Del Hombre Lane, the northerly end of which is located near the northwesterly corner of the Property, and associated storm drains, and the County is required to ensure that stormwater runoff from the Property meets the requirements of the NPDES Permit.
- C. To meet its obligations under the NPDES Permit, the County has required the Property Owner to construct the Stormwater Facilities.
- D. To meet its obligations under the NPDES Permit, the County has approved the Property Owner's Operation and Maintenance Plan and the Stormwater Control Plan for the Stormwater Facilities.

- E. To meet the County's obligations under the NPDES Permit, the County's Ordinance requires proper operation and maintenance in perpetuity of the Stormwater Facilities constructed on the Property.
- F. The Operation and Maintenance Plan and/or the Stormwater Control Plan include an annual inspection and reporting requirement and a continuing maintenance requirement for the Stormwater Facilities constructed on the Property.

## **AGREEMENT**

**NOW, THEREFORE**, in consideration of the above premises, the sufficiency of which is acknowledged, the mutual covenants contained in this Agreement, and the following terms and conditions, the County and the Property Owner agree as follows:

### **SECTION 1**

**Responsibility for Operation and Maintenance:** The Property Owner represents and warrants that the Stormwater Facilities have been designed and installed in strict accordance with the Stormwater Control Plan, the Operation and Maintenance Plan, and the Ordinance. No portion of the Stormwater Facilities may be altered in any manner that is inconsistent with the Stormwater Control Plan or the Operation and Maintenance Plan without the prior, written consent of the County Engineer. The Property Owner shall continuously maintain the Stormwater Facilities in first-class operating condition, in strict accordance with the Stormwater Control Plan, the Operation and Maintenance Plan, and the Ordinance, and in compliance with all applicable federal, state, and local laws and regulations, as they may be amended from time to time.

The Property Owner shall engage a licensed landscape contractor or other licensed professional acceptable to the County Engineer to undertake the following maintenance activities on the Property, unless the Property Owner receives prior, written approval of an alternative method from the County Engineer:

1. Diagnosis and correction of the Stormwater Facilities malfunctions that cannot be corrected through routine maintenance,
2. Application of fertilizer and/or pest control products within, under, or above the Stormwater Facilities,
3. Repair of private drainage system (including rain gutters, downspouts, area drains, risers, inlets, outlets, overflows, clean-outs, connectors, earthen and concrete conveyance swales, check dam/retaining walls, and catch basins),
4. Maintenance of irrigation system that may affect stormwater reaching the Stormwater Facilities,
5. Modification of site topography through yard and driveway grading that may affect stormwater reaching the Stormwater Facilities,
6. Subdrain cleaning/replacement (including perforated drain pipe), and
7. Replacement of engineered soil and mulch.

The County Engineer may, at any time, revoke approval of an alternate method for the maintenance of the Stormwater Facilities and require the Property Owner to hire a licensed landscape contractor or other licensed professional acceptable to the County Engineer to undertake any of the activities mentioned in this section.

If a dispute should arise between the Property Owner with respect to the necessity for maintenance, the standard of maintenance, the contractor(s) to be engaged to perform any repair or maintenance work, or any other matters pertaining to the operation or maintenance of the Stormwater Facilities, the dispute may be submitted to the County Engineer, in which case the decision of the County Engineer shall be final.

The County recognizes that the Operation and Maintenance Plan may provide for the allocation of Property Owner responsibilities for the maintenance of Stormwater Facilities located on various Lots. However, regardless of the allocation of maintenance responsibilities, the Property Owner of each Lot is responsible for compliance with all of the obligations contained in this Agreement, and all Property Owners will be jointly and severally liable for failure to comply with the terms and conditions set forth in this Agreement and in the Ordinance.

The County may require the Property Owner to amend the Stormwater Control Plan and/or the Operation and Maintenance Plan whenever the County deems amendments necessary to maintain compliance with the NPDES Permit. In that case, the Property Owner shall have the amendments prepared by a licensed engineer and promptly submit the amendments to the County Engineer for review and approval. All amendments proposed by the Property Owner are subject to the prior, written approval of the County Engineer. Whenever the Property Owner requests amendments to the Stormwater Control Plan and/or the Operation and Maintenance Plan, the Property Owner shall pay the County in advance for all staff time spent reviewing and taking action with respect to such request, whether or not the County Engineer approves the proposed amendments. All approved amendments to the Stormwater Control Plan and the Operation and Maintenance Plan will be kept on file at the County Public Works Department. The Property Owner shall promptly comply with all requirements of the Stormwater Control Plan and the Operation and Maintenance Plan, including any approved amendments.

## **SECTION 2**

**Inspection by Property Owner:** The Property Owner shall inspect, at least annually, the Stormwater Facilities in accordance with this Agreement, including the requirements of the Operation and Maintenance Plan, the Stormwater Control Plan, and the Ordinance. The annual inspection shall include completion of the reporting form(s) required by the County, which form(s) will be provided annually to the Property Owner by the County. The Property Owner or a licensed landscape contractor or other licensed professional acceptable to the County Engineer must submit the reporting form(s) to the County Engineer no later than the deadline indicated on the form(s). Upon review, the County may require additional information from either the Property Owner or an appropriately-licensed contractor.



### SECTION 3

**Right of Entry and Stormwater Facilities Inspection by the County:** The Property Owner hereby grants permission to the County and its contractors and other agencies with an interest in the Stormwater Facilities, such as the Contra Costa County Flood Control and Water Conservation District, the Contra Costa Mosquito and Vector Control District, and the Regional Water Quality Control Board, to enter upon the Property at any reasonable time to inspect, assess, or observe the Stormwater Facilities for the purpose of ensuring that the Stormwater Facilities are being properly maintained and are continuing to perform in an adequate manner to protect water quality and the public health and safety. This includes the right to enter upon the Property whenever the County or other agency has a reasonable basis to believe that a violation of this Agreement, the Operation and Maintenance Plan, the Stormwater Control Plan, the Ordinance, or the NPDES Permit has occurred or is threatening to occur. It also includes the right for the County and its contractors to enter upon the Property to perform any maintenance or other obligations required of the Property Owner under this Agreement or to abate any nuisance in connection with the Stormwater Facilities. The County and the other agencies shall endeavor to provide reasonable notice to the Property Owner before entering the Property.

### SECTION 4

**Failure to Perform Required Stormwater Facilities Repairs or Maintenance by the Property Owner:** If the Property Owner fails to maintain the Stormwater Facilities in good working order and in accordance with the approved Operation and Maintenance Plan, the Stormwater Control Plan, and the Ordinance, the County, with prior notice, may enter the Property to return the Stormwater Facilities to good working order. The County is under no obligation to maintain or repair the Stormwater Facilities, and this Agreement may not be construed to impose any such obligation on the County. If the County, under this section, performs any work to return Stormwater Facilities to good working order, the Property Owner shall reimburse the County for all the costs incurred by the County, including administrative costs. The County will provide the Property Owner with an itemized invoice of the County's costs and the Property Owner will have 30 days to pay the invoice. If the Property Owner fails to pay the invoice within 30 days, the County may secure a lien against the Property in the amount of such costs. In addition, the County may make the cost of abatement of the nuisance caused by the failure to maintain the Stormwater Facilities a special assessment against the Property, which assessment may be collected on the tax roll in accordance with applicable law. This section does not prevent the County from pursuing other remedies against the Property or the Property Owner, including but not limited to those in the Ordinance and the nuisance abatement procedures in Division 14 of Title 1 (or successor provisions) of the Contra Costa County Ordinance Code.

If the Property Owner fails to maintain the Stormwater Facilities in accordance with this Agreement, the Operation and Maintenance Plan, the Stormwater Control Plan, or the Ordinance, the Property Owner shall be responsible for: (a) the costs of any code enforcement or nuisance abatement actions commenced by the County; and (b) the payment of, or reimbursement to the County for, any fines or penalties that may be levied against the County by the Regional Water Quality Control Board or any other regulatory agency, to the extent that the fines or penalties result from the Property Owner's failure to properly maintain the Stormwater Facilities. The County may recover such costs, fines, or penalties from the Property Owner in the same manner as provided in the preceding paragraph.

## SECTION 5

**Indemnity:** The Property Owner agrees to defend, indemnify, save, and hold harmless the County and its governing board from any and all demands, losses, claims, costs, suits, liabilities, and expenses for any property damage, personal injury, or death arising directly or indirectly from or connected with the design, construction, use, operation or maintenance of the Stormwater Facilities by the Property Owner or the presence or existence of the Stormwater Facilities on the Property, except for claims, costs, or liabilities resulting from the sole negligence or sole willful misconduct of the County. The Property Owner's obligations under this section shall include the payment of penalties, fines, attorneys' fees, experts' fees, costs, and litigation expenses, as well as liability for the release or existence of any hazardous materials on, under, or in the Property. If any action or proceeding is brought against any of the indemnitees, the Property Owner shall reimburse the indemnitees for any expenditures, including reasonable attorneys' fees and costs, incurred by the indemnitees and, if requested by any of the indemnitees, shall defend the action or proceeding at the Property Owner's sole expense with counsel reasonably acceptable to the indemnitees.

## SECTION 6

**Covenant Running with the Land:** The covenants of the Property Owner set forth above shall run with the land, and the burdens of the covenants shall be binding upon each and every part of the Property and upon the Property Owner and the Property Owner's successors and assigns in ownership (on any interest in the Property) for the benefit of a 239-foot section of the easterly portion of Del Hombre Lane, the northerly end of which is located near the northwesterly corner of the Property, and associated storm drains, and each and every part thereof. Said covenants shall inure to the benefit of and be enforceable by the County and its successors and assigns in ownership of each and every part of the above referenced road and storm drains.

## SECTION 7

**Severability:** Invalidation of any one of the provisions of this Agreement shall in no way affect any other provisions and all other provisions shall remain in full force and effect.

## SECTION 8

**No Dedication for Public Use:** The provisions of this Agreement shall not be construed to constitute a dedication for public use, either express or implied, and any actions by the County to enforce this Agreement, including without limitation code enforcement or nuisance abatement actions, shall not be deemed to involve the exercise by the County of dominion or control over the Stormwater Facilities or the Property.

## SECTION 9

**Notices:** All notices required by this Agreement or by law shall be in writing and shall be delivered in person or sent by certified mail, postage pre-paid.

Notices required to be given to the County shall be addressed as follows:

Contra Costa County Public Works Department  
Attention: County Watershed Program  
255 Glacier Drive  
Martinez, CA 94553

Notices required to be given to the Property Owner, including any heirs, successors, or assigns, will be sent to the mailing address for the Property Owner that is on file with the Contra Costa County Assessor. The Property Owner may request in writing that notices be sent to an additional address.

Any party may change its address or contact person by notice in writing to the other party and thereafter notices shall be addressed and transmitted to the new address and/or new contact person.

**SECTION 10**

**Effective Date and Modification:** This Agreement is effective upon the date stated at the beginning of this Agreement. This Agreement shall not be modified except by written instrument executed by the County and the Property Owner at the time of modification. Such modifications shall be effective upon the date of execution and shall be recorded.

**County of Contra Costa**


**Property Owner**

By: \_\_\_\_\_  
Brian M. Balbas, Public Works Director

By: 3000 Del Hombre Holdings LLC  
Managing Member, Del Hombre Walnut Creek  
Holdings LLC

RECOMMENDED FOR APPROVAL:

Brian M. Balbas, Public Works Director

By:   
Kathy K. Binford  
Vice President

By: \_\_\_\_\_  
Deputy Public Works Director

[Note: All Property Owner signatures must be notarized. If Property Owner is a California limited liability company, Property Owner must sign in accordance with one of the following: (1) Two managers may sign, but if the articles of organization indicate that the company is managed by only one manager, one manager must sign (Corp. Code, § 17703.01, subd. (d)); (2) subject to the articles of organization, two officers may sign, the first being the chairperson of the board, president or any vice president and the second being any secretary, any assistant secretary, the chief financial officer or any assistant treasurer (Corp. Code, § 17704.07, subd. (w)); or (3) subject to the articles of organization, if the company is not manager-managed, any member may sign. (Corp. Code, § 17703.01, subd. (a).]

APPROVED AS TO FORM:

Mary Ann McNett Mason  
County Counsel

By:   
Deputy County Counsel

Attachments: Exhibit A (Legal Description)  
Acknowledgment

H:\Public Works\WatershedProgram\OMAg.DP18-3031.2.9.22.docx



July 22, 2021  
BKF Job No. 180503-11

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

All that certain real property situate in the unincorporated area of Contra Costa County, State of California, and described as follows:

Parcel A, as said Parcel A is shown on the map entitled "Parcel Map, Subdivision M.S. 18-0010", filed February 9, 2021, in Book 217 of Parcel Maps, at Pages 14 through 17, inclusive, in the Office of the Recorder of Contra Costa County.

Containing an area of 2.400 acres, more or less.

By: Paul Kittredge  
Paul Kittredge, P.L.S No. 5790

Dated: 7/26/21



**ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of ~~California~~ Texas )  
County of Harris )

On February 21, 2022, before me, Tracy Boone

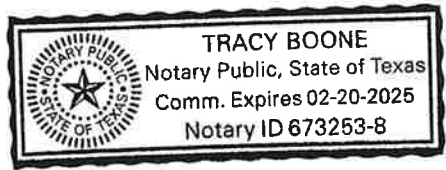
Notary Public, personally appeared Kathy K. Binford

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Tracy Boone  
Signature of Notary Public



(SEAL)

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA  
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 05/17/2022 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor

NO:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2022/161

IN THE MATTER OF approving the Stormwater Management Facilities Operation and Maintenance Agreement for development plan permit DP18-03031 (APN 148-170-051), Walnut Creek area. (District IV)

WHEREAS the Public Works Director has recommended that he be authorized to execute the Stormwater Management Facilities Operation and Agreement with Del Hombre Walnut Creek Holdings LLC, as required by the Conditions of Approval for development plan permit DP18-03031. This agreement would ensure the operation and maintenance of the stormwater facilities in accordance with the approved Stormwater Control Plan and approved Operation and Maintenance Plan for development plan permit DP18-03031, which is located at 112 Roble Road, and 3010, 3018, 3050, and 3070 Del Hombre Lane in the Walnut Creek area.

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

*Stacey M. Boyd*

By: Stacey M. Boyd, Deputy

Contact: Larry Gossett, 925-313-2016

cc: Larry Gossett- Engineering Services, Brian Louis- Engineering Services, Joshua Laranang- Engineering Services, Michelle Mancuso- Watershed Program, Flood Control, John Steere, Watershed Program, Flood Control, Renee Hutchins - Records, Karen Piona- Records, Catherine Windham, Flood Control, Del Hombre Walnut Creek Holdings, LLC



Contra  
Costa  
County

To: Board of Supervisors  
From: Greg Baer, Director of Airports  
Date: May 17, 2022

**Subject:** APPROVE AND AUTHORIZE TERMINATION OF TIEDOWN PERMIT

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Director of Airports to terminate the Tiedown Permit with Igor Sheyman. AUTHORIZE County Counsel to pursue legal action. (Byron Area)

**FISCAL IMPACT:**

There is no negative impact on the General Fund. The Airport Enterprise Fund will cover the cost of any legal action.

**BACKGROUND:**

On April 29, 2020, the County entered into a Tiedown Permit (Permit) with Igor Sheyman (Tenant) for use of tiedown EE-06, which is located at Byron Airport. Because of his failure to pay rent in full, Tenant is currently in default under the Permit.

A Termination letter was mailed to Tenant on April 27, 2022. The letter informed Tenant that to avoid termination of the Agreement, payment in full of all past due rents and fees be delivered to the County by Friday, May 6, 2022.

Airport staff is requesting authority to terminate the Permit and to pursue legal action against Tenant through County Counsel. Such actions are consistent with adopted Airport policies.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, 925-681-4200

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Failure to terminate the Agreement and pursue legal action against Tenant would result in the Airport being unable to enforce adopted Airport policies and procedures.





Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 17, 2022

**Subject:** APPROVE the Walnut & Grayson Creeks Desilting Project and take related actions under CEQA, Concord, Pacheco, Pleasant Hill, and Vine Hill areas.

---

**RECOMMENDATION(S):**

APPROVE the Walnut & Grayson Creeks Desilting Project (Project) and AUTHORIZE the Chief Engineer, or designee, to advertise the Project, Concord, Pacheco, Pleasant Hill, and Vine Hill areas. [Project No. WO#8334] DCD-CP#21-29 (Districts IV and V), and

FIND, on the basis of the whole record, including the proposed Initial Study/Mitigated Negative Declaration and any comments received and staff responses thereto, that there is no substantial evidence the Project may have significant effect on the environment, and that the Mitigated Negative Declaration reflects the independent judgment and analysis of the lead agency, Contra Costa County (County).

ADOPT the Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program for the Project.

SPECIFY that the Contra Costa County Public Works Director is the custodian of the documents and other material that constitute the record of proceedings upon which the Board’s decision is based, and that the record of proceedings is located at 255 Glacier Drive, Martinez, CA.

DIRECT the Director of Conservation and Development, or designee, to file a Notice of Determination with the County Clerk, and,

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

- AYE: John Gioia, District I Supervisor  
 Candace Andersen, District II Supervisor  
 Diane Burgis, District III Supervisor  
 Karen Mitchoff, District IV Supervisor  
 Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022  
 Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Alex Nattkemper, 925.313.2364

cc:

RECOMMENDATION(S): (CONT'D)

AUTHORIZE the Chief Engineer, or designee, to arrange for payment of \$2,548.00 for California Department of Fish and Wildlife fees, a \$50 fee to the County Clerk for filing the Notice of Determination, and a \$25 fee to Department of Conservation and Development for processing.

FISCAL IMPACT:

Estimated Project cost: \$11,910,000. (100% Zone 3B Funds)

BACKGROUND:

The purpose of this Project is to remove sediment from Walnut and Grayson Creeks that has accumulated since the last desilt operation in 2006. This work is part of periodic maintenance of these channels as required by the U.S. Army Corps of Engineers. The proposed desilt locations are as follows: Grayson Creek from Chilpancingo Parkway to Imhoff Drive; and Walnut Creek from approximately 1,200 feet downstream of Diamond Boulevard to approximately 1,300 feet downstream of Concord Avenue. A total of about 172,300 cubic yards of sediment will be removed. Work is anticipated to occur from April to October for two consecutive years, starting in 2023.

CONSEQUENCE OF NEGATIVE ACTION:

Delay in approving the project may result in a delay of design, construction, and may jeopardize funding, in addition to an increased risk of flooding and property damage.

ATTACHMENTS

CEQA Final MND and MMRP

Comment Letters & Responses

CEQA Draft MND and MMRP

CEQA ENVIRONMENTAL CHECKLIST FORM (REVISED JANUARY 7, 2019)

1. **Project Title:** Walnut and Grayson Creeks Desilting Project
2. **Lead Agency Name and Address:** Contra Costa County  
Department of Conservation and Development  
30 Muir Rd.  
Martinez, CA 94553
3. **Contact Person and Phone Number:** Alex Nattkemper (925) 313-2364
4. **Project Location:** The Project is located in unincorporated Contra Costa County, the City of Concord, and the City of Pleasant Hill (Figure 1).
5. **Project Sponsor's Name and Address:** Contra Costa County Flood Control and Water Conservation District  
255 Glacier Drive  
Martinez, CA 94553
6. **General Plan Designation:** Open Space, Public/Semi-public
7. **Zoning:** Open Space (Concord), Retail Business (Pleasant Hill), Heavy Industrial, Light Industrial, Mobile Home/Manufactured Home Park, Retail Business, and Single Family Residential (Unincorporated County)

8. **Introduction:**

In 1965 and 1963, the U.S. Army Corps of Engineers conducted a project to engineer Walnut and Grayson Creeks respectively to reduce flood risks to the surrounding land uses and support development of the area. After completion, responsibility for operation and maintenance of the channels was turned over to the Contra Costa County Flood Control and Water Conservation District (District). During normal flows and the rise and fall of the water level in the rainy season, sediment from the upper watershed travels in the water and eventually settles out forming sediment bars on either side of the flowing channel sometimes referred to as the low flow channel. The low flow channel is the part of the creek that continues to flow during the non-rainy season. Ultimately, vegetation grows on the sediment bars that flood periodically as the water level rises and falls creating more valuable vegetation communities such as wetlands and marshes, as well as less valuable vegetation communities including ruderal (weedy) vegetation. Ruderal vegetation typically develops on the highest portion of the silt bars that get the least amount of water. These sediment bars and resulting vegetation take up space in the channel and reduce the space for water to flow, which reduces the capacity of the channels to hold water between the banks, increasing the chance for flooding. Thus, periodic removal of deposited sediment (desilting) is necessary to restore capacity in the creek channels. Low flow channel and flowing channel are used interchangeably in this document as well as desilting and sediment removal, and creek and channel.

## **Description of Project:**

The purpose of this Project is to remove sediment from Walnut and Grayson Creeks that has accumulated since the last desilt operation in 2006. This work is part of periodic maintenance of these channels as required by the U.S. Army Corps of Engineers. In their current state, the hydraulic capacity of both channels is reduced from the design capacity due to siltation. The hydraulic function of these channels is critical to the operations of the District facilities in the area, and this Project will help regain the hydraulic capacity of both channels. During project planning, four different alternatives were considered: 1) do nothing, 2) raise the levees and build floodwalls, 3) desilt the channels indiscriminately, or 4) selective desilting, which was the option chosen for this Project.

The proposed desilt locations are as follows:

- Grayson Creek from Chilpancingo Parkway to Imhoff Drive
- Walnut Creek from approximately 1,200 feet downstream of Diamond Boulevard to approximately 1,300 feet downstream of Concord Avenue

These reaches were chosen due to their cost-effectiveness and ability to provide the most flood risk reduction in high-priority areas of Concord, Pleasant Hill, Pacheco, and Vine Hill while minimizing impacts to Environmentally Sensitive Areas (ESAs) such as wetlands and marshes. The channels in these reaches were divided into regions for desilting, termed sediment bars (see Figure 2), which represent areas that are most beneficial to hydraulic capacity and least impactful to ESAs.

In order to minimize environmental impacts, ESAs were identified along Walnut and Grayson Creeks via a thorough set of procedures. Using LiDAR data from a 2018 drone survey, the lowest points of the channel were identified and highlighted for investigation as potential ESAs. Aerial photos on Google Maps (taken during the dry season in October 2017) were used to locate the banks of the channel and vegetation patches (greenery). The assumption was that areas of greenery must have available water and could contain ESAs. A 2-foot buffer was established around the low flow channel to minimize impacts to the flowing channel. In addition, District staff performed site investigations in September 2019 to evaluate channel conditions. Following the ESA delineation by biological consultant Nomad Ecology, the "Ordinary High Water Mark" (OHWM) was used to determine the extent of the low flow channel around which the 2-ft buffer was redrawn. The OHWM is a technical term for the physical indicators of the typical water level. Open water/freshwater marshes were also included as ESAs. The flowing channel will be avoided completely. Other ESAs will be avoided to the extent feasible.

The vertical limit of sediment removal will be to the original designed geometry of the channels, derived from the as-built plans (see Figure 3). There is approximately 2 to 7 feet of sediment to be removed on each of the sediment bars contributing to about 172,300 cubic yards (cy); 129,800 cy from Walnut Creek and 42,500 cy from Grayson Creek. The sediment removal activities will take place within District right-of-way.

Some large sediment bars were divided into smaller segments. The sediment bars were then divided into Rank 1 and Rank 2 sediment bars based on flood risk reduction. The Project currently has enough funding to desilt both Rank 1 and 2 sediment bars (known as the Large Desilt), with the potential of reducing the Project to exclude Rank 2 sediment bars if desilting costs come in high. The analysis in this document assumes the Large Desilt and therefore covers the greatest impact. The extent of the Large Desilt includes all the locations noted above. In contrast, the Small Desilt includes the following: Grayson Creek from 2nd Avenue South to SR-4, and Walnut Creek from approximately 1,700 feet downstream of Diamond Boulevard to approximately 300 feet downstream of Concord Avenue.

The current plan for the excavated material from Walnut Creek entails transporting it to the nearby Marathon Refinery and stockpiling the sediment in an upland location. The sediment from Grayson Creek will be disposed at the nearest permitted landfill. If Marathon Refinery cannot accept the Walnut Creek sediment, and another user cannot be identified, it will be properly managed and disposed of at an appropriate permitted landfill.

Nine bridges cross the Project area: Imhoff Drive, State Route 4, Interstate 680, Pacheco Boulevard, Center Avenue, 2nd Avenue South, Chilpancingo Parkway, Concord Avenue, and the Iron Horse Regional Trail. Trucks carrying sediment will be using surrounding city roads to access the identified sediment receiving sites. A staging area for trucks will not be necessary since they will be travelling in and out of the Project site. Other vehicles and equipment will be staged in the work area on levee access roads adjacent to the creeks.

Differences between the two creek locations will be accommodated through modifications to the sediment removal process and types of equipment used. Work along Grayson Creek, which has a rather narrow channel, is likely to move slower as a long armed excavator is planned to remove sediment from the top of bank. Along Walnut Creek and in some areas of Grayson Creek, an excavator will likely be positioned on sediment bars directly via access ramps where sediment bars are wide enough to allow equipment to operate. In these areas, temporary earthen ramps for equipment will be constructed on the banks, and removed following project completion. Soil for the access ramps will be collected from the sediment bars to be desilted via a long armed excavator positioned at the top of bank. In total, 16 access points (three for Walnut Creek, 13 for Grayson Creek) and 14 temporary access ramps (three for Walnut Creek, 11 for Grayson Creek) are anticipated. The quantity of material to be used for an access ramp is anticipated to be 340 cy, and the ramp will extend from the top of the trapezoidal channel into the sediment bars. The dimensions of the ramps will be approximately 15 feet wide by 170 feet long with 1V:3H side slopes, and some additional fill possibly needed for flaring the ramps at their ends to avoid wetlands. The access ramps will terminate near the toe of the creek bank, above both the OHWM and the water level of the dry season. Some adjustments may be needed due to field conditions; however, any impacts would be similar to those already discussed in this document. Anticipated locations of access ramps are shown on Figure 2. A biologist will go into the field before desilting starts and flag wetland areas so they can be avoided during construction

of the temporary ramps as much as possible. Temporary wetland crossing mats also may be installed to facilitate additional access for the movement of equipment if needed.

Access to Walnut Creek north of Concord Avenue is expected to be from underneath the Concord Avenue and Iron Horse Regional Trail bridges, with construction vehicles and equipment driving down the creek along designated haul routes that will be established for the Project. Between 1 to 3 feet of sediment will be removed beneath the bridges in order to provide sufficient clearance.

Work is proposed to occur from April to October of two consecutive years expected to start in ~~2022~~2023 such that only one side of the channel is desilted each year minimizing impacts to the ESAs. The contractor is anticipated to work sequentially on the channels, desilting each of them separately, with a single crew using all the equipment to complete work on one side before proceeding with the next. The estimated duration of Project work is a total of 192 days spent over two seasons (96 days per season). All ESAs in the vicinity will be separated from the work by a temporary fence or flagging, with an additional 2-foot berm buffering the creek channel from excavation. After desilting, the disturbed areas at all Project sites will be reseeded with a mixture of native plants. Prior to the rainy season, cuts will be made intermittently in the berm so that the flow of water will naturally erode the barrier following desilting activities. This will prevent ponding of water in desilted areas. The District is the Project applicant; however, the Project will be assigned to Contra Costa County Public Works Department's (CCCPWD) Design/Construction Division for Project implementation.

## 9. Surrounding Land Uses and Setting:

In the Project area, Grayson Creek is bordered by development on all sides, and is highly altered and disturbed. North of Pacheco Boulevard, the surrounding land uses are residential, industrial and commercial areas such as a quarry, a sanitary treatment plant, self-storage facilities, and a mobile home park. South of Pacheco Boulevard, the Project area is bordered by single-family residential neighborhoods to the west and shopping centers to the east. Gravel access roads run along the majority of Grayson Creek in the Project area. Seven bridges cross Grayson Creek in the Project area.

Within the Project area, Walnut Creek is also bordered by industrial and commercial uses including Buchanan Field Airport, auto dealerships, business parks, a waterslide park and a large home improvement store. The Iron Horse Regional Trail, a paved multi-use public trail, runs along the east side of Walnut Creek north of Concord Avenue and west of the channel south of Concord Avenue.

Grayson Creek north of 2nd Avenue is treeless and characterized by steep banks containing ruderal/non-native grassland vegetation. South of 2nd Avenue, scattered trees separate the channel from adjacent residential communities and commercial shopping centers. The trees include both native and non-native species. Walnut Creek is treeless for the entire length that is

in the Project area, with the exception of scattered trees that are planted along the Iron Horse Regional Trail adjacent to buildings.

**10. Other public agencies whose approval is required (e.g., permits, financing, approval, or participation agreement):**

U. S. Army Corps of Engineers (USACE), San Francisco Bay District of the Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW). Coordination and/or approval from the City of Concord and the City of Pleasant Hill may be needed.

**11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

Wilton Rancheria submitted a general request letter to be notified of Projects within Contra Costa County under Assembly Bill (AB) 52. The CCCPWD Environmental Division initiated contact with Wilton Rancheria on February 18, 2020 regarding the Project. No request for consultation nor information about potential resources was received from the tribe. No response was received from Wilton Rancheria within 30 days of receipt of this formal notification, therefore no AB52 consultation was initiated, as per California PRC section 21080.3.1(b).

### Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources    | <input checked="" type="checkbox"/> Cultural Resources      | <input type="checkbox"/> Energy  |
| <input checked="" type="checkbox"/> Geology/Soils           | <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Hazards & Hazardous Materials                 |
| <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning                  | <input type="checkbox"/> Mineral Resources                             |
| <input checked="" type="checkbox"/> Noise                   | <input type="checkbox"/> Population/Housing                 | <input type="checkbox"/> Public Services                               |
| <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation                     | <input checked="" type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities/Services Systems         | <input checked="" type="checkbox"/> Wildfire                | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

### Environmental Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Telma Moreira  
Principal Planner  
Contra Costa County  
Department of Conservation & Development  
30 Muir Rd.  
Martinez, CA 94553

Date



Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>1. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

a) *Would the project have a substantial adverse effect on a scenic vista?*

According to the Contra Costa County General Plan 2005-2020 (General Plan), the County has two main scenic resources in addition to many localized scenic features: (1) scenic ridges, hillsides, and rock outcroppings; and (2) the San Francisco Bay/Delta estuary system (Contra Costa County 2005a).

The closest scenic ridgeline identified on Figure 9-1 of the General Plan is located approximately 2 miles southeast of the Project. Views of Mount Diablo and rolling hills are visible in the distance from some Project locations, particularly in the northernmost area to be desilted near Imhoff Drive, but views are obscured by urban development for Project areas further south. The Project will not have a substantial adverse effect on any scenic vista because it is limited to sediment removal from the channels and no modifications to a scenic vista or structures that might block a scenic vista are proposed.

Desilting activities will be visible to residents living adjacent to Grayson Creek in areas adjacent to Buchanan Airport, and south of Pacheco Boulevard. However, the work is temporary and is not expected to cause significant aesthetic impacts. The remainder of land use in the Project area is largely industrial and commercial. All disturbed areas will be seeded with a seed mix that includes native grasses and vegetation species. Following

the work, the Project site is expected to return to a similar vegetated appearance eventually returning to a pre-Project vegetated condition. The Project will not block or change views in any directions. Therefore, the Project will have **no impact**.

- b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?*

The Project is not located within a state scenic highway (Caltrans 2019). Although work will occur directly adjacent to a portion of State Route 4 that has been designated a scenic highway by the General Plan (Figure 5-4; Contra Costa County 2005b), the Project will not damage any scenic resources such as trees or rock outcroppings. All disturbed areas will be hydroseeded with a seed mix that includes native grasses and vegetation species. Following the work, the Project site is expected to return to a similar vegetated appearance eventually returning to a pre-Project vegetated condition. Therefore, the Project will have **a less than significant impact**.

- c) *In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

The Project is located in the cities of Concord and Pleasant Hill and in the unincorporated areas of Pacheco and Vine Hill. These are urban areas. The applicable governing document for scenic quality in Concord is the Land Use Element of the Concord 2030 General Plan (Concord 2005). Scenic vistas within the City of Concord are not identified in their general plan, but there are policies related to the preservation of visible hillside and open space areas (General Plan Policy LU-1.1.9) and development and design standards related to viewshed protection in hillside areas, open space preservation, grading impacts, and height and massing of structures (General Plan Principle LU-11.1: Protect Ridgelines and Visible Hillsides).

The applicable governing document for visual quality in Pleasant Hill is the Community Development Element of the General Plan 2003 (Pleasant Hill 2003). A long-term goal in the Pleasant Hill General Plan (Community Development Program 9.5) is the following: "Consider an ordinance to identify and protect significant views of vistas and open space."

The applicable governing document for Pacheco and Vine Hill is the Contra Costa County General Plan described above in Section 1.a. According to the County's General Plan Land Use Element Map, the land use for most of the Grayson Creek within the Project area is designated as Public/Semi-Public, while a small portion at the northern end of the Project

near the confluence with Walnut Creek is considered Open Space. All of Walnut Creek within the Project area is designated as Open Space on the County's General Plan Land Use Element Map. In addition, both Walnut Creek and Grayson Creek are designated as Open Space on the General Plan Land Use Maps for the cities of Concord and Pleasant Hill, respectively.

Public views of the channels are available throughout the Project area. Gravel access roads run along the majority of Grayson Creek in the Project area, although only the section that runs between Pacheco Boulevard and Center Avenue is designated as a public walking path and is part of a linear feature named Pacheco Creekside Park. Publicly accessible vantage points are located along the entirety of Walnut Creek within the Project area. The paved Iron Horse Regional Trail parallels the east side of Walnut Creek north of Concord Avenue and the west side of the creek south of Concord Avenue.

The Project will not conflict with any of the general plans because the Project is limited to sediment removal along two existing creeks, which will result in temporary change to the way desilted portions of the creeks look but will not substantially alter their visual character or quality of public views of the creeks.

Currently the views of both creeks consist of scattered vegetation and a low flow channel. After the work, there will be more views of the water and less vegetation. All temporarily impacted areas along the banks will be restored by reseeding with native species. Eventually, vegetation will reestablish and grow back similar to the existing conditions and thus, the change in vegetation will be temporary. Ultimately, the views are of a creek channel and will continue to be of a creek channel as the sediment and vegetation removal will not affect the overall appearance or character of the area. Therefore, Project impacts will be **less than significant**.

- d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

The Project will not create a new permanent source of light or glare that would adversely affect day or nighttime views. No reflective surfaces or lights will be installed by the Project. Desilting activities are expected to take place during the daylight hours only and are not expected to occur at night and thus, supplemental lights will not be necessary. Therefore, Project impacts will be **less than significant**.

### Sources of Information

California Department of Transportation (Caltrans 2019). 2019. *List of eligible and officially designated Scenic Highways*. Website: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed August 6, 2021.

Concord. 2005. *2030 General Plan*. Chapter 3. Land Use. Planning Division, Concord, CA. (Concord 2005). Website: <https://www.cityofconcord.org/463/2030-General-Plan>. Accessed August 6, 2021.

Contra Costa County. (Contra Costa County 2005a, b). 2005. *Contra Costa County General Plan 2005-2020*. Contra Costa County Community Development Department. Martinez, CA. Website: <https://www.contracosta.ca.gov/4732/General-Plan>. Accessed August 6, 2021.  
2005a: Chapter 9. Open Space Element  
2005b: Chapter 5. Transportation and Circulation Element

Pleasant Hill. 2003. *General Plan 2003*. Community Development Element. Planning Division, Pleasant Hill, CA. (Pleasant Hill 2003). Website: <https://www.pleasanthillca.org/132/Current-General-Plan>. Accessed August 6, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>2. AGRICULTURAL AND FOREST RESOURCES – Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The Project will not affect any locally or statewide important farmland. According to the California Department of Conservation Farmland Mapping and Monitoring Program (DOC 2016), there is no farmland in the Project area and is not currently used for agricultural purposes. Since the area immediately adjacent to the Project consists of roadways and residential, commercial, and industrial properties, the entire Project area is designated as Urban and Built-Up Land. Therefore, the Project will have **no impact**.

- b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

There is no farmland in the Project area. Therefore, the Project will have **no impact**.

- c) *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g) or conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?*

There is no forestland, or land zoned for timberland production in the Project area. Therefore, the Project will have **no impact**.

- d) *Would the project involve or result in the loss of forest land or conversion of forest land to non-forest use?*

There is no forestland, or land zoned for timberland production in the Project area. Therefore, the Project will have **no impact**.

- e) *Would the project involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?*

There is no farmland in the Project area. Therefore, the Project will have **no impact**.

### **Sources of Information**

California Department of Conservation (DOC 2016). 2016. Division of Land Resource Protection, Farmland Mapping and Monitoring Program. 2016. Contra Costa County Important Farmland. Website: <https://www.conservation.ca.gov/dlrp/fmmp/Pages/ContraCosta.aspx>. Accessed August 6, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3. AIR QUALITY – Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The information below comes from the June 2021 Air Quality & Greenhouse Gas Impact Assessment on the Project by AMBIENT Air Quality & Noise Consulting.

**SUMMARY:**

- a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

The proposed Project is located within the San Francisco Bay Area Air Basin (SFBAAB) and within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The BAAQMD is responsible for ensuring that state and federal ambient air quality standards are not violated within the SFBAAB. The BAAQMD prepared the 2017 Clean Air Plan (CAP) to address nonattainment of the national and state ozone standards in the SFBAAB. The 2017 CAP also serves as a multi-pollutant air quality plan to protect public health and the climate. BAAQMD recommends that consistency with the 2017 CAP be evaluated based on the following criteria:

- Does the project support the primary goals of the air quality plan?
- Does the project include applicable control measures from the air quality plan? and
- Does the project disrupt or hinder implementation of any 2017 CAP control measures?

If all the questions are concluded in the affirmative, the BAAQMD considers the Project to be consistent with the CAP. If the Project would not result in significant and unavoidable air quality impacts after the application of mitigation, then the Project would be considered consistent with the 2017 CAP. BAAQMD-recommended thresholds of significance for short-term activities are summarized in Table 1 (AMBIENT 2021).

As noted in Subsection (b) below, the Project would not result in new long-term operations-related emissions. Furthermore, with mitigation, the Project would not result in significant increases of short-term emissions that would exceed BAAQMD significance thresholds. No 2017 CAP control measures are directly applicable to the Project and no mitigation is required. Therefore, implementation of the proposed Project would not conflict with or obstruct implementation of the 2017 CAP. This impact is considered **less than significant**.

**Table 1. Summary of BAAQMD Thresholds of Significance for Short-term Activities**

Pollutant	Threshold of Significance
Criteria Air Pollutants & Precursors	
ROG:	54 lbs./day
NO <sub>x</sub> :	54 lbs./day
CO:	--
PM <sub>10</sub> (exhaust)*:	82 lbs./day
PM <sub>2.5</sub> (exhaust)*:	54 lbs./day
PM <sub>10</sub> /PM <sub>2.5</sub> (fugitive dust):	Best Management Practices
Risk and Hazards for New Sources and Receptors	Same as Operational Thresholds
Odors	None
* Applies to short-term/construction exhaust emissions only. CO = carbon monoxide lbs./day = pounds per day NO <sub>x</sub> = oxides of nitrogen PM <sub>2.5</sub> = particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less PM <sub>10</sub> = particulate matter with an aerodynamic resistance diameter of 10 micrometers or less ROG = reactive organic gases SO <sub>2</sub> = sulfur dioxide	

- b) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

Implementation of the proposed Project would not result in long-term activities or the installation of new emission sources that would result in long-term increases in emissions. Increases in emissions would be short-term and of temporary duration, lasting only as long as the desilting activities occur. Emissions of ozone-precursor pollutants such as reactive organic gases (ROG) and NO<sub>x</sub> (oxides of nitrogen) would be primarily associated with the use of off-road equipment (e.g., excavators, tractors, loaders), on-road vehicles



used for worker commute to and from the site, and on-road haul truck trips. Emissions of particulate matter (PM) would be largely associated with desilting activities and the movement of vehicles and equipment on unpaved surfaces.

Short-term emissions associated with the proposed Project are summarized in Table 2. Modeling assumed use of construction equipment that meet Tier 3 emission standards. As shown in Table 2, maximum daily emissions would total approximately 1.3 lbs./day of ROG, 28.8 lbs./day of NO<sub>x</sub>, 1.2 lbs./day of PM<sub>10</sub> and 0.5 lbs./day of PM<sub>2.5</sub>. Daily emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> would not exceed BAAQMD's significance thresholds. The BAAQMD recommends implementing basic construction measures for all projects regardless of emissions. The Project will implement these measures. Therefore, to further reduce emissions, implementation of **Best Management Practice AQ-1** and **Mitigation Measure AQ-2** would include BAAQMD-recommended measures for the control of short-term emissions.

**Table 2. Short-term Emissions of Criteria Air Pollutants without Mitigation**

Year	Emissions (lbs./day)			
	ROG	NO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<u>2022/2023</u>				
On-Site Activities:	0.7	6.2	0.4	0.3
Off-Site Activities:	0.5	22.6	0.8	0.2
<b>Total:</b>	1.3	28.8	1.2	0.5
<u>2023/2024</u>				
On-Site Activities:	0.7	5.5	0.4	0.2
Off-Site Activities:	0.4	17.4	0.8	0.2
<b>Total:</b>	1.1	22.9	1.2	0.4
Maximum Daily Emissions <sup>1</sup> :	1.3	28.8	1.2	0.5
BAAQMD Significance Threshold <sup>2</sup> :	54	54	82	54
Exceeds Threshold/Significant Impact?	No	No	No	No
1. Based on the highest daily emissions without the implementation of fugitive dust control measures. 2. On-site activities include desilting work along the channel using off-road vehicles. Off-site activities include worker, vendor, and haul-truck trips using on-road vehicles.				

**BEST MANAGEMENT PRACTICE AQ-1:**

To further reduce emissions, the Project will incorporate the recommended BAAQMD basic construction measures that apply to the Project.

**BEST MANAGEMENT PRACTICE AQ-1** The following BAAQMD-recommended "Basic Construction Mitigation Measures" shall be implemented for the control of short-term emissions, including fugitive dust and off-road equipment emissions:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All off-road equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**IMPACT AQ-2:**

Without use of construction equipment meeting Tier 3 emission standards, Project emissions may exceed BAAQMD thresholds of significance.

**MITIGATION MEASURE AQ-2:**

The following measures shall be implemented to reduce construction-generated emissions:

- Idling of diesel-powered off-road equipment shall be limited to a maximum of two minutes when not in use. When not in use, diesel-powered off-road equipment shall not be allowed to idle when located within 1,000 feet of sensitive land uses (e.g., residential dwellings, daycare facilities, schools). When not in use, idling of diesel-powered on-road haul trucks shall be prohibited. Signs shall be posted at the project site entrance to remind equipment operators of idling limitations.
- The Project shall require off-road heavy-duty equipment (50 horsepower, or greater) to meet Tier 3 emission standards.
- To the extent locally available, use on-road heavy-duty trucks that meet year 2007, or cleaner, certification standards for on-road heavy-duty diesel engines.

With implementation of **Mitigation Measures AQ-1** and **AQ-2** impacts would be considered **less than significant with mitigation incorporated**.

c) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

With regard to public health and welfare, both the U.S. Environmental Protection Agency (EPA) and the State of California have developed Ambient Air Quality Standards (AAQS) for various pollutants. These standards define the maximum amount of air pollutants that can be present in ambient air. An AAQS is generally specified as a concentration averaged over a specific time period, such as one hour, eight hours, 24 hours, or one year. The different averaging times and concentrations are meant to protect against different exposure effects. In general, the standards adopted by the State of California are equivalent to or more health-protective than the national standards established by the U.S. EPA.

To assist local jurisdictions with the evaluation of localized pollutant concentrations and potential health-related impacts, the BAAQMD has developed recommended thresholds of significance and screening criteria for the pollutants of primary concern (e.g., PM<sub>10</sub>, CO). Accordingly, project-generated emissions of PM<sub>10</sub> that exceed 82 pounds per day (lbs./day) or PM<sub>2.5</sub> that exceed 54 lbs./day could result in a violation of the applicable AAQS at nearby receptors, which could result in or contribute to health-related impacts. In addition, ground-level concentrations of toxic air contaminants (TACs) that would result in an incremental increase in cancer risk of 10 in 1 million or a Hazard Index greater than 1 for the Maximally Exposed Individual would also be considered to result in a potentially significant impact to human health. Other localized pollutants of potential concern include exposure to naturally-occurring asbestos. Short-term localized air quality impacts are discussed in greater detail, as follows:

#### **Fugitive Dust Emissions**

Implementation of the Project would result in short-term emissions of fugitive PM associated with ground disturbance. However, as noted in Subsection (b), short-term emissions of PM would be significantly less than BAAQMD's daily significance thresholds. However, if uncontrolled, short-term emissions of PM could result in or contribute to localized concentrations that could adversely impact nearby sensitive receptors. As a result, the BAAQMD recommends that all projects resulting in ground disturbance include "Basic Construction Mitigation Measures". **Mitigation Measure AQ-1** will reduce potential impacts to **less than significant with mitigation incorporated**.

#### **TACs (DPM Emissions)**

The primary TAC of concern associated with short-term construction projects is diesel-exhaust particulate matter (DPM). Implementation of the Project would result in the generation of DPM emissions associated with the use of off-road diesel equipment and on-road haul trucks. Health-related risks associated with diesel-exhaust emissions are primarily associated with long-term exposure and associated risk of contracting cancer.

For residential land uses, the calculation of cancer risk associated with exposure to TACs is typically calculated based on a 70-year period of exposure. The use of diesel-powered construction equipment, however, would be temporary and episodic. Assuming that activities involving the use of diesel-fueled equipment and vehicles were to occur over a cumulative period of approximately one year, Project-related construction activities would constitute less than two percent of the typical exposure periods used for the evaluation of potential health risks. In addition, a majority of Project-generated PM emissions would be associated with on-road mobile sources and would be dispersed over a large area along area roadways. Implementation of Mitigation Measure AQ-2 includes the use of newer off-road equipment and on-road trucks, which would further reduce potential impacts to nearby receptors.

As a result, exposure to construction-generated DPM would not be anticipated to exceed applicable thresholds (i.e., incremental increase in cancer risk of 10 in one million or a hazard index greater than 1) and would have a **less-than-significant** impact to nearby receptors.

#### **Naturally-Occurring Asbestos**

Naturally-occurring asbestos, which was identified by the California Air Resources Board as a TAC in 1986, is located in many parts of California and is commonly associated with ultramafic rock. The Project site is not located near any areas that are likely to contain ultramafic rock (AMBIENT 2021). As a result, the risk of exposure to asbestos during the construction process would be considered **less than significant**.

- d) *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Implementation of the Project would not result in the installation of any major sources of odors. In addition, no major sources of odors have been identified near the Project site. As a result, the implementation of the Project would not result in the long-term exposure of individuals to increased concentrations of odors. However, desilting operations would involve the use of a variety of gasoline or diesel-powered equipment that would emit exhaust fumes. Some people may consider exhaust fumes, particularly diesel-exhaust, objectionable. However, construction-generated emissions would occur intermittently and would dissipate rapidly with increasing distance from the source. As a result, short-term desilting activities would not expose a substantial number of people to frequent odorous emissions. For these reasons, this impact would be considered **less than significant**.

**Sources of Information**

AMBIENT Air Quality & Noise Consulting. (AMBIENT 2021). Air Quality & Greenhouse Gas Impact Assessment for the Walnut and Grayson Creeks Desilting Project, Contra Costa County, California. June 2021

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>4. BIOLOGICAL RESOURCES – Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

The following analysis is based on the Biological Resources Assessment (BRA) prepared by Nomad Ecology for the Project. This report is based on the field investigations, review of available databases and literature, familiarity with local fauna, and on-site habitat suitability.

Two federally- or state-listed, proposed, candidate, or fully protected invertebrate species were determined to have the potential to occur within the Project area: western bumble bee (*Bombus occidentalis*) and Crotch bumble bee (*Bombus crotchii*). They are both candidates for listing as endangered under the California Endangered Species Act (CESA).

There are a few CNDDDB occurrences of these species within Contra Costa County, though all of them are records of collections that occurred more than 50 years ago. There have been no recent verified observations of either the western bumblebee or the Crotch bumblebee in Contra Costa County (Nomad 2021a). However, both of these bumblebee species may occur in ruderal grassland habitats characterized by grassland within the Project area. Western and Crotch bumble bees could nest or seek nectar plants within the Project area. Impacts to listed bumblebee species potentially occurring onsite will be minimized and/or avoided by working on one side of the creek per year so that nectar plants remain available, by restoration of desilted areas with native plants, and through implementation of avoidance and minimization measures, including preconstruction surveys and biological monitoring.

#### **BEST MANAGEMENT PRACTICE BIO-1:**

The Project area contains habitat for special status species and other protected species that could be affected by Project implementation. The following general Best Management Practices (BMPs) will lessen the impact to all special status species.

#### **BEST MANAGEMENT PRACTICE BIO-1:**

- A qualified biologist will conduct an education program covering all the sensitive resources with potential to occur in the Project area and the avoidance and minimization measures requiring implementation for all Project personnel prior to the start of construction activities. The worker education program will include methods to prevent the spread of invasive species, such as *Arundo donax*, that occur in the Project area. The program will also address common wildlife species that occur in the Project area, such as muskrat (*Ondatra zibethicus*) and river otter (*Lontra canadensis*).
- Preconstruction surveys for all special status and common wildlife species will be conducted within the Project area by a qualified biologist immediately prior to equipment or material staging, pruning/grubbing, or surface-disturbing activities. The qualified biologist will search aquatic vegetation, the water's surface, leaf litter, logs, snags, and other habitat features for special status and common wildlife species. If species are found, individuals will be relocated outside of the Project area if the qualified biologist is permitted to do so by all regulatory agencies and determines that relocation is warranted. Although not expected, this includes dewatering

activities. If water diversion systems are implemented, a qualified biologist will be on site to relocate all fish, turtles, invertebrates, and other wildlife observed outside of the work area.

- A qualified biologist will conduct biological monitoring during initial ground disturbance and as appropriate based on the results of the preconstruction surveys or as required by regulatory agencies.
- All work should be conducted during the dry season and when the water is at its lowest level. Therefore, work will occur between April 1 and October 31, or as approved by the regulatory agencies.

### **Fish**

One federally- or state-listed, proposed, candidate, or fully protected fish species was determined to have the potential to occur within the Project area: Central California Coast Distinct Population Segment (DPS) steelhead (*Oncorhynchus mykiss irideus*), which is federally listed as a threatened species and are the anadromous form of rainbow trout. In addition, the Project area is mapped as federally designated Essential Fish Habitat (EFH) for Central Valley fall/late fall-run Chinook salmon (*Oncorhynchus tshawytscha*), a California Species of Special Concern, and a National Marine Fisheries Service (NMFS) Species of Concern. Although it is not a listed species, Central Valley fall/late-fall run Chinook salmon is similar to steelhead in terms of anadromous habitat suitability and potential Project-related effects.

The 1996 Magnuson-Stevens Fishery Conservation and Management Act established essential fish habitat provisions to identify and protect important habitats of federally managed marine and anadromous fisheries. The act requires consultation with NMFS regarding the potential impacts on essential fish habitat of federal agency actions. However, the Project area does not provide suitable habitat as defined by the Magnuson-Stevens Act as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity". The Project will not result in adverse effects to essential fish habitat for any species.

Both Grayson Creek and Walnut Creek are highly degraded within the Project area. The channel bottom of both creeks within the Project area is silty/muddy, and generally lacking the gravelly substrate necessary for successful egg development in salmonids. The banks consist primarily of short grasses and ruderal vegetation, which provides little if any complexity or cover to the channel. A lack of trees or other tall riparian vegetation also exposes the water to continual sunlight, resulting in elevated water temperatures.

Based on previous assessments and the presence of open water habitat, both Central California Coast steelhead and Central Valley Fall/Late Fall-run Chinook salmon have



potential to occur in the portions of Grayson Creek and Walnut Creek that are within the project area. However, ~~because~~—these channels have been highly degraded by channelization, urbanization, and the presence of passage barriers, ~~these species are not expected to spawn or rear juveniles within the project area.~~ Moreover, no work will occur in the low flow channel. Therefore, the Project would not result in the loss or temporary disturbance of spawning or rearing habitat for anadromous fish.

Individual adults may occasionally migrate through the Project area during high-flow periods, but are not expected to spend any significant length of time there. Thus, it is possible that individual fish could stray into the portions of the flowing channel where the desilt will take place, however, no work will occur in the flowing channel and a two-foot berm will buffer the stream channel from the desilting activities.

Sediment plumes caused by the removal of silt in Grayson and Walnut Creeks could potentially affect water quality and other fish habitat downstream of the Project area. The two-foot buffer berm and implementation of **Mitigation Measures BIO-1** and **BIO-2** will reduce potential sediments from flowing downstream during the work and reduce impacts to less than significant. Implementation of **Mitigation Measure BIO-2** includes BMPs for materials management and to minimize sediment mobilization and during Project implementation.

**BEST MANAGEMENT PRACTICE BIO-2:**

Special status fish and other species could be affected by sediment mobilization into the flowing channel. The following general Best Management Practices (BMPs) will lessen the impact to all special status species.

**BEST MANAGEMENT PRACTICE BIO-2:**

A Storm Water Pollution Prevention Plan (SWPPP) will be prepared and implemented in accordance with the National Pollution Discharge Elimination System (NPDES) Construction General Permit as required under Section 402 of the Clean Water Act. The SWPPP will identify water pollution control and construction-waste containment measures to be implemented during Project construction, including but not limited to:

- Trash generated by the Project will be promptly and properly removed from the site daily.
- All refueling of construction and maintenance vehicles will occur in paved or gravel areas away from the top of bank of the Walnut Creek and Grayson Creek channels. Runoff from these paved or gravel areas will not be allowed to flow into the channels.
- Hazardous material absorbent pads and similar materials will be available on site in the event of a spill that could potentially impact jurisdictional waters.

- Stabilization methods for disturbed areas will be implemented.
- No erodible materials will be deposited into watercourses. Brush, loose soils, or other debris material will not be stockpiled within stream channels or on adjacent banks.
- Active construction areas will be watered regularly.
- Disturbed areas will be seeded with a native seed mix suitable for riparian and wetland habitats.

## **Sensitive And Locally Rare Wildlife Species**

### **Invertebrates**

Two sensitive or locally rare invertebrate species were determined to have potential to occur within the Project area: obscure bumble bee (*Bombus caliginosus*) and Bridges' coast range shoulderband snail (*Helminthoglypta nickliana bridgesi*).

The obscure bumble bee (*Bombus caliginosus*), is included on CDFW's Special Animals List. There are no recent verified observations of this species in Contra Costa County (Nomad 2021a). However, the obscure bumble bee could nest or seek nectar plants in grassland habitats within the Project area. Impacts to obscure bumble bees potentially occurring onsite will be avoided through implementation of avoidance and minimization measures, including preconstruction surveys and biological monitoring.

The Bridges' coast range shoulderband snail (*Helminthoglypta nickliana bridgesi*) is included on CDFW's Special Animal List. Suitable habitat is present among ruderal vegetation within the Project area. The nearest occurrence is located 1.1 miles northeast of Grayson Creek and is from 2004 (Nomad 2021a). The Project would result in the temporary loss of annual and ruderal grassland present on the silt bars and creek bank that support tall, weedy vegetation inhabited by this species. The Project could result in the direct mortality or injury of individuals of this species. Impacts to shoulderbands potentially occurring onsite will be minimized through implementation of avoidance and minimization measures, including preconstruction surveys and biological monitoring.

### **Fish/Amphibians**

No sensitive or locally rare fish or amphibian species were determined to have the potential to occur within the Project area.

### **Reptiles**

One sensitive or locally rare reptile species was determined to have potential to occur within the Project area: western pond turtle (*Actinemys marmorata*), which is a California Species of Special Concern. There are known western pond turtle populations in Grayson and Walnut Creeks. There is a CNDDDB occurrence from Grayson Creek within the Project area, and a western pond turtle individual was observed basking on a rock during the

site visit in the southern portion of the Grayson Creek Project area, between 2nd Avenue and Chilpancingo Parkway. This species could use the aquatic habitat throughout the Project area within both Walnut and Grayson Creeks for foraging, migration, and breeding. Nesting habitat is present in ruderal habitat that line the channels within the Project area.

Direct and indirect effects to the western pond turtle and their nests could occur, as turtles are known to occur within Walnut and Grayson Creek. **Mitigation Measure BIO-1, BIO-2, and BIO-3** will minimize potential effects to western pond turtle during Project implementation. In the event that any western pond turtle individuals are observed within a construction zone during the preconstruction surveys or construction monitoring, the individual will be relocated out of harm's way according to permit conditions.

### **IMPACT BIO-3:**

Western pond turtles are known to occur in the Project area and may have nests in or near the Project site.

### **MITIGATION MEASURE BIO-3:**

A qualified biologist will work with CCCPWD staff prior to the start of the Project to identify potential western pond turtle nesting habitat in the Project area and ensure all staging, access, and stockpile locations are located outside of potential nesting habitat, to the greatest extent possible. The work areas identified for use will be delineated with flagging, fencing, or other material as deemed necessary to ensure that work activities do not occur outside of these approved areas. In the event that any western pond turtle individuals are observed within a construction zone during the preconstruction surveys or construction monitoring, the individual will be relocated out of harm's way according to permit conditions.

### **Birds**

Two sensitive or locally rare bird species were determined to have the potential to nest, roost, or forage within the Project area: Cooper's hawk (*Accipiter cooperii*) and western burrowing owl (*Athene cunicularia*). Cooper's hawk is included on the CDFW Watchlist. Suitable nesting habitat is present in the large trees lining Grayson Creek, towards the southern portion of the Project area. They could utilize the Project area for foraging. No Cooper's hawks were observed during the site visit.

Western burrowing owl is a California Species of Special Concern. Suitable habitat is present in the open ruderal vegetation of the Project area. No suitable burrowing owl burrows were observed during the site visit, and vegetation was higher than typically preferred by burrowing owl. However, it is possible when the vegetation is shorter during certain times of the year or maintained more regularly that burrowing owls could be

present along the banks of Walnut or Grayson Creeks. The nearest occurrence is from 2008 at the Buchanan Field Airport, located approximately 0.3 mile east of Grayson Creek and 0.6 mile west of Walnut Creek.

One federally- or state-listed, proposed, candidate, or fully protected bird species was determined to have the potential to nest/winter, roost and forage within the Project area: white-tailed kite (*Elanus leucurus*), whose nesting sites are designated as fully protected by the California Fish and Game Code. This species receives additional protection under the Migratory Bird Treaty Act (MBTA). Suitable nesting habitat is present in the few mature trees on site, and suitable foraging habitat is present throughout the Project area. The nearest CNDDDB occurrence was recorded in 2005 in Antioch, approximately 12 miles east of the Project area. White-tailed kites are known to breed throughout all of Contra Costa County. No white-tailed kites were observed during the site reconnaissance (Nomad 2021a).

The Project would result in the temporary loss of foraging habitat and could result in harassment to individual white-tailed kites and disrupt nesting and foraging activities. Preconstruction surveys for nesting birds, and the implementation of no-work buffers around any active nests that are found will avoid impacts to this species.

#### **IMPACT BIO-4:**

If migratory and other bird species (including Cooper's hawk, burrowing owl, and white-tailed kite) nest within the Project area, the Project could result in short-term impacts such as failure to breed, nest abandonment, reduced fecundity and decreased survivorship from noise and movement of personnel and equipment that exceeds normal background conditions within the Project area. Disturbance may alter the birds' behavior in ways that result in injury, mortality and reduced foraging success, such as the temporary loss of habitat due to avoidance of areas with intolerable levels of disturbance, and altered activity patterns.

#### **MITIGATION MEASURE BIO-4:**

If work activities cannot be timed to avoid the breeding season, then preconstruction surveys for nesting bird species will be conducted as detailed below to minimize impacts to these species. Active nests will be avoided and a non-disturbance buffer zone will be established around them or monitored for disturbance. Therefore, the Project will not adversely affect migratory bird species (including Cooper's hawk and white-tailed kite) and will comply with the MBTA, and Fish and Game Code. Preconstruction surveys for burrowing owl will be conducted as detailed below to minimize impacts to this species. Active burrows will be avoided and a non-disturbance buffer zone will be established around them. Therefore, the Project will not adversely affect burrowing owl.

- If tree or vegetation removal, pruning, or grubbing activities are necessary, such activities may be conducted during the non-nesting season (September 1 – January

31) to avoid impacts to nesting birds. If all Project work is conducted during this work window, preconstruction surveys would only be required for wintering burrowing owls and not nesting birds.

- If Project work begins during the breeding season (February 1 – August 31), preconstruction surveys will be conducted by a qualified biologist within the Project area and adjacent habitats up to 300 feet from the Project boundary where access available, no more than one week prior to equipment or material staging, pruning/grubbing or surface-disturbing activities. The surveys will entail a variety of search techniques, such as incidental flushing of an adult from the nest, watching parental behavior (e.g., carrying nest material or food), systematically searching nesting substrates, and use of call-broadcasts. If no active nests are found within the survey area, no further mitigation is necessary.
- If active nests, i.e. nests with eggs or young present, are found within the survey area, non-disturbance buffers should be established at a distance sufficient to minimize disturbance based on the nest location, topography, cover, the nesting pair's tolerance to disturbance and the type/duration of potential disturbance. No work should occur within the non-disturbance buffers until the young have fledged as determined by a qualified biologist. If buffers are established and it is determined that Project activities are resulting in nest disturbance, work in the nearby vicinity of the nest would cease immediately and CDFW would be contacted for further guidance.
- Burrowing owl surveys will be conducted prior to any work activities, regardless of season. If active burrowing owl burrows are found (i.e. sign of use or individuals are observed), they will be monitored to ensure active status and a non-disturbance buffer will be implemented and monitored. The no-work buffer will be dependent on whether the owl is present during the nesting or wintering seasons. If buffers are established and it is determined that Project activities are resulting in burrowing owl disturbance, work would cease in the nearby vicinity and CDFW would be contacted for further guidance.

## **Mammals**

Three sensitive or locally rare mammal species were determined to have the potential to occur within the Project area: pallid bat (*Antrozous pallidus*), western red bat (*Lasiurus blossevillii*), and hoary bat (*Lasiurus cinereus*). Pallid bat and western red bat are both California Species of Special Concern, and are considered a High Priority species by the Western Bat Working Group. Hoary bat is designated a Medium Priority species by the Western Bat Working Group. Specific habitat requirements for the three special status bat species that have nearby CNDDDB occurrences is provided below. In addition, several other bat species have the potential to occur within the Project area based on range,

habitat, and recorded occurrences in the region. Because bat species in general are underreported to CNDDDB relative to their actual abundance in the environment due to their nocturnality, difficulty to detect, and difficulty to positively identify and count when detected, habitat suitability and Project-related effects are analyzed generally for all roosting bat species.

Foliage-roosting bats, including the western red bat and hoary bat may roost in the tree canopy, particularly in large, mature trees. Both of these species roost in foliage under overhanging leaves, particularly in riparian areas. Females raise pups solitarily or in very small groups, and may move their young among multiple roost locations. Crevice and cavity-roosting bats such as pallid bat, big brown bat (*Eptesicus fuscus*), and several species of myotis bats (*Myotis spp.*) may use any available cracks or holes in trees as roosting habitat, in addition to the bridge structures within the Project area. In addition to roosting habitat, bats may forage for insects almost anywhere in the Project area. No sign of roosting bats was observed during the site visit; however, a thorough bat roost survey was not conducted. Bats could be roosting in the bridges or trees in the Project area. Since removal of these structures is not proposed as part of the Project, bats could be affected by noise by human and equipment presence that occurs near their roosts. However, temporary disturbance from noise and human and equipment presence should be insignificant due to the short duration of work that would occur underneath the bridge structures or nearby trees within the Project area. Foraging habitat for bats will not be affected. Nevertheless, to minimize potential for disturbance to roosting bats to the greatest extent possible, the following Mitigation Measure will be implemented.

**IMPACT BIO-5:**

If roosting bats are present in the bridges or trees in the Project area, they could be disturbed by staging or Project activities.

**MITIGATION MEASURE BIO-5:**

Roosting bat habitat assessments and preconstruction surveys will be conducted to ensure the absence of roosting bats before construction, as detailed below.

- Prior to the start of construction, a bat habitat assessment will be conducted to identify suitable bat roosting habitat including bridges, snags, rotten stumps, and trees with broken limbs, exfoliating bark, cavities, etc. Potential roosting habitat will be avoided to the maximum extent practicable. If no suitable roost sites are identified, no further minimization measures are necessary.
- If suitable roosting habitat is identified and will be disturbed by presence and noise of equipment and workers for more than two hours (i.e. near bridges), a qualified biologist will be present to monitor the bat roosting habitat and will stop work if any disturbance to bats is detected and contact CDFW for further guidance.



- Although not anticipated, if suitable roosting habitat is identified and will be removed by the Project, a qualified biologist will survey potential suitable roost sites immediately prior to the removal. If any sign of roosting bats or observation of individual bats is observed, the roost will be removed in coordination with CDFW or according to permit conditions. Typical removal methods include first removing non-habitat features such as limbs smaller than 3 inches in diameter. The tree is left overnight to allow any bats using the tree/snag to find another roost during their nocturnal activity period. A qualified biologist would survey the trees/snags a second time the following morning prior to felling and removal.

### **Critical Habitat**

The Project is not located in critical habitat for any federally-listed species. The Southern DPS of Green sturgeon (*Acipenser medirostris*), an anadromous fish that is federally listed as threatened, has critical habitat that is immediately adjacent to the Project area. The critical habitat ends at Walnut Creek's junction with Grayson Creek and therefore is just outside the Project area. The species is not expected to occur in Grayson Creek or the reach of Walnut Creek within the Project area. Past communications from NMFS with the U.S. Army Corps of Engineers for a similar project in 2006 stated that these channels within the Project area no longer provide sufficient conditions for self-sustaining anadromous populations of steelhead.

Based on the field investigations, review of available databases and literature, familiarity with local flora, and on-site habitat suitability, no federal and/or state listed or California Native Plant Society ranked species were observed on site nor considered to have the potential to occur within the Project area. Therefore, no further rare plant surveys are warranted.

### **Federal/State Listed, Proposed, Candidate, or Fully Protected Fish and Wildlife Species**

Four federally/state-listed, proposed, Candidate or fully protected fish or wildlife species were determined to have the potential to occur within the Project area: western bumble bee, Crotch bumble bee, steelhead Central California Coast DPS, and Central Valley Fall/Late-Fall Run Chinook salmon. The Project is not anticipated to substantially impact any special status species with implementation of **Mitigation Measures BIO-1 to BIO-5**. Therefore, Project impacts will **be less than significant with mitigation incorporated**.

- b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

Sensitive Natural Communities are characterized as plant assemblages that are unique in constituent components, restricted in distribution, supported by distinctive soil conditions, considered locally rare, potentially support special status plant or wildlife species, and/or receive regulatory protection from municipal, county, state and/or federal entities. The regulatory framework that protects sensitive natural communities is derived from local, state, and federal laws and regulations including Section 10 of the federal Rivers and Harbors Act, sections 401 and 404 of the federal Clean Water Act, Section 1600 et seq. of the California Fish and Game Code, Section 15065 of the CEQA guidelines, and various other city or county codes. Implementation and enforcement of these regulations are conducted by their respective regulatory entities such as the U.S. Army Corps of Engineers, California Regional Water Quality Control Board, California Department of Fish and Wildlife, lead agency, and/or various cities or counties. Natural Communities with ranks of S1, S2, and S3 are considered Sensitive Natural Communities to be addressed in the environmental review processes of CEQA and its equivalents (Nomad 2021a).

In the Project area, creeping ryegrass stands are growing within a matrix of ruderal non-native grassland vegetation on disturbed levee banks and in the benches adjacent to the low flow channels of Grayson Creek and Walnut Creek. Creeping ryegrass stands (*Leymus triticoides* Herbaceous Alliance) is considered of high inventory priority as it has a Subnational Conservation Status Rank of S3 (Nomad 2021a). A rank of S3 indicates a vegetation alliance or association as "Vulnerable" meaning it is at moderate risk of extinction or elimination due to a restricted range, relatively few populations, recent and widespread declines, or other factors.

Vegetation communities in the Project area include ruderal, seasonal wetland, and freshwater marsh. Although not considered a sensitive natural community by CDFW, freshwater marsh, seasonal wetlands, and open water are treated as sensitive natural communities as they are jurisdictional wetland features regulated by the U.S. Army Corps of Engineers and the California State Water Resources Control Board. Additionally, all channels and drainages on site exhibit ordinary high water marks and evidence of scour. They are considered sensitive natural communities and are regulated by the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and the California State Water Resources Control Board.

Impacts to creeping ryegrass grassland, seasonal wetlands, and potentially freshwater marsh may occur in varying degrees during Project activities. All impacts are temporary and these habitats are expected to recolonize any areas where they are disturbed following desilting activities. Removal of sediment bars from the channel will improve and increase wetland habitat as the sediment is currently occupied by ruderal, upland vegetation, which will likely be converted to wetland vegetation and hydrology following Project implementation. Impacts will be minimized by implementing BMPs including



minimizing the disturbance areas to the minimum necessary to complete the Project, revegetating the site following construction, and implementing erosion control. All work will follow regulatory permit conditions. With regard to seasonal wetlands and freshwater marsh, the Project is designed to be self-mitigating, as the site will be revegetated with appropriate native species. Creeping ryegrass will be incorporated to reestablish that species in appropriate areas. **Mitigation Measure BIO-6** clarifies that ESAs will be avoided to the extent feasible, and the type of vegetation to be used to reestablish seasonal wetland, freshwater marsh, and creeping rye grass species after desilting work.

#### **IMPACT BIO-6:**

The Project could have negative impacts on sensitive natural communities.

#### **MITIGATION MEASURE BIO-6:**

- Prior to the start of desilting activities, areas containing freshwater marsh and seasonal wetlands, that are near but outside of the work area will be delineated and conspicuously flagged or fenced to minimize impacts to these resources.
- A qualified restoration biologist or botanist will create a seed and plant palette appropriate for reestablishing impacted vegetation.
- The seed and plant palette will include creeping ryegrass in appropriate locations.

Further, temporary impacts to the riparian habitat or other sensitive natural communities will be minimized through implementation of **Mitigation Measures BIO-1, BIO-2 and BIO-6**. Therefore, Project impacts will **be less than significant with mitigation incorporated**.

- c) *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

The Project was specifically designed to avoid freshwater marsh and seasonal wetlands as much as possible while still meeting the Project objective of flood protection. Nevertheless, temporary impacts to seasonal wetlands will occur and impacts to freshwater marsh may occur during Project construction through direct removal and potential filling for access ramps, though filling for access ramps will be avoided if feasible. Hydraulically, all areas will continue to be subject to inundation during high flows and after the planned eroding of the 2-foot berms that protect the flowing channel from the work area. Overall, removal of sediment bars from the channel is expected to improve and increase wetland habitat as many of the targeted sediment bars are currently occupied by ruderal, upland vegetation, which are expected to convert to wetland vegetation and hydrology following Project implementation and revegetation.

This expectation is based on planned revegetation efforts and on the results of past desilting operations, which successfully re-established wetland communities using the same or similar practices.

Over time, sediment and ruderal vegetation will fill back in, but this takes years to happen. For example, the last desilt was in 2006. The District periodically and selectively removes sediment from the channels for flood control purposes, as is required by the operation manual, and completes an environmental review and obtains regulatory permits each time. The District has a Programmatic Routine Maintenance Program that allows smaller areas of desilting on a programmatic level, but the amount of sediment removal is limited.

Temporary impacts of this Project will be minimized by fencing or flagging areas to be avoided, general BMPs including, but not limited to, preparation of a SWPPP that outlines measures to minimize mobilization of sediment, as well as measures to reduce construction materials and fluids from entering the channels. The impacted areas will be revegetated with a plant palette intended to restore and increase wetland vegetation and habitat back to pre-Project conditions. These measures are described in **Mitigation Measures BIO-1, BIO-2, and BIO-6**. Therefore, impacts will be **less than significant with mitigation incorporated**.

- d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?*

Habitat loss, fragmentation, and degradation resulting from land use changes or habitat conversion can alter the use and viability of wildlife movement corridors (i.e. linear habitats that naturally connect and provide passage between two or more otherwise disjunct larger habitats or habitat fragments).

Wildlife use in the vicinity of the Project area is likely moderate. Grayson Creek and Walnut Creek within the Project area are connected to the rest of the Walnut Creek watershed and provide an aquatic and terrestrial movement corridor surrounded by urban development. The perennial creeks provide habitat for large-scale migratory movement, daily travel, and dispersal for common and rare fish and wildlife species. Because the Project area is surrounded by development, it is likely that terrestrial wildlife commonly occurs in these relatively protected and lower human-use areas of these channels and their banks. Western pond turtles (*Actinemys marmorata*) are also known to occur and nest in the area.

Overall, the Project is not expected to affect the area's utility as a movement corridor for wildlife in the long term. During the desilting work, the temporary disturbance may

discourage some movement during the day when work is taking place. This will be minimized by working on one side of the creek one year, then the other side the next year, leaving one side available for movement.

No significant impacts on wildlife habitat or movement corridors are anticipated given the temporary nature of the Project, which is not expected to significantly alter the channels or surrounding habitats. The Project is not permanently removing channel habitat or creating new wildlife movement barriers. The Project area will be available for common wildlife to move through during and after desilting activities. Fish, turtles, and other aquatic species would likely be able to swim away from the immediate work zone and therefore should not be impacted during construction. Siltation would be controlled through required best management practices and **Mitigation Measure BIO-2** so the water quality should not be impacted such that it could significantly harm any aquatic species. Common ground-mobile species such as eastern fox squirrel (*Sciurus niger*), striped skunk (*Mephitis mephitis*), gray fox (*Urocyon cinereoargenteus*), red fox (*Vulpes vulpes*), and mule deer (*Odocoileus hemionus*) should be able to leave the Project site on their own once work starts and, due to the temporary nature of the Project, therefore should not be impacted during construction. There is a chance that less mobile, leaf litter species such as California slender salamander (*Batrachoseps attenuatus*) or Sierran tree frog (*Pseudacris sierra*) could be impacted during construction, but these species are relatively abundant and preconstruction surveys will help minimize impacts to these types of species.

Native fish that are not listed as endangered, threatened, species of species concern, or special animal, are likely to occur within Grayson and Walnut Creeks. Native species that could occur within the Project area include Sacramento sucker (*Catostomus occidentalis*), central California roach (*Lavinia symmetricus symmetricus*), three-spined stickleback (*Gasterosteus aculeatus*), and prickly sculpin (*Cottus asper*). These fish could utilize the channels within the Project area for foraging, spawning, rearing, and migration, and they provide prey for turtles and an abundance of bird species.

The Project will avoid impacts to the flowing channel. The Project is likely to expand open water and wetland habitat by desilting areas that are currently filled by sediment, which will be an overall benefit for native fish species. The Project biologist will conduct preconstruction surveys and relocate native fish, if found in any of the wetted portions of the silt bars. The Project is expected to have minimal effects to native fish populations due to the temporary nature of the Project, the implementation of avoidance and minimization measures, and the increased habitat that will be available to fish post-desilting. These measures are described in **Mitigation Measures BIO-1** and **BIO-2**. Therefore, impacts will be **less than significant with mitigation incorporated**.

- e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

The Project will not conflict with any local policies or ordinances protecting biological resources. Tree removal is not anticipated. Therefore, the Project will have a **less than significant impact**.

- f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The Project is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the Project will have **no impact**.

### **Sources of Information**

Nomad Ecology, LLC. (Nomad 2021a). Biological Resource Assessment for the Walnut and Grayson Creeks Desilting Project, Contra Costa County, California. June 2021

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>5. CULTURAL RESOURCES – Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to California Environmental Quality Act Guidelines Section 15064.5?*

To determine if the Project site contains potential significant historic resources and to evaluate the Project’s potential to impact those resources, Pacific Legacy, Inc. conducted an investigation of the Project’s Area of Potential Effect (APE), which included archival research of historic period data, a record search, and an intensive pedestrian survey. The results are detailed in the Phase I Archaeological Survey Report (Pacific Legacy 2021). The horizontal APE for activities on Grayson Creek is 2.21 miles long and includes the area between the levees from Chilpancingo Parkway to the confluence with Walnut Creek. The horizontal APE for activities along Walnut Creek is 0.87 miles long and spans both levees from 1,200 ft. downstream of Diamond Boulevard to 1,300 ft. downstream of Concord Avenue. The vertical APE is 7 feet, the maximum depth of excavation related to sediment removal.

The records search of the California Historical Resources Information System (CHRIS) was conducted at the Northwest Information Center (NWIC) at Sonoma State University. The record search collected information on prior studies and known cultural resources within the APE and a 0.25-mile buffer. Although the records search revealed one previously recorded historic period cultural resource within the APE, the Walnut Creek and Grayson Creek Levees (P-07-002731), this resource has been previously determined not eligible for listing in the National Register of Historic Places (NRHP). Since the criteria for the California Register of Historic Resources (CRHR) eligibility are very similar to those of the NRHP, the levees resource is unlikely to be eligible for the CRHR.

Pacific Legacy conducted an intensive pedestrian survey of the Project APE on May 15, 2020. The purpose of the survey was to identify any new cultural resources within the APE that may be affected by the Project. The total area surveyed was approximately

three miles. No signs of prehistoric or undocumented historic period deposits, features, or artifacts were observed during the survey.

There has been extensive disturbance of the Project area due to the channelization of both creeks and fill for the adjacent levees in the early 1960s, and previous desilting activities in 1993, 1995, 1997 and 2006. Project construction documents for the desilting work will not allow excavation below the design level for the channels. Therefore, all areas that will be disturbed by the Project have been previously impacted, and new findings of cultural importance are not anticipated. However, the potential for unanticipated subsurface historical resources cannot be ruled out completely. Therefore, **Mitigation Measure CUL-1** will be followed in the event that subsurface resources are discovered during Project activities.

**IMPACT CUL-1:**

Project activities could impact previously unidentified historical resources during ground-disturbing activities.

**MITIGATION MEASURE CUL-1:**

The following will be implemented during Project activities if unanticipated potential historic or prehistoric archaeological resources are encountered.

- Prior to the start of Project activities, cultural resource sensitivity training regarding identification of archaeological and historical resources in the field will be provided for construction personnel in the unexpected event that inadvertent discoveries are made during sediment removal.
- If any suspected cultural or historic resources are located during Project activities, specifications will require all work to be halted within 100 feet of the discovery and the location of the discovery will be secured.
- The Contractor will immediately notify the CCCPWD Resident Engineer, who will then request a qualified archaeologist to evaluate the finding(s) before advising the Resident Engineer to either continue work or recommend further review of the discovery.

With implementation of **Mitigation Measure CUL-1**, Project impacts on historical resources would be **less than significant with mitigation incorporated**.

- b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5?*

The records search at the NWIC did not identify any recorded archaeological resources within the Project APE. One prehistoric period midden site had been previously recorded within 0.25 miles of the APE, but is located well beyond the Project area and will not be impacted. Pacific Legacy also completed a Native American Consultation and Sacred Land database search. The Native American Heritage Commission's (NAHC) review of the Sacred Land database was negative in the Project APE. The NAHC provided a list of 10 Native American tribal contacts who might have information about cultural materials within the APE. Pacific Legacy sent letters requesting information from these tribal representatives on April 15, 2020. To date, one Project specific response was received via follow-up phone call on April 20, 2020. The response came from the Chairperson of the Amah Mutsun Tribal Band, who requested that all work crews on the Project receive sensitivity training, and that archaeologists be contacted in case of cultural resources.

Based on the results of the investigation described above, the Project should have no impact on known cultural resources and no monitoring during Project activities is warranted. However, the Project may unearth unanticipated prehistoric subsurface resources. Therefore, with implementation of **Mitigation Measures CUL-1**, provided above in subsection 5(a), and **CUL-2** provided in subsection 5(c) below, Project impacts on potential archaeological resources would be **less than significant with mitigation incorporated**.

- c) *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

No formal cemeteries are present within or adjacent to the Project area. As part of the cultural review conducted for the Project, the NAHC did not identify any recorded sites within or adjacent to the Project APE and contacts with the Native American tribal representative did not reveal any unrecorded Native American burial sites. Despite the investigations previously described, Project activities could unearth unanticipated historical or prehistoric archaeological resources. However, with implementation of **Mitigation Measures CUL-1**, provided above in subsection 5(a), and **CUL-2**, provided below, Project impacts on archaeological resources, including Native American resources, would be **less than significant with mitigation incorporated**.

**IMPACT CUL-2:**

The Project could impact previously undiscovered human remains.

**MITIGATION MEASURE CUL-2:**

If human remains are encountered (or are suspected) during any Project-related activities, construction personnel will be advised to stop all work within 100-feet of the discovery and immediately contact the CCCPWD Resident Engineer, who will contact the Contra Costa County Coroner. At the same time, the Resident Engineer will contact an



archaeologist to assess the situation. The discovery location will be secured without touching or removing the remains or any associated artifacts. In addition, any associated spoils will be secured and left undisturbed so that they can be examined. The Resident Engineer will record the location of the find and keep notes of all calls and events. The find will be treated as confidential and the location will not be publicly disclosed.

If the Coroner determines that the human remains are of Native American origin, the Coroner must notify the NAHC within 24 hours of this identification. The NAHC will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the CCCPWD and the NWIC.

### **Sources of Information**

Pacific Legacy, Inc. (Pacific Legacy 2021). Phase I Archaeological Survey Report for the Walnut and Grayson Creeks Desilting Project, Contra Costa County, California. June 2021



Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>6. ENERGY – Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

The Project is limited to the removal of sediment along the channels and will not require energy use once constructed. Project construction will result in an incremental increase in energy usage associated with construction equipment (i.e., fuel in vehicles and power generators). However, energy usage during construction would be minimal and would not require excessive amounts of wasteful usage of energy. Therefore, Project impacts will be **less than significant**.

- b) *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Although the Project will result in a temporary increase in energy usage during construction, the operation of the Project would not require change from the existing condition. As such, the Project does not have potential to conflict with or obstruct a state or local plan for renewable energy or energy efficiency (The Cadmus Group 2018). Therefore, Project impacts will be **less than significant**.

**Sources of Information**

The Cadmus Group. (The Cadmus Group 2018). 2018. *Contra Costa County Renewable Resource Potential Study*. Contra Costa County Community Development Department. Martinez, CA. Website: <https://www.contracosta.ca.gov/6997/Renewable-Resource-Potential-Study>. Accessed October 1, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>7. GEOLOGY AND SOILS – <i>Would the project:</i></b>				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:*
- i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*

The Project area is just outside of an Alquist-Priolo Fault Zone (SCDC 2019). The main trace of the Concord Fault runs in a northwest-southeast direction immediately east of the Project area. The Concord Fault is capable of producing earthquakes and may cause strong ground shaking within the Project area. However, the Project is limited to sediment removal, which will not introduce new land uses that could be impacted by fault rupture. Therefore, Project impacts will be **less than significant**.

*ii) Strong seismic ground shaking?*

Contra Costa County is located within a region of high seismicity. As noted above, the main trace of the Concord Fault runs immediately east of the Project area and is capable of producing earthquakes and may cause strong ground shaking within the Project area. The possibility of ground shaking from fault rupture near the Project area is considered high based on available geological and seismic data. The duration and intensity of shaking will depend upon both the magnitude of the earthquake, distance from the epicenter, and ground conditions. However, the Project is limited to sediment removal, which will not introduce new land uses that could be impacted by ground shaking. Therefore, Project impacts will be **less than significant**.

*iii) Seismic-related ground failure, including liquefaction?*

According to Figure 10-5 of the County's General Plan, the general Project area ranges from generally high potential to generally moderate to low potential for liquefaction (Contra Costa County 2005c). However, the Project is limited to sediment removal, which will not introduce new land uses that could be impacted by unstable soil. Therefore, Project impacts will be **less than significant**.

*iv) Landslides?*

According to Figure 10-6 of the General Plan, the Project area is not located within a potential landslide area (Contra Costa County 2005c). The topography of the Project area is generally flat. Therefore, the Project impacts will be **less than significant**.

*b) Would the project result in substantial soil erosion or the loss of topsoil?*

Grading and excavation associated with the Project will result in a minor change in topography in the channel, and temporarily increase the exposure of soils to wind erosion. However, adherence to standard dust and erosion control practices, including, but not limited to, general watering of exposed areas, will minimize impacts and are

incorporated in **Mitigation Measures AQ-1** and **BIO-2**. Contract specifications will require a two-foot berm/buffer zone between the limits of excavation and the low flow channel to prevent soil from entering this area during sediment removal activities. This measure will be incorporated into the construction contract and is memorialized in **Mitigation Measure HYD-1**. Therefore, Project impacts will be **less than significant with mitigation incorporated**.

- c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

According to Figure 10-5 of the County's General Plan, the Project area ranges from generally high potential to generally moderate to low potential for liquefaction (Contra Costa County 2005c). However, the Project is limited to sediment removal, which will not introduce new land uses that could be impacted by unstable soil. Desilting of the Project area will not result in unstable earth conditions or change geologic substructures. Excavation depths will not go below surfaces that were established when channels were built, so in-situ soil layers will not be disturbed. In order to stabilize exposed soils, all areas left exposed due to the desilting work will be hydroseeded with a mix that includes native species, at the earliest practicable date. Hydroseeding will stabilize the exposed sediment in the channel until vegetation is naturally established. Vegetation in the channel is expected to establish quickly, as it has in past desilting operations. Therefore, Project impacts will be **less than significant**.

- d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

According to Figure 5 of the Aquatic Resource Delineation Report (Nomad 2021b), the Project is mostly located on Omni clay loam, Sycamore silty clay loam, and Laugenor loam. Clay tends to be an expansive soil, while loamy soils are usually a very stable soil that shows little change with the increase or decrease of moisture temperature. However, the Project is limited to removal of existing sediments along the channels, which will not create substantial risk to life or property from expansive soils. Hydroseeding will stabilize the exposed sediment in the channel until vegetation is naturally established. Vegetation in the channel is expected to establish quickly, as it has in past desilting operations. Exposure of people or property to geologic hazards is not expected to occur as a result of the Project. Therefore, Project impacts will be **less than significant**.

- e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

Septic tanks and alternative wastewater disposal systems are not part of the Project. Therefore, the Project will have **no impact**.

- f) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Based on the Geologic Map of the Walnut Creek Quadrangle (Dibblee, T.W., and Minch, J.A., 2005), the Project is located on surficial sediments characterized as “alluvial gravel, sand, and clay of valley areas.” Holocene alluvial deposits and fill are generally considered too recent to contain significant paleontological resources and therefore have low paleontological sensitivity. Further, the Project will only remove deposited sediment and Project contract specifications will stipulate that construction shall stop in the area if such potential resources are discovered. In addition, **Mitigation Measure CUL-1** will be followed in the event subsurface resources are discovered during Project construction. Therefore, Project impacts on paleontological resources would be **less than significant with mitigation incorporated**.

### **Sources of Information**

Contra Costa County. (Contra Costa County 2005c). 2005. *Contra Costa County General Plan 2005-2020*. Contra Costa County Community Development Department. Martinez, CA. Website: <https://www.contracosta.ca.gov/4732/General-Plan> Accessed August 6, 2021. 2005c: Chapter 10. Safety Element

Nomad Ecology, LLC. (Nomad 2021b). Aquatic Resource Delineation Report for the Walnut and Grayson Creeks Desilting Project, Contra Costa County, California. June 2021

State of California Department of Conservation (SCDC 2019). 2019 *California Geologic Survey – EQ Zapp: California Earthquake Hazards Zone Application*. Website: <https://www.conservation.ca.gov/cgs/geohazards/eq-zapp> Accessed August 6, 2021

Dibblee, T.W., and Minch, J.A., 2005, Geologic map of the Walnut Creek quadrangle, Contra Costa County, California: Dibblee Geological Foundation, Dibblee Foundation Map DF-149, scale 1:24,000. Website: [https://ngmdb.usgs.gov/Prodesc/proddesc\\_71826.htm](https://ngmdb.usgs.gov/Prodesc/proddesc_71826.htm)

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>8. GREENHOUSE GAS EMISSIONS – Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

The following analysis is based on AMBIENT Air Quality & Noise Consulting’s Air Quality & Greenhouse Gas Impact Assessment prepared for the Project:

Currently the BAAQMD does not have thresholds for GHG emissions specific to construction activities. Nevertheless, short-term emissions associated with the proposed Project were quantified using the California Emissions Estimator Model (CalEEMod), version 2016.3.2. Emissions were quantified based on Project-specific data and default modeling parameters contained in the model for Contra Costa County. Construction-generated greenhouse gas (GHG) emissions are summarized below in Table 3. As depicted, the proposed Project would generate a total of approximately 308.7 metric tons of carbon dioxide equivalent (MTCO<sub>2e</sub>) in ~~2022~~2023 and approximately 300.3 MTCO<sub>2e</sub> in ~~2023~~2024. Construction-generated emissions would vary, depending on the final construction schedules, equipment required, and activities conducted. Project-generated GHG emissions would be short term and would not exceed the significance threshold of 1,100 MTCO<sub>2e</sub> per year as established by the BAAQMD for operational emissions for land use development projects. As a result, the proposed Project would not result in GHG emissions that would have a significant impact on the environment and mitigation would not be required. Further, implementation of **Mitigation Measure AQ-2**, which would require the use of newer off-road equipment and on-road trucks, would help to further reduce diesel-exhaust emissions. Project impacts would be **less than significant**.

**Table 3. Unmitigated Construction-Generated GHG Emissions**

Year	Annual GHG Emissions (MTCO <sub>2</sub> e/year)
<del>2022</del> 2023	308.7
<del>2023</del> 2024	300.3
Maximum Annual Emissions	308.7
Significance Threshold	1,100
Exceeds Significance Threshold?	<b>No</b>

- b) *Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

As previously stated, the BAAQMD has adopted a recommended GHG significance threshold of 1,100 MTCO<sub>2</sub>e per year for operational emissions for land use development projects. Annual operational emissions that exceed this threshold would be considered to result in a cumulatively considerable contribution of GHG emissions that could potentially interfere with GHG-reduction planning efforts. The BAAQMD has not adopted a recommended mass-emissions GHG significance threshold for short-term/construction-related activities. In the absence of a recommended mass-emissions threshold for short-term/construction activities, this Project analysis relies on the annual significance threshold for long-term operational activities. As a result, construction generated emissions in excess of 1,100 MTCO<sub>2</sub>e per year would be considered to have a potentially significant impact on the environment that could potentially conflict with GHG-reduction planning efforts. As shown in Table 3 above, Project-generated GHG emissions would be short term and would not exceed the significance threshold of 1,100 MTCO<sub>2</sub>e per year, nor would the Project conflict with applicable GHG-reduction plans, policies or regulations. Therefore, Project impacts would be **less than significant**.

### **Sources of Information**

AMBIENT Air Quality & Noise Consulting. (AMBIENT 2021). Air Quality & Greenhouse Gas Impact Assessment for the Walnut and Grayson Creeks Desilting Project, Contra Costa County, California. June 2021



Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>9. HAZARDS AND HAZARDOUS MATERIALS – <i>Would the project:</i></b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

In order to classify the sediment within the Project area for off-site disposal, Ninyo & Moore collected a total of six samples in Grayson Creek and twenty-seven samples in Walnut Creek (Ninyo & Moore 2020). Based on the results of the sediment sampling activities in their report, the channel sediments are classified as non-hazardous waste and would be acceptable at a Class II or potentially Class III, or cover materials at a



Class II landfill facility. No health and safety precautions were recommended as long as contractors removing the materials keep dust concentrations below the BAAQMD's fence line action level (FAL) of 50 micrograms per meters cubed. The project is not expected to generate large amounts of dust and **Mitigation Measures AQ-1, BIO-2**, and standard BMPs will further minimize generation of dust.

The current plan for the excavated material from Walnut Creek entails transporting it to the nearby Marathon Refinery and stockpiling the sediment in an upland location. Because Marathon has their own permitted project which requires additional soil, they will accept and handle soil from Walnut Creek in accordance with their approved plan and grading permit. It is anticipated that the material will be stockpiled temporarily at the Marathon site before being used elsewhere on the property. The stockpile will have BMPs installed around the perimeter and be routinely inspected to prevent sediment transport. During soil placement, the pile will be graded, sloped and track-walked to prevent erosion. There is ample open space at this location so soil can be spread out rather than steeply sloped. The stockpile area is also flat with well-established vegetation to capture any sediment in storm water runoff.

The sediment from Grayson Creek will be disposed at the nearest permitted landfill. If Marathon Refinery cannot accept the Walnut Creek sediment, and another user cannot be identified, it will be properly managed and disposed of at an appropriate permitted landfill.

During sediment removal, construction vehicles will travel to and from the Project site. Examples of construction vehicles include diesel-powered trucks, loaders, dump trucks, long- and short-arm excavators, water trucks, and pick-up trucks. This equipment may require the use of fuels and other common liquids that have hazardous properties (e.g., fuels, oils, fluids that are flammable) but they would be handled in small quantities that would not create a substantial hazard for construction workers and/or the public. Compliance with federal, state, and local hazardous materials regulations would minimize the risk to the public presented by these potential hazards during desilting. The Project would not involve routine transport, use, or disposal of hazardous materials or involve potential releases of hazardous materials into the environment. Therefore, Project impacts will be **less than significant**.

- b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?*

The Project has the potential to release hazardous substances, such as accidental petroleum spills from equipment, during construction. Per the contract specifications, standard construction safety practices will be followed during construction to ensure no

accidental release of hazardous substances occurs and no increase in the potential for exposure to these substances occurs. Underground utilities within the Project area include high-risk, 8-inch-diameter Kinder-Morgan and 16-inch-diameter Phillips 66 petroleum pipelines that are bored under the channel on the southern side of the existing Highway 4 bridge that crosses Grayson Creek. There may also be a 30-inch-diameter water line owned by the Contra Costa Water District on the southern side. Next to the Walnut Creek channel, there may be an existing 21-inch-diameter Central Contra Costa Sanitary District line running north-south along the eastern levee. These utility lines will be marked in the field. The maximum excavation depth will not go below the surfaces that were established when the channels were originally built, so all utilities should be beneath that level and not be disturbed by desilting activities. In addition, nine bridges cross the Project area, which may contain utility lines. Project construction documents will require the contractor to identify these utility crossings so that their locations can be clearly marked in the field, and avoided by construction activities. Therefore, Project impacts will be **less than significant**.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

There are no schools within one-quarter mile of the Project area. The closest schools to the Walnut Creek portion of the Project are Mt. Diablo High School (0.5 miles away) and Queen of All Saints Elementary School (0.8 miles away). The closest schools to the Grayson Creek portion of the Project are Diablo Valley College (0.3 miles away), Valley View Middle School (0.6 miles away), College Park High School (0.6 miles away), and Valhalla Elementary School (0.8 miles away). Therefore, Project impacts will be **less than significant**.

- d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

If hazardous materials were present in the sediment to be removed, disturbance of that sediment could mobilize the contaminants into the environment or into the air where they might be inhaled or ingested by humans. In order to determine if sediment slated for removal may have been contaminated by upstream sources of hazardous substances, the District contracted Ninyo & Moore to conduct sediment sampling to characterize the sediment that would be disturbed during the desilting activities.

Government Code Section 65962.5 requires the California Department of Toxic Substances Control (DTSC) to compile and update at least annually a list regarding the location of hazardous materials release sites. The list is maintained through EnviroStor,

which is DTSC's online data management system for tracking cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. Similarly, GeoTracker is the SWRCB's data management system for sites that impact, or have the potential to impact, water quality in California, with emphasis on groundwater.

Prior to the sampling activities, Ninyo & Moore reviewed the state's GeoTracker and EnviroStor databases to determine if any current or former environmental cases were located in the vicinity of the Project site. No environmental cases were found; however, the site is located near several highways which are historically known sources of elevated lead concentrations due to prior uses of leaded gasoline.

The San Francisco Bay Regional Water Quality Control Board (SFRWQCB) established Environmental Screening Levels (ESLs) to determine what concentrations of certain chemicals could pose a threat to human health and/or the environment. The ESLs take into account different exposure scenarios anticipated to be encountered at the Project site. The Tier 1 ESL is the most conservative of the ESLs available for a particular chemical, and is the first one to be reviewed to determine if chemicals could pose a risk at the Project site. However, the presence of a chemical at concentrations in excess of a Tier 1 ESL does not necessarily indicate that adverse impacts to human health or the environment are occurring; this simply indicates that a potential for adverse risk may exist and that additional evaluation is warranted. Following the Tier 1 ESL review, additional exposure pathways are reviewed and the most appropriate are selected based on anticipated site usage. As this is a desilting project and materials are being removed from the site, the receptor for the site will be a construction worker, so the Construction Worker ESLs were also reviewed. Concentrations are compared to the 2019 (SFRWQCB) Tier 1 ESLs, and Direct Exposure Human Health Risk Levels for Construction Worker ESLs (Construction Worker ESLs). Concentrations are also compared to the state and federal waste classification criteria.

A total of 33 sediment samples were collected and analyzed for the following constituents for waste classification:

- Total Petroleum Hydrocarbons (TPH) as diesel-range organics (TPHd) and as motor oil range organics (TPHmo) by United States Environmental Protection Agency (US EPA) Method 8015B.
- TPH as gasoline range organics (TPHg) and volatile organic compounds (VOCs) using US EPA Method 8260B.
- Title 22 metals by US EPA Methods 6020/7471A.

### THPs

Concentrations of TPHd and TPHmo were detected at low levels above their respective laboratory reporting limits (the smallest concentration of a chemical that can be reported by a laboratory), but did not exceed their Tier 1 ESLs. TPHg was not detected above its laboratory reporting limit during this sampling event.

### VOCs

VOCs detected during this sampling event are as follows. One sample reported low levels of 2-Butanone (methyl ethyl ketone) and 4-isopropyltoluene above their reporting limits. 2-Butanone was not detected above its Tier 1 ESL, and ESLs have not been established for 4-isopropyl toluene. No other VOCs, including benzene, toluene, ethylbenzene and xylenes (BTEX) or methyl tert-butyl ether (MTBE), were reported above their respective laboratory reporting limits during this sampling event.

### Title 22 Metals

Concentrations of 13 metals (arsenic, barium, beryllium, cadmium, chromium, cobalt, copper, lead, mercury, molybdenum, nickel, vanadium and zinc) were detected above their respective laboratory reporting limits. Detections exceeding screening levels are discussed further below:

#### Arsenic

Arsenic was detected in each sample at concentrations ranging from 1.0 milligrams per kilogram (mg/kg) to 7.9 mg/kg. These concentrations are below the background concentration of arsenic of 11 mg/kg in Bay Area soils, which has been accepted by the RWQCB. In this case, a background concentration refers to the amount of chemicals found in the soils of a particular area that are naturally occurring and have not been elevated by human activities.

#### Lead

Lead was detected in each sample at concentrations ranging from 2.3 mg/kg to 32 mg/kg. One concentration was detected at the Tier 1 ESL of 32 mg/kg. No samples exceed the Construction Worker ESL of 160 mg/kg.

#### Vanadium

Vanadium was detected in each sample at concentrations ranging from 5.6 mg/kg in WC4-0.5 to 46 mg/kg in WC5-1.0. Twenty-one (21) of the samples, collected from both Grayson and Walnut Creeks exceed the Tier 1 ESL of 18 mg/kg and none of these concentrations exceed the Construction Worker ESL of 470 mg/kg. In addition, the highest concentration detected (46 mg/kg) is below the arithmetic mean of background concentrations of vanadium in California soils, which is 112 mg/kg (Bradford et al. 1996).

Based on the sediment sampling results, it is unlikely that the desilting activities pose significant hazard to the public or the environment and Project impacts would be **less than significant**.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

The nearest airport to the Project site is Buchanan Field Airport, located approximately 0.2 miles from the Grayson Creek portion of the Project site and approximately 0.01 miles from the Walnut Creek portion of the Project site. According to the Buchanan Field Airport Master Plan (Buchanan Field Airport Master Planning Program 2008), the Project is not located within any of the noise contours surrounding the airport, therefore construction workers would not be exposed to excessive noise levels from airport activities. As described below in Section 13(a), the Project will not generate long-term excessive noise levels beyond existing conditions. Therefore, Project impacts will be **less than significant**.

- f) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

No interference with an emergency response plan or evacuation plan is expected to result from the Project. Maintenance roads parallel the Project site at both channels, enabling maintenance vehicles to avoid public thoroughfares during the excavation work. The desilting of the channels will not change the nature of the Project area. Emergency vehicles will have access at all times during construction. Therefore, Project impacts will be **less than significant**.

- g) *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

The Project is located in an urban area. According to the California Department of Forestry and Fire Protection (Cal Fire), the Project is not located in a Very High Fire Hazard Severity Zone (Cal Fire 2009). The Project will reduce fuel load for a number of years by replacing ruderal vegetation that tends to be dry in the summer with more wetland varieties. Over time, sediment and ruderal vegetation will fill back in, but this takes years to happen. For example, the last desilt was in 2006. Additionally, no residences, gathering places, or structures are proposed by the Project and the Project does not propose uses that would put residences in danger or increase the risk of wildland fire hazards beyond what currently exists for the public. Therefore, Project impacts will be **less than significant**.

### **Sources of Information**

Bradford, G.R., A.C. Chang, A.L. Page, D. Bakhtar, J.A. Frampton, and H. Wright. (Bradford et al. 1996) Background Concentrations of Trace and Major Elements in California Soils. Kearney Foundation Special Report. University of California, Division of Agriculture and Natural Resources

Buchanan Field Airport (Buchanan Field Airport Master Planning Program 2008). Contra Costa County Public Works Department, Buchanan Field Airport. Website: <https://www.contracosta.ca.gov/4016/Buchanan-Field-Master-Plan-RevOct-2008>. Accessed August 10, 2021.

California Department of Forestry and Fire Protection (Cal Fire 2009). Very High Fire Hazard Severity Zones in Local Responsible Area, Contra Costa County. Website: <https://frap.fire.ca.gov/mapping/pdf-maps/>. Accessed August 10, 2021.

California Department of Toxic Substances Control (DTSC 2021). EnviroStor. Website: <http://www.envirostor.dtsc.ca.gov/public/>. Accessed August 10, 2021.

Ninyo & Moore. (Ninyo & Moore 2020). Sediment Sampling and Analysis Letter Report, Grayson Creek and Walnut Creek, Various Cities and Unincorporated Areas – Contra Costa County, California. December 2, 2020

State Water Resources Control Board (SWRCB 2021). GeoTracker. Website: <http://geotracker.waterboards.ca.gov/>. Accessed August 10, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>10. HYDROLOGY AND WATER QUALITY – <i>Would the project:</i></b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The Project is located within the Walnut Creek watershed. This approximately 145 square mile watershed drains the east side of the East Bay Hills and the west side of Mount Diablo. The upper watershed is formed of steeply sloped canyons, and the lower watershed is formed of gently sloping alluvial floodplains with residential and urban development. Walnut Creek drains the Walnut Creek Watershed, which is fed by several



major tributaries including San Ramon Creek, Bollinger Creek, Las Trampas Creek, Lafayette Creek, Grayson Creek, Murderer's Creek, Pine Creek and Galindo Creek. Walnut Creek flows from the City of Walnut Creek, through Pleasant Hill, Concord and into unincorporated Contra Costa County. The Walnut Creek channel flows north and merges with Grayson Creek to form Pacheco Creek, which then empties into Suisun Bay approximately 3.6 miles north of the northern boundary of the Project area at Imhoff Drive.

Grayson Creek drains the approximately 24 square mile Grayson Creek/Murderers Creek sub-watershed, which is contained in the Walnut Creek watershed. The Grayson Creek watershed drains the eastern flank of the Briones Hills. This watershed includes all of Pleasant Hill and portions of Martinez, Walnut Creek, and unincorporated Contra Costa County. Hidden Valley Creek and Murderer's Creek join the main stem of Grayson Creek before it flows into Walnut Creek just downstream of Highway 4.

Walnut Creek is designated as an impaired waterbody under the Federal Clean Water Act due to the presence of diazinon, which is a pesticide. The drainage area in the Project area is expected to be subject to regulation by the United States Army Corps of Engineers (USACE), the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB), and the State Water Resources Control Board (SWRCB). Impacts to the channels and associated wetlands require authorization with a Section 404 Individual Permit from the USACE, and a Section 401 Water Quality Certification from the SFBRWQCB. The 401 Water Quality Certification will address the waste discharge requirements of the SFRWQCB. Total disturbance due to the Project will be greater than an acre; therefore, in order to comply with the State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) General Construction Permit requirements, a Storm Water Pollution Prevention Plan (SWPPP) will be required by the contract plans and specifications and has been required by **Mitigation Measure BIO-2**. The SWPPP will specify the Best Management Practices (BMPs) that will be used during Project construction to ensure water quality impacts are minimized. The SWPPP will address erosion control, sediment control, non-storm water management, accidental spills, and other sources of potential contamination that could occur from construction vehicles or materials. As discussed in Section 9 (d) above, sediment does not contain hazardous substances in excess of SFRWQCB standards. Adherence to BMPs in the SWPPP, and obtaining a 401 certification from the SFRWQCB will address compliance with water quality standards and discharge requirements.

Avoidance and minimization measures will be undertaken in the design of the Project to avoid adverse impacts to water quality, such as creating a two-ft. berm/buffer that will be flagged around the low flow channel of both channels. Contract specifications will require these measures to be implemented to ensure that sediment will not enter the waterway. Contract specifications will also require preparation of a SWPPP, which will



outline specific measures to protect water quality during construction. Examples of measures include, but are not limited to, the storage, servicing and fueling of construction equipment outside of the channel and practices to reduce the possibility of a spill of gasoline, oil, or other pollutant that could have a significant impact on water quality. Normal channel flows will be maintained during the Project, so a dewatering system will not be needed. The low flow channel will not be impacted by the sediment removal, and no changes to the alignment of the channels are proposed. Therefore, no change in drainage patterns are expected. Excavation of sediment deposits from the benches adjacent to the low flow channels will allow water to move more efficiently during high flow events. Project work will occur at the driest part of the year (April to October) to reduce the likelihood of rain interrupting the sediment removal activities. The Project will not create substantial sediment laden run-off to the channel, as vegetation is expected to re-establish itself quickly after the activities are completed. At the completion of the Project, all disturbed areas will be stabilized using hydroseeding with a mix of native species.

The excavated material from Walnut Creek will be transported to the nearby Marathon Refinery and stockpiled in an upland location according to their approved plans and grading permit.

The sediment from Grayson Creek will be disposed at the nearest permitted landfill. If Marathon Refinery cannot accept the Walnut Creek sediment, and another user cannot be identified, it will be properly managed and disposed of at an appropriate permitted landfill.

For the reasons stated above, the Project will not adversely affect surface or ground water quality. Therefore, Project impacts will be **less than significant with mitigation incorporated**.

**IMPACT HYD-1:**

Project activities could cause sediment to enter the channels and affect water quality.

**MITIGATION MEASURE HYD-1:**

A two-foot berm/barrier will be left between the low flow channel and construction areas in both Walnut Creek and Grayson Creek. This berm will prevent sediment from entering the channel during construction, and affecting water quality.

- b) *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

The Project will not require any withdrawals from an aquifer or groundwater table and will have a negligible effect on groundwater recharge, as the desilting will not change the nature of the Project site. Therefore, the Project will have **no impact**.

c) *Would the project substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

i) *Result in substantial erosion or siltation on- or off-site?*

The Project will not increase the impervious surface area within the Walnut Creek watershed. An increase in impervious area could result in additional runoff water thus increasing the flow volumes, rates, and peak durations from the loss of unpaved overland flow and native infiltration. However, the Project will not result in any changes to runoff patterns in the Walnut Creek or Grayson Creek watersheds, and therefore associated impacts will not occur. BMPs for erosion and sediment control as identified in **Mitigation Measures BIO-2** and **HYD-1**, and standard BMPs will be implemented during the Project. As noted above, the excavated material from Walnut Creek will be transported to the nearby Marathon Refinery, where it will be stockpiled in an upland location and handled in accordance with their approved plans and grading permit. Therefore, Project impacts will be **less than significant with mitigation incorporated**.

ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

As discussed in Subsection (i), above, the Project would not result in an increase in impervious surface as compared to existing conditions. Surface runoff would not increase. Following desilting activities, the risk of flooding on- and off-site will decrease substantially compared to the risk under current conditions. The Project will not increase exposure of people or property to flooding. In fact, the goal of the Project is to lessen the potential exposure of people and property to flooding by restoring capacity to the flood control channel. Therefore, Project impacts will be **less than significant**.

iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

As discussed in Subsection (i), above, the Project would not result in an increase in impervious surface as compared to existing conditions. Surface runoff would not increase. Following desilting activities, stormwater drainage systems adjacent to

the Project and pollutant discharges from existing impervious surfaces would be identical to those under current conditions. Therefore, the Project will have **no impact**.

*iv) Impede or redirect flood flows?*

As discussed in Subsection (a) above, the Project will improve the hydraulic capacity of the channels and reduce flood risk to adjacent properties by excavating sediment deposits from the channels which will facilitate movement of water during high flow events. Therefore, the Project will have **no impact**.

*d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?*

The confluence of Grayson Creek with Walnut Creek is located just north of the Project area. Approximately 1.5 miles north of this location, the channel merges with Pacheco Creek and then travels an additional 1.8 miles north to empty into Suisun Bay. Suisun Bay is drained by the Carquinez Strait, which feeds into San Pablo Bay, a northern extension of the San Francisco Bay, which connects to the open ocean. Waterfront areas along Suisun Bay and the Carquinez Strait could have possible risk of inundation from seiches or tsunamis. According to the Hazard Viewer Map on the Association of Bay Area Governments (ABAG) website, the Project area is outside the Tsunami Evacuation Zone (ABAG 2021). Furthermore, the Project will be limited to desilting activities and will not introduce new land uses that could be subject to inundation.

The Federal Emergency Management Agency (FEMA) produced Flood Insurance Rate Maps (FIRMs) which show Special Flood Hazard Areas (SFHAs). According to the associated FIRMs, the Project area along Walnut Creek is located within Zone A, which represent areas within the 100-year base floodplain where the base flood elevation has not been determined. Much of the land just west of the Walnut Creek segment of the Project is within Zone X, which represents areas subject to the 500-year flood event. Grayson Creek north of SR-4 is also within Zone A, while south of SR-4 the Project area is a regulatory floodway located in Zone AE, which has a base flood elevation ranging from 18 to 26 feet (FEMA 2009; 2017). Most of the commercial and residential areas immediately east of the Project area along Grayson Creek are also within Zone AE. The FEMA FIRMs show levees along both sides of Walnut Creek beginning north of Concord Avenue. Levees along the west side of Grayson Creek begin approximately 400 feet south of Pacheco Boulevard and continue along both sides of the channel north of Pacheco Boulevard to the confluence with Walnut Creek.

Although the Project site is located within flood hazard areas, the Project would have no adverse impacts to flood conditions. The Project will improve the hydraulic capacity of

the channels and reduce flood risk to adjacent properties by excavating sediment deposits from the channels, which will facilitate movement of water during high flow events. As described in Subsection (iii) above, the pollutant load would not be different from the existing conditions because there would be no additional impervious surfaces that the Project would construct and no new land uses are proposed that could increase potential for pollutants during flood conditions. Therefore, the Project would not risk release of pollutants due to inundation and Project impacts will be **less than significant**.

- e) *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

This Project is located in the cities of Concord and Pleasant Hill, and in the unincorporated areas of Pacheco and Vine Hill. These areas of Contra Costa County are within the limits of the San Francisco RWQCB, which established the Water Quality Control Plan (Basin Plan) for the California Regional Water Quality Control Board San Francisco Bay Region (SFRWQCB 2018).

The Basin Plan identifies general water quality objectives for inland surface waters. The Basin Plan lists the following beneficial uses for Walnut Creek: cold freshwater habitat, fish migration, preservation of rare and endangered species, fish spawning, warm freshwater habitat, wildlife habitat, and some types of recreation<sup>1</sup>. Beneficial uses identified for Grayson Creek are the same with the exception of fish spawning which is not identified for Grayson Creek. The Project is limited to selective desilting that is required to provide flood protection. The desilt areas were carefully chosen to avoid the most sensitive ESAs. Vegetation removal will be limited to only that which is necessary for the work and there will be no large tree removal or removal of overhanging riparian vegetation. There will be no work in the flowing channel and a 2-foot berm will buffer the work area from the flowing channel. Because there is vegetation on the silt bars that will be removed with the sediment, implementation could temporarily affect water temperature until the new vegetation grows in. Changes in temperature will be minimized by phasing the Project over two years. Work will occur on one side of the channels one year, the disturbed areas will be seeded, and then work will occur on the other side the next year. Working on one side of the channel each year will help minimize impacts to the channel in general. Other potential impacts during the desilting include suspended sediment, suspended materials, toxicity, temperature, and turbidity. These potential impacts will be minimized by working in the dry season, standard BMPs, and **Mitigation Measures BIO-1, BIO-2, and HYD-1**.

By avoiding the most sensitive ESAs, phasing the Project over two years, and implementation of mitigation measures, impacts to beneficial uses and the channels in

---

<sup>1</sup> Many areas of the channels are not publically accessible. All posted signs must be adhered to.

general will be minimized. As such, the Project would not conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, Project impacts will be **less than significant with mitigation incorporated**.

### **Sources of Information**

Association of Bay Area Governments (ABAG 2021). ABAG Hazard Viewer Map. Website: <https://abag.ca.gov/our-work/resilience/data-research/hazard-viewer>. Accessed: August 10, 2021

Federal Emergency Management Agency (FEMA 2009; 2017). June 2009; March 2017. Flood Insurance Rate Maps, Contra Costa County, California and Incorporated Areas, Panels 06013C0281F and 06013C0277F; Panel 06013C0089H

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>11. LAND USE AND PLANNING – Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

a) *Would the project physically divide an established community?*

The Project would not physically divide an established community; rather, it will improve the hydraulic capacity of the channels to reduce flood risk to adjacent properties. Therefore, the Project will have **no impact**.

b) *Would the project cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

The Project will not result in an alteration of the present or planned land use of the area and does not conflict with any applicable land use plan, policy or regulation. The Project is consistent with the following ordinances, programs, principles, and policies of the County's General Plan, the City of Pleasant Hill's General Plan, or the City of Concord's General Plan:

- County Floodplain Management Ordinance (County Ord. #82-28) (Contra Costa County 2021).
- Safety and Noise Policy 1B. Reduce flood damage potential in areas known to be prone to flooding (Pleasant Hill 2003).
- Safety and Noise Program 1.1. Continue to clear drainage systems regularly (inlets, culverts, swales, channels, and channels), both public and private, to remove debris buildup that can exacerbate flooding impacts (Pleasant Hill 2003).
- Goal S-4: Flood Risk Reduction, Principle S-4.1. Protect the community from risks to lives and property posed by flooding and stormwater runoff (Concord 2005).

- Goal S-4: Flood Risk Reduction, Policy S-4.14. Design storm drainage facilities to meet the Contra Costa County Flood Control and Water Conservation District standards and ensure adequate and safe flow to minimize flooding (Concord 2005).

CCCPWD has an adopted Habitat Conservation Plan/Natural Community Conservation Plan; however, the Project is not within the plan's inventory area. Based on the analysis above, the Project is consistent with environmental land use policies or plans. Therefore, the Project will have **no impact**.

### **Sources of Information**

Concord. 2005. *2030 General Plan*. Chapter 7. Safety and Noise. Planning Division, Concord, CA. (Concord 2005). Website: <https://www.cityofconcord.org/463/2030-General-Plan>. Accessed August 6, 2021.

Contra Costa County. (Contra Costa County 2021). Contra Costa County Public Works Department, Contra Costa County Floodplain Management Program. Martinez, CA. Website: <https://www.contracosta.ca.gov/332/FEMA-Floodplain-Program>. Accessed August 6, 2021.

Pleasant Hill. 2003. *General Plan 2003*. Safety and Noise Element. Planning Division, Pleasant Hill, CA. (Pleasant Hill 2003). Website: <https://www.pleasanthillca.org/132/Current-General-Plan>. Accessed August 6, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>12. MINERAL RESOURCES – Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

The Project will not involve quarrying, mining, or extraction of any known regionally or locally important mineral, oil, or gas resources on site, nor will it deplete any non-renewable natural resource. According to the Conservation Element chapter in the County General Plan (Contra Costa County 2005d), there are no mapped mineral resource areas near the Project. Therefore, the Project will have **no impact**.

- b) *Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

There are no mapped mineral resource areas near the Project. Therefore, the Project will have **no impact**.

**Sources of Information**

Contra Costa County. (Contra Costa County 2005d). 2005. *Contra Costa County General Plan 2005-2020*. Contra Costa County Community Development Department. Martinez, CA. Website: <https://www.contracosta.ca.gov/4732/General-Plan>. Accessed August 6, 2021. 2005d: Chapter 8: Conservation Element.



Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>13. NOISE – Would the project result in:</b>				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Noise is usually defined as unwanted sound. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound as heard by the human ear. Sound levels in dB are calculated on a logarithmic basis. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness though the noise is actually ten times more intense. An increase of 10 dB represents a 10-fold increase in acoustic energy, while 20 dB is 100 times more intense. Sound intensity is normally measured through the A-weighted sound level in decibels (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. As noise spreads from a source, it loses energy so that the farther away the noise receiver is from the noise source, the lower the perceived noise level.

Desilting of the flood control channels will not result in any long-term noise impacts due to the limited scope of the Project. However, noise will be generated by heavy equipment during desilting. Table 4 shows typical noise levels of construction equipment anticipated for the Project as measured at a distance of 50 feet from the operating equipment.

**Table 4.** Typical Construction Equipment Maximum Noise Levels

Type of Equipment	Impact Device? (Yes/No)	Typical Maximum Noise Levels (dBA at 50 feet)
Pickup Truck	No	55
Front-End Loaders	No	80
Dump Truck	No	84
Excavators	No	85

Source: FHWA 2006.

There is a variety of land uses in the Project vicinity, including commercial, industrial, and residential. These properties range from small shopping centers to large box stores, from a water treatment plant to an airport, and from a mobile home park to single- and multi-family residential housing. Interstate 680 and State Route 4, both major freeways, are located next to the Project.

The closest residential properties to the Project area are located on the west side of Grayson Creek between Pacheco Boulevard and Chilpancingo Parkway. Equipment and vehicles operating from the gravel access road within 50 feet of these properties would be limited to the removal of less than 10,000 cubic yards of sediment and would be spread out over nearly 1 mile along the channel. The anticipated amount of time to desilt this area is relatively short and is estimated to take approximately 3 weeks in total. As desilting activities progress along the channel and move to other Project locations, work at each sediment bar would last for a fraction of that time. Therefore, the amount of time spent within 50 feet of each property would be considerably shorter than 3 weeks. Furthermore, the presence of trees between these residential properties and the gravel access road will help attenuate equipment and vehicle noise.

Contra Costa County does not have a noise ordinance for construction noise. However, the Noise Element of the County's General Plan specifies that construction activities shall be concentrated during the hours of the day that are not noise-sensitive for adjacent land uses and should be commissioned to occur during normal work hours of the day to provide relative quiet during the more sensitive evening and early morning periods (Contra Costa County 2005e). The City of Pleasant Hill noise ordinance allows construction work within a residential land use district on Monday through Friday, 7:30 a.m. to 7:00 p.m. and weekends, 9:00 a.m. to 6:00 p.m. The City of Concord noise ordinance states that the Concord Municipal Code section 62-32(1)cc restricts the hours that construction work can take place to the following times: Monday through Friday, 7:30 a.m. to 6:00 p.m., and weekends, 8:00 a.m. to 5:00 p.m. Therefore, working hours will be limited to Monday through Friday 7:30 a.m. to 6:00 p.m. and if necessary, weekends 9:00 a.m. to 5:00 p.m. These working hours will be incorporated as part of the construction contract. Contract specifications will also require the use of properly tuned and muffled equipment to minimize noise due to construction activities.

Implementation of **Mitigation Measure NOI-1a**, as described below, complies with the County Noise Element and noise ordinances for both the City of Concord and the City of Pleasant Hill.

Consistent with the provisions outlined in the Noise Element of the Contra Costa General Plan, construction activities shall be concentrated during the hours of the day that are not noise-sensitive for adjacent land uses and will be required to occur during normal work hours of the day to provide relative quiet during the more sensitive evening and early morning periods. Therefore, compliance with restrictions on permissible hours of construction, as well as compliance with best management practices for construction noise reduction measures outlined in **Mitigation Measure NOI-1a**, would ensure that construction noise would not result in sleep disturbance of sensitive receptors or exposure of persons to noise levels in excess of established standards. Impacts would be less than significant with the implementation of mitigation.

There will be a limited number of additional vehicle trips during desilting activities resulting from worker vehicles accessing the site. The transport of workers and construction equipment and materials to the Project area would incrementally increase noise levels on adjacent roads. The average number of anticipated vehicle trips related to the Project would be approximately 100 per day. However, this will be a minor and temporary impact that would not significantly increase the ambient noise level at the Project area and therefore is deemed less than significant.

The Project will cause a temporary increase in ambient noise associated with desilting activities. This increase, however, would be short-term and temporary in nature. As shown in Table 4, noise from desilting activities for the Project will fall within a typical range of 55 to 85 dBA at 50 feet from nearby residences. According to the City of Pleasant Hill's General Plan, Pleasant Hill residents are frequently exposed to noise ranging from 35 to 80 decibels (Pleasant Hill 2003). See Table 5 below for examples of typical noise levels from existing noise sources and environments that may be found near the Project site. As a result, Project activities will temporarily increase noise levels by at least 5 decibels. A difference of 5 dBA is considered the minimum readily perceptible change to the human ear in outdoor environments. Therefore, construction noise is expected to be noticeable to residents. Implementation of **Mitigation Measures NOI-1a** and **NOI-1b** would reduce this short-term noise impact to a less-than-significant level. Therefore, Project impacts will be **less than significant with mitigation incorporated**.

**Table 5.** Typical Noise Levels

<b>Type of Noise or Environment</b>	<b>Decibels</b>
Soft Whisper; Quiet Bedroom	30
Busy Open-plan Office	55
Normal Conversation	60-65

Automobile at 20 mph 25 ft. away	65
Vacuum Cleaner at 10 ft. away	70
Dump Truck at 50 mph <sup>1</sup> 50 ft. away	90
Source: City of Pleasant Hill General Plan, 2003	

<sup>1</sup>Note that dump trucks driving on unpaved roads at the Project site will be limited to 15 mph

**IMPACT NOI-1:**

Project activities will result in a temporary increase in ambient noise levels.

**MITIGATION MEASURE NOI-1a:**

Construction activities shall be limited to non-sensitive hours for adjacent land uses (generally between 7:00 a.m. to 6:00 p.m. in unincorporated areas and 7:30 a.m. to 6:00 p.m. in neighboring cities) consistent with the Contra Costa County General Plan Noise Element and noise ordinances for the City of Concord and City of Pleasant Hill. If work is necessary outside of these hours, approvals from impacted jurisdictions will be obtained as needed to extend work hours.

**MITIGATION MEASURE NOI-1b:**

The Project Contractor shall employ the following noise-reducing practices during Project construction:

- Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive areas nearest the active Project site during all Project activities.
- A visible sign will be posted at the Project site with the hours of construction and the name and telephone number of the contact person to address any noise complaints.

*b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

Excessive ground-borne vibration from construction activities resulting from equipment such as pile drivers will not be used to for the Project. Some ground-borne vibration may result from desilting, but will not be excessive based on the types of construction equipment that will be used and will be short term in nature. Therefore, Project impacts will be **less than significant**.

*c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

The nearest airport to the Project site is Buchanan Field Airport, located approximately 0.2 miles from the Grayson Creek portion of the Project site and approximately 0.01 miles from the Walnut Creek portion of the Project site. The Federal Aviation Administration (FAA), through the Federal Aviation Regulations (FAR) Part 150 Noise Compatibility Plan prepared for the airport, has developed generalized guidelines for land use compatibility for planning purposes. According to the Buchanan Field Airport Master Plan (Buchanan Field Airport Master Planning Program 2008), the Project is not located within the 65 Community Noise Equivalent Level (CNEL) noise contour surrounding the airport, which is the threshold contour for land use analysis. Based on these guidelines, residential uses and schools are compatible with noise up to 65 CNEL. Therefore, construction workers would not be exposed to excessive noise levels from airport activities. Further, no new land uses are proposed that might expose people to excessive noise levels generated by airport activities. Therefore, Project impacts will be **less than significant**.

### **Sources of Information**

Contra Costa County. (Contra Costa County 2005e). 2005. *Contra Costa County General Plan 2005-2020*. Contra Costa County Community Development Department. Martinez, CA. Website: <https://www.contracosta.ca.gov/4732/General-Plan>. Accessed August 6, 2021. 2005e: Chapter 11. Noise Element

Buchanan Field Airport (Buchanan Field Airport Master Planning Program 2008). Contra Costa County Public Works Department, Buchanan Field Airport. Website: <https://www.contracosta.ca.gov/4016/Buchanan-Field-Master-Plan-RevOct-2008>. Accessed August 10, 2021.

Federal Highway Administration (FHWA 2006). *Highway Construction Noise Handbook*. Website: [https://www.fhwa.dot.gov/environment/noise/construction\\_noise/handbook/handbook09.cfm](https://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm). Accessed August 6, 2021.

Pleasant Hill. 2003. *General Plan 2003*. Safety and Noise Element. Planning Division, Pleasant Hill, CA. (Pleasant Hill 2003). Website: <https://www.pleasanthillca.org/132/Current-General-Plan>. Accessed August 6, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>14. POPULATION AND HOUSING – Would the project:</b>				
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?*

The goal of the Project is to provide flood control protection to the area. This goal will be achieved without creating additional infrastructure that could encourage population growth. Downstream of the proposed flood control improvements (the location the Project will benefit), the area is essentially built-out with industrial uses, and the improvements will not induce further population growth. The Project does not include new homes or businesses that could directly induce population growth. In addition, the Project does not conflict with with the Growth Management Element of the County's General Plan, including the 65/35 Land Preservation Standard and Urban Limit Line (Contra Costa County 2005f). Therefore, the Project will have **no impact**.

- b) *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The Project will not result in the displacement of any homes or residents, nor will it result in a change in the location, distribution, density or growth rate of human population in the area; as such, no replacement housing is necessary. Therefore, the Project will have **no impact**.

**Sources of Information**

Contra Costa County. (Contra Costa County 2005f). 2005. *Contra Costa County General Plan 2005-2020*. Contra Costa County Community Development Department. Martinez, CA. Website: <https://www.contracosta.ca.gov/4732/General-Plan>. Accessed August 6, 2021. 2005f: Chapter 4. Growth Management Element

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>15. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</b>				
a) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

*Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

a) *Fire Protection?*

The Project will not result in new development that could increase demand on public services and therefore will not necessitate the construction of new facilities or the alteration of facilities that could result in environmental impacts. Because the Project will not result in population growth or propose land uses that increase demand on police and fire services, there will be no impact on service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, or other public facilities. During Project work, residents and emergency service vehicles will be able to access the surrounding streets and all adjacent neighborhoods at all times. Furthermore, the Project does not conflict with the Public Facilities/Services Element of the County's General Plan (Contra Costa County 2005g). Therefore, the Project will have **no impact**.

b) *Police Protection?*

Please refer to the discussion and response in Subsection (a) above.

c) *Schools?*

Please refer to the discussion and response in Subsection (a) above.

d) *Parks?*

Please refer to the discussion and response in Subsection (a) above.

e) *Other public facilities?*

Please refer to the discussion and response in Subsection (a) above.

**Sources of Information**

Contra Costa County. (Contra Costa County 2005g). 2005. *Contra Costa County General Plan 2005-2020*. Contra Costa County Community Development Department. Martinez, CA.  
Website: <https://www.contracosta.ca.gov/4732/General-Plan> Accessed August 6, 2021.  
2005g: Chapter 7. Public Facilities/Services Element



Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>16. RECREATION</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The Project is adjacent to one existing neighborhood park in the area. Shadowood Park is a 2.6-acre park with a lawn, playground and picnic area owned and maintained by the Pleasant Hill Recreation and Park District.

The Project is adjacent to two trails. Pacheco Creekside Park, located along Grayson Creek, and the Iron Horse Regional Trail, next to Walnut Creek. Pacheco Creekside Park features a gravel trail that runs along Aspen Drive between Center Avenue and Pacheco Boulevard. The Iron Horse Regional Trail is a multi-use hiking and bicycle trail that is managed and maintained by the East Bay Regional Park District (EBRPD). The Project does not include new land uses or other features that could increase the use of the existing park or recreational trails listed above. Therefore, no physical deterioration of the facilities would occur or be accelerated. Based on the information above, the Project will have **no impact**.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?*

The Project is limited to sediment removal along two creek channels and does not include recreational facilities or require the construction or expansion of recreational facilities. There would be no adverse physical effect on the environment related to new recreational facilities. Therefore, the Project will have **no impact**.

### **Sources of Information**

Pleasant Hill Recreation and Park District (Pleasant Hill Rec 2021). 2021. Website:  
<https://pleasanthillrec.com/facilities/facility/details/Shadowood-Park-7>. Accessed October 8, 2021.

East Bay Regional Park District (EBRPD 2021). 2021. Website:  
[https://www.ebparks.org/parks/trails/iron\\_horse/default.htm](https://www.ebparks.org/parks/trails/iron_horse/default.htm). Accessed October 8, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>17. TRANSPORTATION – <i>Would the project:</i></b>				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?*

The majority of the Project will take place in the flood control channels, which are paralleled by access roads that are not open to cars owned by the public. The local roads in the vicinity of the Project channels receive traffic from day use shoppers, due to the location of various box store and mini-mall locations, and local residents. The Project will not result in long-term impacts to circulation however, access to and from the Project site by workers and equipment will be necessary during the desilting work. Increase in traffic from construction workers will be negligible. A relatively small number of truck trips will be generated (approximately 100 per day) over a limited number of days. Work at the Project site is estimated to take approximately 192 days over the course of two years (96 days per year). Traffic on adjacent roadways may need to be temporarily stopped in order to allow dump trucks and other deliveries to enter and exit the access roads at the work site along various access points at the Project site. Traffic control flaggers will be used when necessary to adjust vehicle flow. Although traffic impacts are expected to be minimal, construction documents will require the contractor to submit a traffic control plan for approval by the CCCPWD.

All of Pacheco Creekside Trail along Grayson Creek and a portion of the Iron Horse Regional Trail that parallels Walnut Creek will be closed during the desilting activities. Pacheco Creekside Trail is a gravel trail that runs along Aspen Drive between Center Avenue and Pacheco Boulevard and is approximately 0.2 miles long. There is an existing sidewalk parallel to the trail on the west side of Aspen Drive that will be available as an alternate route for pedestrians. The Iron Horse Regional Trail is a multi-use hiking and bicycle trail that is managed and maintained by the EBRPD, who will be advised of the

Project, and will be advised of path closures. Pedestrians and bike riders using the recreational trail for alternative transportation will be temporarily affected by the Project; however, alternate street routes are available around the affected portion of the trail.

For the reasons stated above, the Project does not conflict with applicable plans. Furthermore, the Project does not conflict with the Transportation and Circulation Element of the County's General Plan (Contra Costa County 2005b). Therefore, Project impacts will be **less than significant**.

*b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?*

CEQA Guidelines Section 15064.3 (b) provides criteria for analyzing transportation impacts. As stated in Section 15064.3(b)(2), transportation projects that reduce, or have no impact on, vehicle miles traveled (VMT) should be presumed to cause a less than significant impact. The proposed Project is limited to sediment removal along two creek channels and is not considered a transportation project. The Project will have no impact on vehicle capacity, or create long-term changes to traffic patterns or VMT on adjacent roads. Therefore, the Project will have **no impact**.

*c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The Project will not increase hazards due to a design feature or incompatible use. The purpose of the Project is to remove sediment from creek channels and does not involve redesigning of roadways. Therefore, the Project will have **no impact**.

*d) Would the project result in inadequate emergency access?*

Emergency vehicles will have access to the roads adjacent to the Project site at all times. Roadway closures are not expected and traffic control measures, if needed, will comply with the industry standards allowing access for emergency vehicles. Therefore, Project impacts will be **less than significant**.

### **Sources of Information**

Contra Costa County. (Contra Costa County 2005b). 2005. *Contra Costa County General Plan 2005-2020*. Contra Costa County Community Development Department. Martinez, CA. Website: <https://www.contracosta.ca.gov/4732/General-Plan>. Accessed August 6, 2021. 2005b: Chapter 5. Transportation and Circulation Element

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>18. TRIBAL CULTURAL RESOURCES – <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i></b>				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

*Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

- a) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

As discussed in Section V (Cultural Resources), there are no tribal cultural resources listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources, present in the Project’s Area of Potential Effect (APE). Therefore, the Project impacts will be **less than significant with mitigation incorporated**.

- b) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?*

Subdivision (c) of Public Resources Code Section 5024.1 stipulates that a resource may be listed as an historical resource in the California Register of Historical Resources if it meets any of the following National Register of Historic Places criteria:

- (1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- (2) Is associated with the lives of persons important in our past.
- (3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- (4) Has yielded, or may be likely to yield, information important in prehistory or history.

The Wilton Rancheria Tribe has submitted a general request letter to be notified of projects within Contra Costa County under AB52. On February 18, 2020, an offer to consult was sent to the AB52 contact designated in the Wilton Rancheria general request letter. No responses were received from Wilton Rancheria in regards to AB52 consultation. Therefore, no request for consultation nor information about potential resources was received from the tribe.

Pacific Legacy completed a Native American Consultation and Sacred Land database search. The Native American Heritage Commission's (NAHC) review of the Sacred Land database was negative in the Project APE. The NAHC provided Pacific Legacy with a list of 10 Native American tribal contacts who might have information about cultural materials within the APE. Pacific Legacy sent letters requesting information from these tribal representatives on April 15, 2020. One response has been received to date. The response did not speak to resources in the area but requested that all work crews on the project receive sensitivity training, and that archaeologists be contacted in case unknown cultural resources are discovered (Pacific Legacy 2021).

**Mitigation Measures CUL-1 and CUL-2** will be implemented to minimize unanticipated impacts to previously undiscovered resources. Therefore, Project impacts will be **less than significant with mitigation incorporated**.

### Sources of Information

Pacific Legacy, Inc. (Pacific Legacy 2021). Phase I Archaeological Survey Report for the Walnut and Grayson Creeks Desilting Project, Contra Costa County, California. June 2021

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>19. UTILITIES AND SERVICE SYSTEMS – Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?*

The Project is limited to sediment removal and does not include nor will it require construction of new water or wastewater treatment facilities or expansion of existing facilities. Underground utilities within the Project area include high-risk, 8-inch-diameter Kinder-Morgan and 16-inch-diameter Phillips 66 petroleum pipelines that are bored under the channel on the southern side of the existing Highway 4 bridge that crosses Grayson Creek. There may also be a 30-inch-diameter water line owned by the Contra Costa Water District on the southern side. Next to the Walnut Creek channel, there may be an existing 21-inch-diameter Central Contra Costa Sanitary District line running north-south along the eastern levee. These utility lines will be marked in the field. The maximum

excavation depth will not go below the surfaces that were established when the channels were originally built, so all utilities should be beneath that level and not be disturbed by desilting activities and no relocation is necessary.

There are overhead utility lines at a few points along Grayson Creek and one underground marker on 2nd Avenue South. Overhead lines cross above Grayson Creek just north of the Target shopping center on Contra Costa Boulevard but no relocation is necessary. Accommodations will be made to provide space for desilting equipment. No utility or storm water drainage relocations are proposed or are necessary for Project implementation. Therefore, the Project will have **no impact**.

- b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?*

The Project will not require water service, and water trucks from off-site water sources would provide any water needed during desilting activities. Therefore, the Project will have **no impact**.

- c) *Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

The Project does not require wastewater treatment services. Therefore, the Project will have **no impact**.

- d) *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

The Project will not generate operational waste. However, a large amount of sediment and vegetative matter will be removed during excavation. The County has active solid waste facilities with capacity to accommodate any construction waste that may be generated (CalRecycle 2019). In addition, Project contract specifications will require that the Contractor dispose of solid waste, including sediment, in accordance with all federal, state and local regulations. Therefore, Project impacts will be **less than significant**.

- e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

As stated above, Project contract specifications will require that the Contractor dispose of solid waste in accordance with all federal, state and local regulations. Therefore, Project impacts will be **less than significant**.



### *Sources of Information*

California Department of Resources Recycling and Recovery (CalRecycle 2019). 2019. Walnut  
Website: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Search>. Accessed August 25,  
2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>20. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

*If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*

- a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

According to the California Department of Forestry and Fire Protection, the Project is not located in a Very High Fire Hazard Severity Zone (Cal Fire 2009). Further, the Project will not change the nature of the Project site or roadways. Emergency vehicles will have access at all times during desilting work. Therefore, the Project will have **no impact**.

- b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

According to the California Department of Forestry and Fire Protection, the Project is not located in a Very High Fire Hazard Severity Zone (Cal Fire 2009). Further, the Project will

not change the nature of the Project site. No improvements are proposed that would exacerbate a wildfire risk. However, use of equipment during the desilting activities have the potential to result in unanticipated fires.

**IMPACT FIRE-1:** Construction activities could result in the ignition of a wildfire.

**MITIGATION MEASURE FIRE-1:** Prior to construction, the contractor shall prepare a Fire Safety Plan for use during construction. The Fire Safety Plan shall contain notification procedures and emergency fire precautions including, but not limited to, the following:

- Dry grass shall be cut low or removed from construction equipment staging areas.
- Light trucks and cars with factory-installed (type) mufflers shall be used only on roads where the roadway is cleared of vegetation. Said vehicle types shall maintain their factory-installed (type) muffler in good condition.
- Equipment parking areas (staging areas) shall be cleared of all extraneous flammable materials.
- Smoking shall be limited to paved areas or areas cleared of all vegetation.

With implementation of **FIRE-1**, Project impacts will be **less than significant with mitigation incorporated**.

- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

According to the California Department of Forestry and Fire Protection, the Project is not located in a Very High Fire Hazard Severity Zone (Cal Fire 2009). Further, the Project will not change the nature of the Project site. No improvements are proposed that would exacerbate a wildfire risk. Therefore, Project impacts will be **less than significant**.

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

According to the California Department of Forestry and Fire Protection, the Project is not located in a Very High Fire Hazard Severity Zone (Cal Fire 2009). Further the sediment removal activities will not change the nature of the Project site. The existing amount of runoff, level of fire risk, and drainage patterns will remain unchanged post-construction. Therefore, the Project will have **no impact**.

### *Sources of Information*

California Department of Forestry and Fire Protection (Cal Fire 2009). Very High Fire Hazard Severity Zones in Local Responsible Area, Contra Costa County. Website: <https://frap.fire.ca.gov/mapping/pdf-maps/>. Accessed August 10, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>21. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*

Non-wetland areas (uplands) will be excavated to lower elevations, where re-establishment of wetlands can occur and increase wetland habitat in the channels. The Project will temporarily impact wetlands in Walnut and Grayson Creeks, but will return the floodplain to elevations more conducive to the formation of wetlands. Seasonal wetlands in these channels are frequently inundated during winter flows. The low flow channels will be protected by 2-foot berms/buffers, separating them from construction activities. Vegetation in the excavated areas is expected to regenerate quickly following hydro-seeding at the start of the rainy season.

The Project has been designed as self-mitigating. Overall, removal of sediment bars from the channel is expected to improve and increase wetland habitat as many of the targeted sediment bars are currently occupied by ruderal, upland vegetation, which are expected to convert to wetland vegetation and hydrology following Project implementation and revegetation. This expectation is based on planned revegetation efforts and on the results of past desilting operations, which successfully re-established wetland communities using the same or similar practices. This results in a cyclical management strategy that balances habitat with flood protection. Wetlands created, and upland areas restored to wetland elevations on Walnut and Grayson Creeks, will mitigate for the impacts to wetlands. **BIO-1 through BIO-5**, and **HYD-1** will be implemented to minimize impacts to species and their habitats.

No cultural resources were identified in the Project area. **CUL-1** and **CUL-2** will be implemented to minimize impacts to unknown cultural resources. Therefore, impacts will be **less than significant with mitigation incorporated**.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

The District conducts desilting in the channels periodically to reestablish flood capacity. The last desilt occurred in 2006. The recurring desilts can have cumulative effects on habitat in the channels and, thus, species. However, without periodic desilting, flooding impacts could occur. The Project has been designed to have the least amount of impact to ESAs as possible. As noted above, periodic desilting results in a cyclical management strategy that balances habitat considerations with flood protection. **BIO-1 through BIO-5**, and **HYD-1** will be implemented to minimize temporary impacts and the disturbed areas will be reseeded with appropriate seed mix to reestablish native wetland vegetation.

The District has a levee remediation project that is slated to construct the same year along existing levees on the lower portion of Grayson and Walnut Creeks. Work would not occur in the flowing channel and BMPs will be implemented to reduce impacts. In addition, the District conducts routine maintenance on the Walnut and Grayson channels through its permitted Routine Maintenance Program. This work, along with the Project, are maintenance and rehabilitation activities on existing facilities that are necessary for flood protection. Without the work, flood risk and other risks would increase, such as accidental release of hazardous substances that can be mobilized during inundation of surrounding land uses. During all work, BMPs are implemented to reduce impacts to

habitats, species, air quality, noise, and transportation during work. Impacts would be **less than significant with mitigation incorporated**.

- c) *Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?*

The Project will not have any long term effect on humans. Temporary air quality and noise impacts would be mitigated to less than significant levels through implementation of **AQ-1, AQ-2, NOI-1a and NOI-1b**, and **FIRE-1**. Therefore, impacts would be **less than significant with mitigation incorporated**.

# Page Left Intentionally Blank



## ATTACHMENTS

1. Project Regional Location Map
2. Project Vicinity Maps
3. Desilt Profile

# Walnut and Grayson Creeks Desilting Project

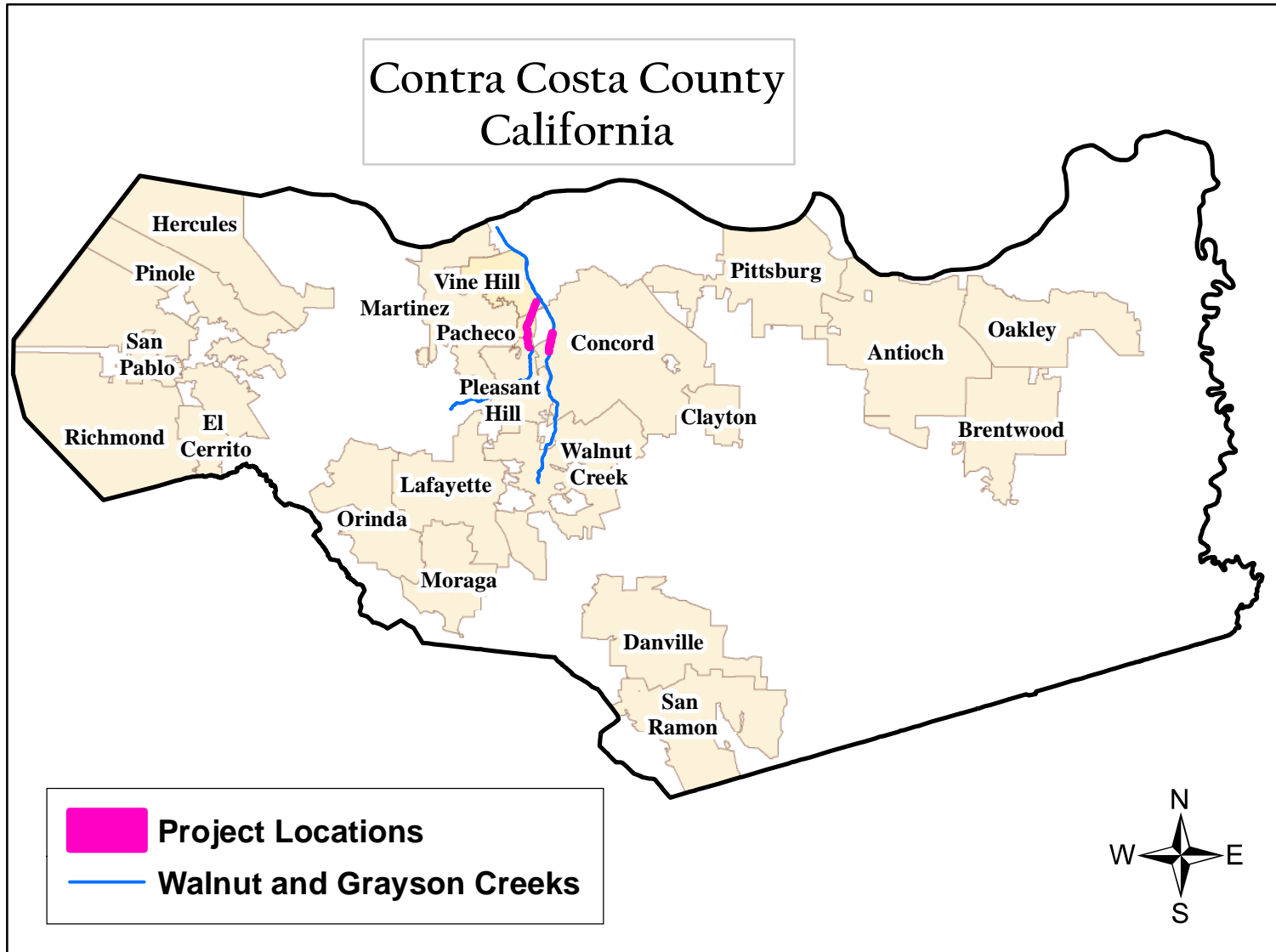


Figure 1









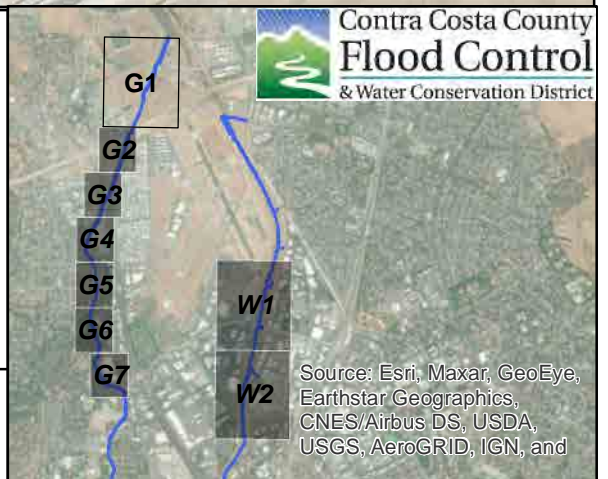
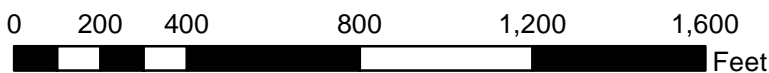
# Grayson 1

By Anthony DiSilvestre  
Date: 4/21/2021



## Legend

-  Points of Access
-  Haul Route (Existing)
-  Haul Route (Proposed)
-  Access Ramp
-  Rank 1 Bars
-  Rank 2 Bars



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and

Figure 2





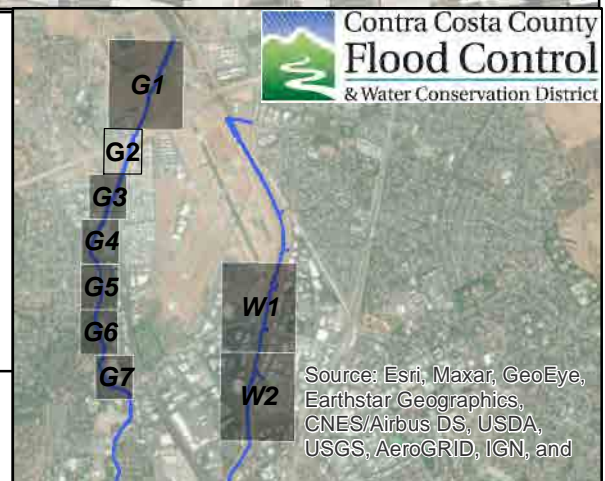
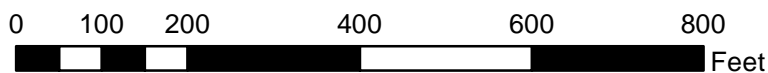
# Grayson 2



By Anthony DiSilvestre  
Date: 4/21/2021

## Legend

- Points of Access
- Haul Route (Existing)
- Haul Route (Proposed)
- Access Ramp
- Rank 1 Bars
- Rank 2 Bars



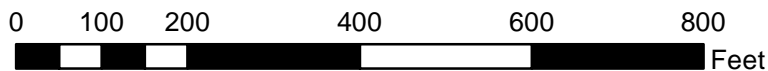
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and

Figure 2 (continued)



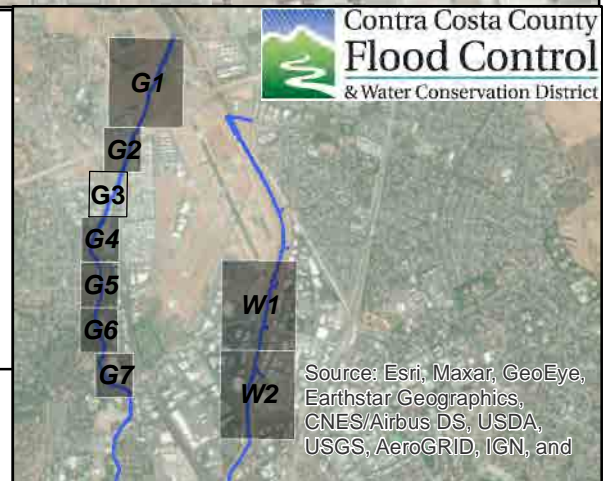
# Grayson 3

By Anthony DiSilvestre  
Date: 4/21/2021



## Legend

- Points of Access
- Haul Route (Existing)
- Haul Route (Proposed)
- Access Ramp
- Rank 1 Bars
- Rank 2 Bars



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and

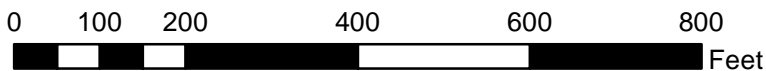
Figure 2 (continued)





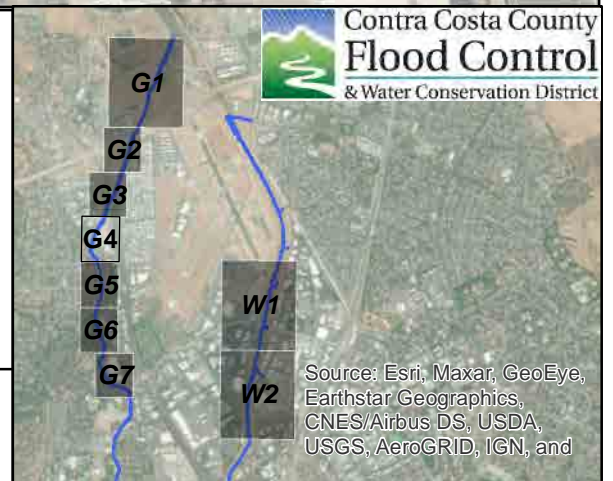
# Grayson 4

By Anthony DiSilvestre  
Date: 4/21/2021



## Legend

- Points of Access
- Haul Route (Existing)
- Haul Route (Proposed)
- Access Ramp
- Rank 1 Bars
- Rank 2 Bars



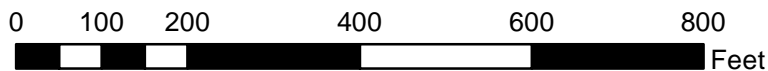
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and

Figure 2 (continued)



# Grayson 5

By Anthony DiSilvestre  
Date: 4/21/2021



## Legend







-  Points of Access
-  Haul Route (Existing)
-  Haul Route (Proposed)
-  Access Ramp
-  Rank 1 Bars
-  Rank 2 Bars



Figure 2 (continued)











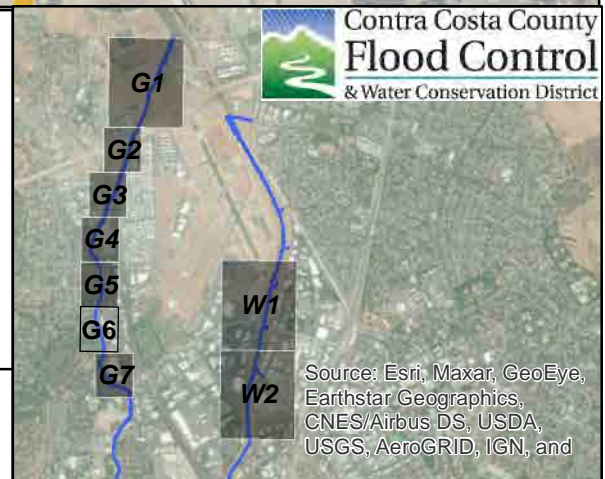
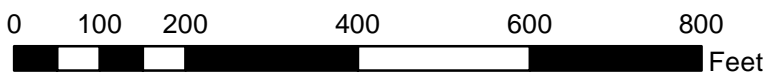
# Grayson 6



By Anthony DiSilvestre  
Date: 4/21/2021

## Legend

-  Points of Access
-  Haul Route (Existing)
-  Haul Route (Proposed)
-  Access Ramp
-  Rank 1 Bars
-  Rank 2 Bars



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and

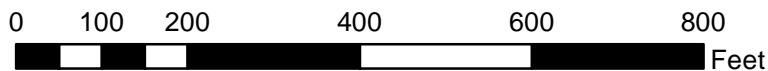
Figure 2 (continued)











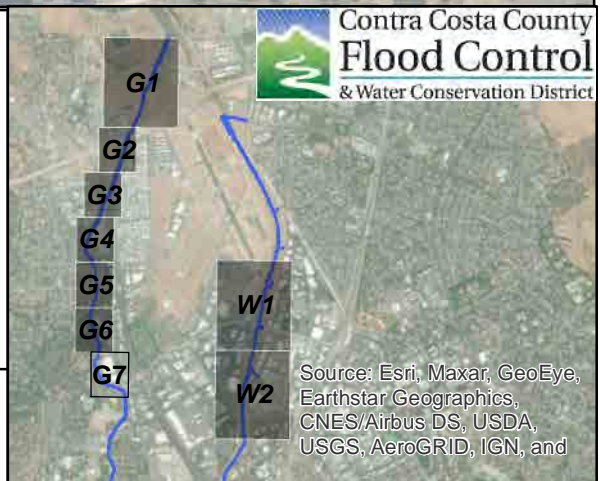
# Grayson 7

By Anthony DiSilvestre  
Date: 4/21/2021



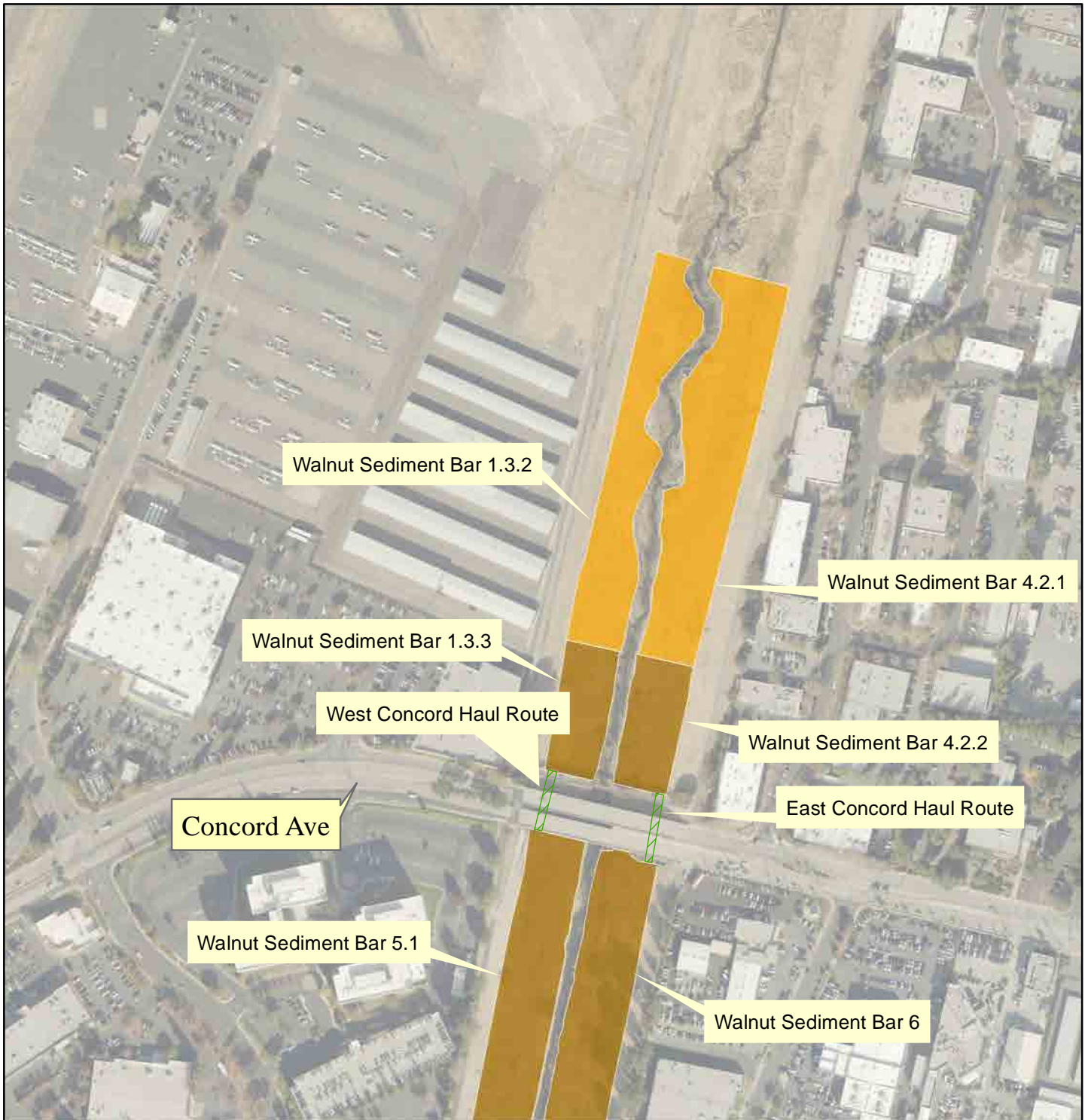
## Legend

-  Points of Access
-  Haul Route (Existing)
-  Haul Route (Proposed)
-  Access Ramp
-  Rank 1 Bars
-  Rank 2 Bars



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and

Figure 2 (continued)



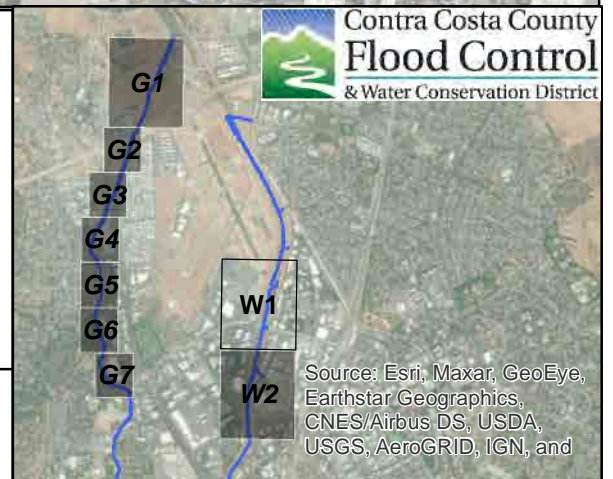
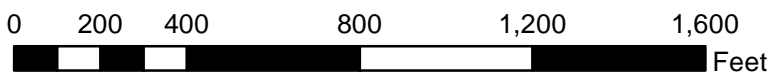
# Walnut 1



By Anthony DiSilvestre  
Date: 4/21/2021

## Legend

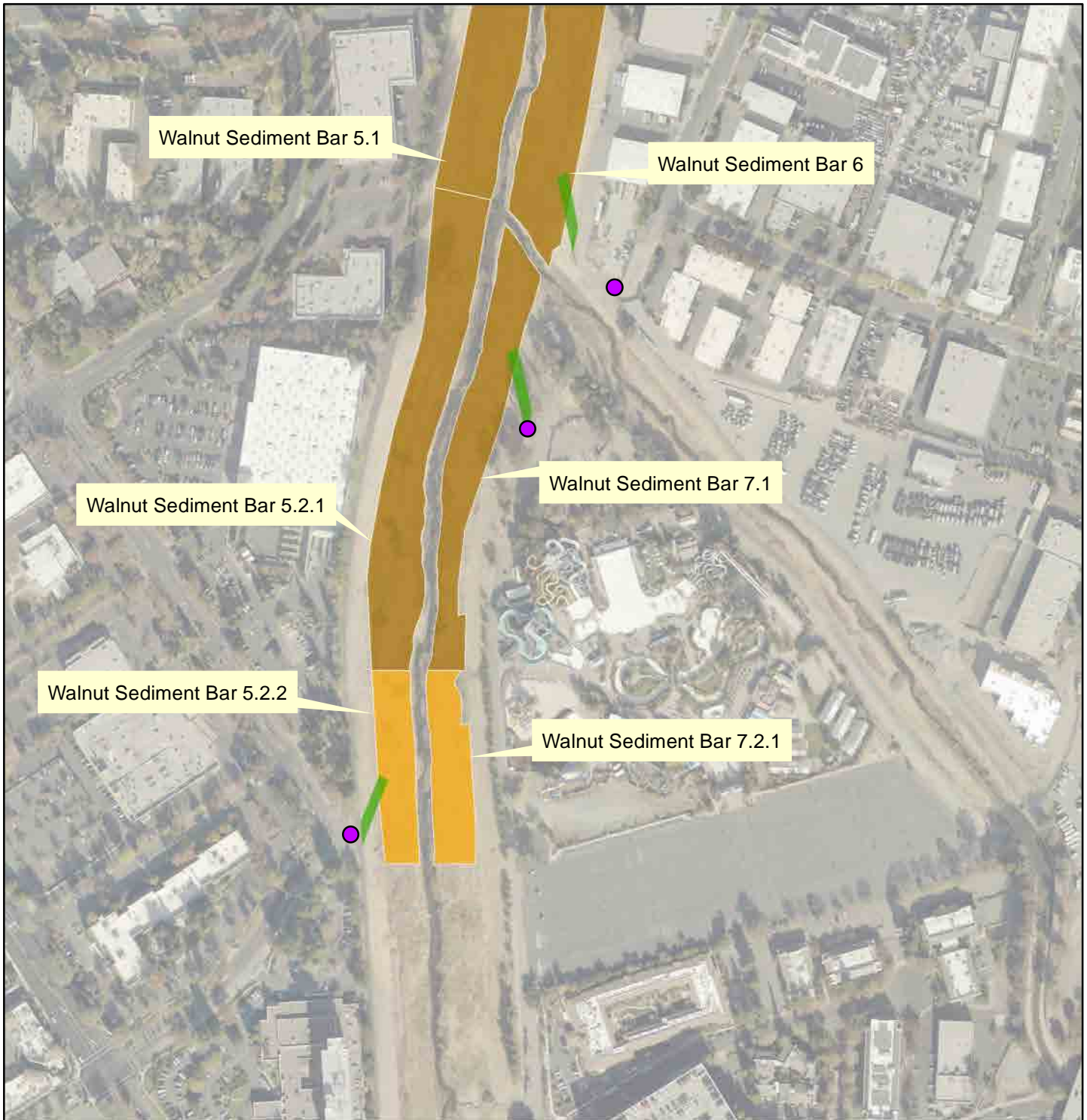
- Points of Access
- Haul Route (Existing)
- Haul Route (Proposed)
- Access Ramp
- Rank 1 Bars
- Rank 2 Bars



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and

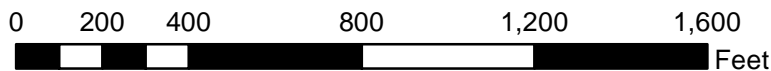
Figure 2 (continued)











# Walnut 2

By Anthony DiSilvestre  
Date: 4/21/2021



## Legend

-  Points of Access
-  Haul Route (Existing)
-  Haul Route (Proposed)
-  Access Ramp
-  Rank 1 Bars
-  Rank 2 Bars

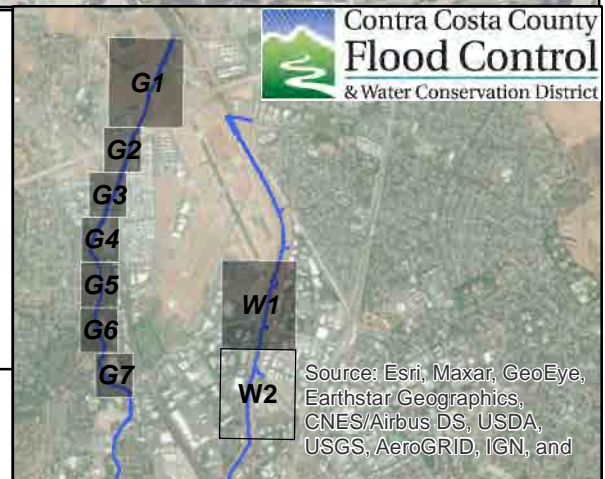
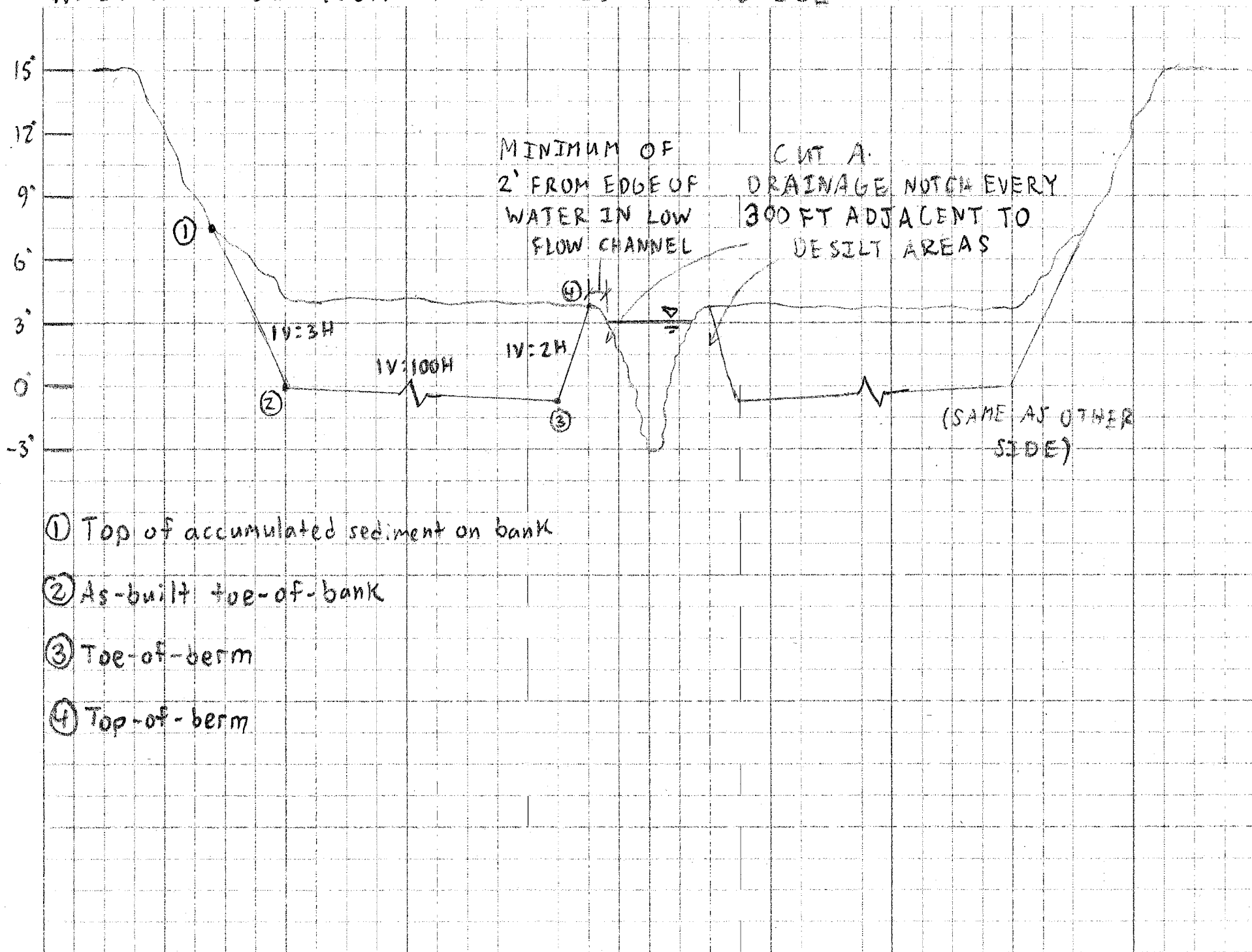


Figure 2 (continued)

# WALNUT & GRAYSON CREEKS DESILT PROFILE



Anthony DiSilvestre  
4/15/2021

Figure 3

**Page Left Intentionally Blank**

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementation Entity	Verification Entity	Compliance Verification Date
<b>III. Air Quality</b>					
<b>BEST MANAGEMENT PRACTICE AQ-1:</b> To further reduce emissions, the Project will incorporate the recommended BAAQMD basic construction measures that apply to the Project.	<b>BEST MANAGEMENT PRACTICE AQ-1</b> The following BAAQMD-recommended “Basic Construction Mitigation Measures” shall be implemented for the control of short-term emissions, including fugitive dust and off-road equipment emissions: <ul style="list-style-type: none"> <li>• All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</li> <li>• All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</li> <li>• All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</li> </ul>	During construction	Contractor and CCCPWD	Resident Engineer and CCCPWD	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<ul style="list-style-type: none"> <li>• All vehicle speeds on unpaved roads shall be limited to 15 mph.</li> <li>• All off-road equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</li> <li>• Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.</li> </ul>				

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
<p><b>IMPACT AQ-2:</b> Without use of construction equipment meeting Tier 3 emission standards, Project emissions may exceed BAAQMD thresholds of significance.</p>	<p><b>MITIGATION MEASURE AQ-2:</b> The following measures shall be implemented to reduce construction-generated emissions:</p> <ul style="list-style-type: none"> <li>• Idling of diesel-powered off-road equipment shall be limited to a maximum of two minutes when not in use. When not in use, diesel-powered off-road equipment shall not be allowed to idle when located within 1,000 feet of sensitive land uses (e.g., residential dwellings, daycare facilities, schools). When not in use, idling of diesel-powered on-road haul trucks shall be prohibited. Signs shall be posted at the project site entrance to remind equipment operators of idling limitations.</li> <li>• The Project shall require off-road heavy-duty equipment (50 horsepower, or greater) to meet Tier 3 emission standards.</li> </ul>	<p>During construction</p>	<p>Contractor and CCCPWD</p>	<p>Resident Engineer and CCCPWD</p>	<p>██████████ ██████████</p>



## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<ul style="list-style-type: none"> <li>To the extent locally available, use on-road heavy-duty trucks that meet year 2007, or cleaner, certification standards for on-road heavy-duty diesel engines.</li> </ul>				
<b>IV. Biological Resources</b>					
<b>BEST MANAGEMENT PRACTICE BIO-1:</b> The Project area contains habitat for special status species and other protected species that could be affected by Project	<b>BEST MANAGEMENT PRACTICE BIO-1:</b> <ul style="list-style-type: none"> <li>A qualified biologist will conduct an education program covering all the sensitive resources with potential to occur in the Project area and the avoidance and minimization measures requiring implementation for all Project personnel prior to the start of construction activities. <u>The worker education program will include methods to prevent the spread of invasive species, such as <i>Arundo donax</i>, that occur in the Project area. The program will also</u></li> </ul>	Prior to and during construction	Biologist and CCCPWD	Resident Engineer and CCCPWD	[REDACTED]

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
<p>implementation. The following general Best Management Practices (BMPs) will lessen the impact to all special status species.</p>	<p style="color: red; text-decoration: underline;">address common wildlife species that occur in the Project area, such as muskrat (<i>Ondatra zibethicus</i>) and river otter (<i>Lontra canadensis</i>).</p> <ul style="list-style-type: none"> <li>• Preconstruction surveys for all special status and common wildlife species will be conducted within the Project area by a qualified biologist immediately prior to equipment or material staging, pruning/grubbing, or surface-disturbing activities. The qualified biologist will search aquatic vegetation, the water's surface, leaf litter, logs, snags, and other habitat features for special status and common wildlife species. If species are found, individuals will be relocated outside of the Project area if the qualified biologist is permitted to do so by all regulatory agencies and determines that relocation is warranted. Although not</li> </ul>				

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<p>expected, this includes dewatering activities. If water diversion systems are implemented, a qualified biologist will be on site to relocate all fish, turtles, invertebrates, and other wildlife observed outside of the work area.</p> <ul style="list-style-type: none"> <li>• A qualified biologist will conduct biological monitoring during initial ground disturbance and as appropriate based on the results of the preconstruction surveys or as required by regulatory agencies.</li> <li>• All work should be conducted during the dry season and when the water is at its lowest level. Therefore, work will occur between April 1_ and October 31, or as approved by the regulatory agencies.</li> </ul>				

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
<p><b>BEST MANAGEMENT PRACTICE BIO-2:</b> Special status fish and other species could be affected by sediment mobilization into the flowing channel.</p>	<p><b>BEST MANAGEMENT PRACTICE BIO-2:</b> A Storm Water Pollution Prevention Plan (SWPPP) will be prepared and implemented in accordance with the National Pollution Discharge Elimination System (NPDES) Construction General Permit as required under Section 402 of the Clean Water Act. The SWPPP will identify water pollution control and construction-waste containment measures to be implemented during Project construction, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Trash generated by the Project will be promptly and properly removed from the site daily.</li> <li>• All refueling of construction and maintenance vehicles will occur in paved or gravel areas away from the top of bank of the Walnut Creek and Grayson Creek channels. Runoff</li> </ul>	<p>During and after construction</p>	<p>Contractor and CCCPWD</p>	<p>Resident Engineer and CCCPWD</p>	<p> </p>

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<p>from these paved or gravel areas will not be allowed to flow into the channels.</p> <ul style="list-style-type: none"> <li>• Hazardous material absorbent pads and similar materials will be available on site in the event of a spill that could potentially impact jurisdictional waters.</li> <li>• Stabilization methods for disturbed areas will be implemented.</li> <li>• No erodible materials will be deposited into watercourses. Brush, loose soils, or other debris material will not be stockpiled within stream channels or on adjacent banks.</li> <li>• Active construction areas will be watered regularly.</li> </ul>				

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<ul style="list-style-type: none"> <li>Disturbed areas will be seeded with a native seed mix suitable for riparian and wetland habitats.</li> </ul>				
<p><b>IMPACT BIO-3:</b> Western pond turtles are known to occur in the Project area and may have nests in or near the Project site.</p>	<p><b>MITIGATION MEASURE BIO-3:</b> A qualified biologist will work with CCCPWD staff prior to the start of the Project to identify potential western pond turtle nesting habitat in the Project area and ensure all staging, access, and stockpile locations are located outside of potential nesting habitat, to the greatest extent possible. The work areas identified for use will be delineated with flagging, fencing, or other material as deemed necessary to ensure that work activities do not occur outside of these approved areas. In the event that any western pond turtle individuals are observed within a construction zone during the preconstruction surveys or construction monitoring, the</p>	During construction	Biologist and CCCPWD	Resident Engineer and CCCPWD	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	individual will be relocated out of harm's way according to permit conditions.				
<b>IMPACT BIO-4:</b> If migratory and other bird species (including Cooper's hawk, burrowing owl, and white-tailed kite) nest within the Project area, the Project could result in short-term impacts such as failure to breed, nest abandonment, reduced fecundity	<b>MITIGATION MEASURE BIO-4:</b> If work activities cannot be timed to avoid the breeding season, then preconstruction surveys for nesting bird species will be conducted as detailed below to minimize impacts to these species. Active nests will be avoided and a non-disturbance buffer zone will be established around them or monitored for disturbance. Therefore, the Project will not adversely affect migratory bird species (including Cooper's hawk and white-tailed kite) <u>and will comply with the MBTA, and Fish and Game Code</u> . Preconstruction surveys for burrowing owl will be conducted as detailed below to minimize impacts to this species. Active burrows will be avoided and a non-disturbance buffer zone will be established around them.	Prior to and during construction	Biologist and CCCPWD	Resident Engineer and CCCPWD	[REDACTED]

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
and decreased survivorship from noise and movement of personnel and equipment that exceeds normal background conditions within the Project area. Disturbance may alter the birds' behavior in ways that result in injury, mortality and reduced foraging success, such as the	<p>Therefore, the Project will not adversely affect burrowing owl.</p> <ul style="list-style-type: none"> <li>• If tree or vegetation removal, pruning, or grubbing activities are necessary, such activities may be conducted during the non-nesting season (September 1 – January 31) to avoid impacts to nesting birds. If all Project work is conducted during this work window, preconstruction surveys would only be required for wintering burrowing owls and not nesting birds.</li> <li>• If Project work begins during the breeding season (February 1 – August 31), preconstruction surveys will be conducted by a qualified biologist within the Project area and adjacent habitats up to 300 feet from the Project boundary where access available, no more than</li> </ul>				



## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
temporary loss of habitat due to avoidance of areas with intolerable levels of disturbance, and altered activity patterns.	<p>one week prior to equipment or material staging, pruning/grubbing or surface-disturbing activities. The surveys will entail a variety of search techniques, such as incidental flushing of an adult from the nest, watching parental behavior (e.g., carrying nest material or food), systematically searching nesting substrates, and use of call-broadcasts. If no active nests are found within the survey area, no further mitigation is necessary.</p> <ul style="list-style-type: none"> <li>If active nests, i.e. nests with eggs or young present, are found within the survey area, non-disturbance buffers should be established at a distance sufficient to minimize disturbance based on the nest location, topography, cover, the nesting pair's tolerance to disturbance and the type/duration of potential disturbance. No work</li> </ul>				

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<p>should occur within the non-disturbance buffers until the young have fledged as determined by a qualified biologist. If buffers are established and it is determined that Project activities are resulting in nest disturbance, work in the nearby vicinity of the nest would cease immediately and CDFW would be contacted for further guidance.</p> <ul style="list-style-type: none"> <li>Burrowing owl surveys will be conducted prior to any work activities, regardless of season. If active burrowing owl burrows are found (i.e. sign of use or individuals are observed), they will be monitored to ensure active status and a non-disturbance buffer will be implemented and monitored. The no-work buffer will be dependent on whether the owl is present during the nesting or wintering seasons. If buffers are established and it is determined that Project activities are</li> </ul>				

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	resulting in burrowing owl disturbance, work would cease in the nearby vicinity and CDFW would be contacted for further guidance.				
<p><b>IMPACT BIO-5:</b> If roosting bats are present in the bridges or trees in the Project area, they could be disturbed by staging or Project activities.</p>	<p><b>MITIGATION MEASURE BIO-5:</b> Roosting bat habitat assessments and preconstruction surveys will be conducted to ensure the absence of roosting bats before construction, as detailed below.</p> <ul style="list-style-type: none"> <li>Prior to the start of construction, a bat habitat assessment will be conducted to identify suitable bat roosting habitat including bridges, snags, rotten stumps, and trees with broken limbs, exfoliating bark, cavities, etc. Potential roosting habitat will be avoided to the maximum extent practicable. If no suitable roost sites are identified, no further minimization measures are necessary.</li> </ul>	Prior to and during construction	Biologist and CCCPWD	Resident Engineer and CCCPWD	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<ul style="list-style-type: none"> <li>• If suitable roosting habitat is identified and will be disturbed by presence and noise of equipment and workers for more than two hours (i.e. near bridges), a qualified biologist will be present to monitor the bat roosting habitat and will stop work if any disturbance to bats is detected and contact CDFW for further guidance.</li> <li>• Although not anticipated, if suitable roosting habitat is identified and will be removed by the Project, a qualified biologist will survey potential suitable roost sites immediately prior to the removal. If any sign of roosting bats or observation of individual bats is observed, the roost will be removed in coordination with CDFW or according to permit conditions. Typical removal methods include first removing</li> </ul>				

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	non-habitat features such as limbs smaller than 3 inches in diameter. The tree is left overnight to allow any bats using the tree/snag to find another roost during their nocturnal activity period. A qualified biologist would survey the trees/snags a second time the following morning prior to felling and removal.				
<b>IMPACT BIO-6:</b> The Project could have negative impacts on sensitive natural communities.	<b>MITIGATION MEASURE BIO-6:</b> <ul style="list-style-type: none"> <li>Prior to the start of desilting activities, areas containing freshwater marsh and seasonal wetlands, that are near but outside of the work area will be delineated and conspicuously flagged or fenced to minimize impacts to these resources.</li> </ul>	Prior to, during, and after construction	Biologist and CCCPWD	Resident Engineer and CCCPWD	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<ul style="list-style-type: none"> <li>A qualified restoration biologist or botanist will create a seed and plant palate appropriate for reestablishing impacted vegetation.</li> <li>The seed and plant palate will include creeping ryegrass in appropriate locations.</li> </ul>				
<b>V. Cultural Resources</b>					
<b>IMPACT CUL-1:</b> Project activities could impact previously unidentified historical resources during ground-disturbing activities.	<b>MITIGATION MEASURE CUL-1:</b> The following will be implemented during Project activities if unanticipated potential historic or prehistoric archaeological resources are encountered. <ul style="list-style-type: none"> <li>Prior to the start of Project activities, cultural resource sensitivity training regarding identification of archaeological and historical resources in the field will be provided for construction personnel in the unexpected event</li> </ul>	Prior to and during construction	Archeological Monitor and CCCPWD	Resident Engineer and CCCPWD	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<p>that inadvertent discoveries are made during sediment removal.</p> <ul style="list-style-type: none"> <li>• If any suspected cultural or historic resources are located during Project activities, specifications will require all work to be halted within 100 feet of the discovery and the location of the discovery will be secured.</li> <li>• The Contractor will immediately notify the CCCPWD Resident Engineer, who will then request a qualified archaeologist to evaluate the finding(s) before advising the Resident Engineer to either continue work or recommend further review of the discovery.</li> </ul>				
<b>IMPACT CUL-2:</b> The Project could impact previously	<b>MITIGATION MEASURE CUL-2:</b> If human remains are encountered (or are suspected) during any Project-related activities, construction	During construction	Contractor and CCCPWD	Resident Engineer	



## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
undiscovered human remains.	<p>personnel will be advised to stop all work within 100-feet of the discovery and immediately contact the CCCPWD Resident Engineer, who will contact the Contra Costa County Coroner. At the same time, the Resident Engineer will contact an archaeologist to assess the situation. The discovery location will be secured without touching or removing the remains or any associated artifacts. In addition, any associated spoils will be secured and left undisturbed so that they can be examined. The Resident Engineer will record the location of the find and keep notes of all calls and events. The find will be treated as confidential and the location will not be publicly disclosed.</p> <p>If the Coroner determines that the human remains are of Native American origin, the Coroner must notify the NAHC within 24 hours of this identification. The NAHC will identify a Most Likely Descendant (MLD) to inspect</p>			and CCCPWD	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	the site and provide recommendations for the proper treatment of the remains. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the CCCPWD and the NWIC.				
<b>X. Hydrology / Water Quality</b>					
<b>IMPACT HYD-1:</b> Project activities could cause sediment to enter the channels and	<b>MITIGATION MEASURE HYD-1:</b> A two-foot berm/barrier will be left between the low flow channel and construction areas in both Walnut Creek and Grayson Creek. This berm will prevent sediment from entering the channel during construction, and affecting water quality.	During construction	Contractor and CCCPWD	Resident Engineer and CCCPWD	[REDACTED]

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
affect water quality.					
<b>XIII. Noise</b>					
<b>IMPACT NOI-1:</b> Project activities will result in a temporary increase in ambient noise levels.	<p><b>MITIGATION MEASURE NOI-1a:</b> Construction activities shall be limited to non-sensitive hours for adjacent land uses (generally between 7:00 a.m. to 6:00 p.m. in unincorporated areas and 7:30 a.m. to 6:00 p.m. in neighboring cities) consistent with the Contra Costa County General Plan Noise Element and noise ordinances for the City of Concord and City of Pleasant Hill. If work is necessary outside of these hours, approvals from impacted jurisdictions will be obtained as needed to extend work hours.</p> <p><b>MITIGATION MEASURE NOI-1b:</b> The Project Contractor shall employ the following noise-reducing practices during Project construction:</p>	During construction	Contractor and CCCPWD	Resident Engineer and CCCPWD	[REDACTED]

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<ul style="list-style-type: none"> <li>• Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.</li> <li>• Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive areas nearest the active Project site during all Project activities.</li> <li>• A visible sign will be posted at the Project site with the hours of construction and the name and telephone number of the contact person to address any noise complaints.</li> </ul>				
<b>XX. Wildfire</b>					
<b>IMPACT FIRE-1:</b> Construction activities could result in the	<b>MITIGATION MEASURE FIRE-1:</b> Prior to construction, the contractor shall prepare a Fire Safety Plan for use during construction. The Fire Safety Plan	Prior to and during construction	Contractor and CCCPWD	Resident Engineer and CCCPWD	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
ignition of a wildfire.	shall contain notification procedures and emergency fire precautions including, but not limited to, the following: <ul style="list-style-type: none"> <li>• Dry grass shall be cut low or removed from construction equipment staging areas.</li> <li>• Light trucks and cars with factory-installed (type) mufflers shall be used only on roads where the roadway is cleared of vegetation. Said vehicle types shall maintain their factory-installed (type) muffler in good condition.</li> <li>• Equipment parking areas (staging areas) shall be cleared of all extraneous flammable materials.</li> <li>• Smoking shall be limited to paved areas or areas cleared of all vegetation.</li> </ul>				

**Page Left Intentionally Blank**

## Appendix B

### Comment Letters and Responses

This section contains the comment letters that were received on the Initial Study with Intent to Adopt a Mitigated Negative Declaration (IS/MND) for the Walnut and Grayson Creeks Desilting Project. Following each comment letter is a response by Contra Costa County intended to supplement, clarify, or amend information provided in the IS/MND.



## Comment Letter #1

**From:** [Sandra Karaica](#)  
**To:** [Alex Nattkemper](#)  
**Subject:** Dredging of Side Creek near Hwy 4 & Grayson Creek  
**Date:** Tuesday, November 9, 2021 1:50:38 PM

---

Hi Alex, Hope all is well.

I have the Oct 19, 2021 CCC Department of Conservation & Dev letter in front of me regarding the dredging of Grayson Creek, etc.

I live next to the "side" creek along Hwy 4 between Marsh Drive & Grayson Creek. THIS HAS NOT BEEN DREDGED FOR MANY YEARS.

I am VERY CONCERNED as we in this mobile home park - Rancho Diablo- flood 3 times (1998, 1998, 2005), the last in which 35 of us lost our cars due to the water coming into the floor boards & ruining the electric.

I tried to call directly to the Antioch State Yard Foreman (was Dave, now Roland) 4 times in October (757-4327) Each time Roland said he was busy & would call back, but never did. Still NOTHING HAS BEEN TO CLEAN UP THIS AREA.

In the side creek, the State did a BEAUTIFUL JOB finishing off their side of the creek, including installing a separate drain & netting on the hillsides to help with the water/dirt flow,

BUT NOTHING HAS BEEN DONE ON THE STATE SIDE - THE SIDE NEAR OUR WALL.

IN FACT; BECAUSE IT HASN'T BEEN DREDGED SINCE 2005, THERE IS SO MUCH DIRT BUILDUP, THERE IS NOW A DIRT ROAD MAKING IT EASIER STILL FOR THE WATER TO COME INTO OUR PARK.

I'm not sure what to do & WHY NOTHING HAS BEEN DONE TO CLEAN UP THIS SIDE. IT'S A MESS. FENCES HAVE BEEN PUT UP ON EACH END, BUT TAKEN DOWN BY THE HOMELESS EVENTUALLY, WHICH CREATES MORE OF A MESS.

I hope you can either let me know the status of cleaning up this area or direct me to who can help. THIS IS A 100 YEAR FLOOD ZONE, SO I'M NOT SURE WHY THIS AREA HAS NOT BEEN ADDRESSED BEFORE NOW.

Hope all is going well on your end. APPRECIATE THAT THESE CREEKS ARE GOING TO BE DREDGED & CLEANED OUT - JUST SORRY IT TOOK 20 YEARS TO DO & 2 YEARS TO EVEN GET STARTED.

NEED TO KNOW HOW THIS SIDE CREEK IS GOING TO BE CLEANED UP!

Thanks for your help!

Very Sincerely,  
Sandra Karaica  
330 Vista Del Rio  
Pacheco, CA 94553  
925-689-9694

**From:** [Sandra Karaica](#)  
**To:** [Alex Nattkemper](#)  
**Subject:** Re: Dredging of Side Creek near Hwy 4 & Grayson Creek  
**Date:** Tuesday, November 16, 2021 10:19:10 AM  
**Attachments:** [image001.png](#)

---

Alex, Thank You SO MUCH for responding, but I still need to know who to contact in the State who is responsible for cleaning this out. Hope you can help! Thank You! Sandra Karaica

2

On Tuesday, November 16, 2021, 09:33:44 AM PST, Alex Nattkemper <[alex.nattkemper@pw.cccounty.us](mailto:alex.nattkemper@pw.cccounty.us)> wrote:

Hello Sandra,

Thank you for your comments on the Walnut & Grayson Creeks Desilting Project. You will be receiving a formal response from the County at the close of the CEQA comment period. However, I want to let you know that the side creek north of the mobile home park that is referenced in your email (and shown in the attached photo) is not owned or maintained by the County. Please let me know if you have any further questions or comments.

Regards,

**Alex Nattkemper**

**Environmental Analyst**

Office: (925) 313-2364

Cell: (925) 890-0659

**Schedule: Tuesday - Friday**



**ENVIRONMENTAL SERVICES DIVISION**

255 Glacier Drive

Martinez, CA 94553

---



Contra Costa County  
Public Works  
Department

Brian M. Balbas, Director  
Deputy Directors  
Stephen Kowalewski, Chief  
Allison Knapp  
Warren Lai  
Carrie Ricci  
Joe Yee

April 22, 2022

Sandra Karaica  
330 Vista Del Rio Drive  
Pacheco, CA 94553

RE: Walnut and Grayson Creeks Desilting Project  
County Project No.: WO#8334

Dear Ms. Karaica:

Thank you for providing comments on the proposed Mitigated Negative Declaration for the Walnut and Grayson Creeks Desilting Project (Project). This letter is intended to address your comments submitted on November 9, 2021 and November 16, 2021. Our responses to your comments are presented below and follow the order of your comments (numbered in the margin of your emails and attached for reference).

**Response #1:** The side creek north of the mobile home park that is referenced in your emails is not owned or maintained by the County.

**Response #2:** Based on County records, the parcel where the creek in question is located appears to be owned by Caltrans. For further assistance, you can reach out to the Caltrans District 4 office in Oakland. Their contact information is available on the website here: <https://dot.ca.gov/contact-us>

These comments are incorporated into the MND document via inclusion of Appendix B Comment Letters and Responses. Please contact me if you have any further questions on our responses to your comments at [alex.nattkemper@pw.cccounty.us](mailto:alex.nattkemper@pw.cccounty.us) or (925) 313-2364.

Sincerely,

Alex Nattkemper  
Environmental Analyst  
Environmental Services Division

AN:xx  
\\PW-DATA\grpdata\engsvc\ENVIRO\Flood Control\Walnut and Grayson Creeks Desilting\CEQA\Public Noticing\3-Comments\Mobile Home Park Resident\3-Response\1. Response to Resident (final).docx

Enclosures

c: Paul Detjens, Flood Control  
Gus Amirzehni, Flood Control  
Anthony DiSilvestre, Flood Control  
Ave Brown, Environmental Services

Comment Letter #2  
WALNUT CREEK  
**W**ATERSHED  
COUNCIL

November 18, 2021

Alex Nattkemper, Environmental Analyst  
Contra Costa County Public Works Dept.  
255 Glacier Drive, Martinez, CA 94553

Via Email: Alex.Nattkemper@pw.cccounty.us

RE: Walnut and Grayson Creeks Desilting Project  
Comments on Proposed Mitigated Negative Declaration (County File No. 21-29)

Dear Mr. Nattkemper:

The Walnut Creek Watershed Council, The Friends of the Creeks, The Friends of Pleasant Hill Creeks, the Lafayette Creeks Committee, and the Friends of San Ramon Creek are organizations dedicated to restoring the Walnut Creek Watershed, improving the fish and wildlife habitat in Walnut Creek and its tributaries, and improving community understanding and awareness of the creeks in our watershed.

The comments and recommendations presented below and in the attachments to this letter represent the collaborative contributions of these organizations. We also support the comments submitted by the Friends of Pleasant Hill Creeks regarding Grayson Creek. For the reasons stated in both letters, the Council cannot support the proposed project as designed.

We request that this comment letter and all the attachments be included as part of the PMND public review process.

Summary of Our Review:

The analysis in the Proposed Mitigated Negative Declaration (PMND) of the project to remove 129,800 cubic yards from Walnut Creek and 42,500 cubic yards from Grayson Creek has flaws and proposes mitigation measures that are inadequate.

The flaws include:

- 1 • Inadequate analysis to justify the project's need in Walnut Creek.
- 2 • Inadequate evaluation in the biological assessment, especially related to fish.
- 3 • Failure to acknowledge and address, the human occupation of the channel in the project area and its effects on the biological resources and project implementation.
- 4 • Inadequate proposed mitigation measures
- 5 • Missed an opportunity to improve habitat values in conformance with the Flood Control and Water Conservation District's (District) own goals.

The modifications the Council requests include:

- 6 • Conducting a new and more comprehensive analysis in Walnut Creek of the need for the desilting, and of the amount of silt that needs to be removed, particularly after the October 24, 2021, storm.

- 7 • Modifying this project to focus on using the proposed sediment removal to maximize the benefits to fish and wildlife resources.
- 8 • Excavating enough sediment in a several locations to create deep pools and adding gravels suitable for spawning.
- 9 • Removing the patches of *Arundo donax* downstream from Willow Pass Road.

When visiting Drop Structure #1 recently, we heard, multiple times, the slap of the body of salmon against the concrete vertical wall of the drop structure as the salmon tried to complete their migration journey into the Walnut Creek Watershed to reproduce. It is hard to listen to these sounds without becoming angry at what we have done to this magnificent fish species and without becoming passionate about the need for change.

For the future of fish and wildlife in Walnut Creek, the Flood Control and Water Conservation District (District) needs to evaluate how to enable fish to swim higher in the creeks in the watershed and how to best protect the fish coming upstream from Suisun Bay. The Council requests that the evaluation include replacing or by-passing Drop Structure #1 (which the District has said is feasible) with a more natural structure that permits fish passage and reduces the opportunities for poaching.

10

We are very appreciative of the cooperative relationship we have with you. We hope the District will recognize this is an important opportunity for the District to enhance habitat values in a manner similar to the much-lauded Lower Walnut Creek Project and as discussed in the District's 50-year plan. We look forward to working with you to create a better future for fish and wildlife in the Walnut Creek Watershed.

11

Sincerely



Bob Simmons

President

Walnut Creek Watershed Council

2866 Bowling Green Drive

Walnut Creek, CA 94598

Contra Costa County Flood Control and Water Conservation District  
Contra Costa County Board of Supervisors  
Contra Costa Resource Conservation District  
California Department of Fish and Wildlife  
Regional Water Quality Control Board  
City of Concord



Attachment 1

**More Detailed Discussion on Walnut Creek**

**Sediment Discussion:** The stated purpose of the proposal for Walnut Creek is to remove enough sediment where the project is located to re-establish the as-built flood channel design. There was no other evidence of need. Typically, the design basis of sediment removal projects from flood control channels includes the use of hydrologic simulation models, calibrated to actual channel conditions, to assess the changes in flood capacity and the volumes of sediment needed to be removed from the channel. This analytical approach also offers the opportunity for objective analysis of design alternatives and quantification of mitigation measures. The results of the analysis should be included in the PMND.

12

13

The atmospheric river on October 24, 2021, dumped 7-8" of rain at rain gauges in Pleasant Hill, Lafayette and Danville. Grayson Creek over topped its banks in several locations, but we have neither seen, nor heard of, evidence that Walnut Creek over topped its banks. This recent storm may have scoured sediment from the existing channel or may have contributed to additional sediment deposition. The new analysis should be based on a current evaluation of the amount of sediment remaining in the entire Walnut Creek project area remaining after the October 24 storm.

14

15

Finally, a report recently issued by the San Francisco Estuary Institute (SFEI predicts that there will be a shortfall of sediment delivered to the Bay in the future.

[https://www.sfei.org/sites/default/files/biblio\\_files/Coarse%20Sediment%20Strategy%20SFEI%20highres.pdf](https://www.sfei.org/sites/default/files/biblio_files/Coarse%20Sediment%20Strategy%20SFEI%20highres.pdf). The report also suggests Flood Control Districts and others should use different goals when removing sediment from a channel. The PMND should discuss how the proposed removal meets the Coarse Sediment Removal Strategy, and what future modifications in the watershed can be made to meet the targets for sediment delivery recommended by SFEI for a healthy watershed.

16

**Fish and Wildlife Discussion.** The most disappointing part of the PMND is its treatment of fish and wildlife. The PMND acknowledges that the project area is mapped as federally-designated Essential Fish Habitat for Chinook salmon, and that steelhead, a federally-designated threatened species under the Endangered Species Act, are also present. However, the PMND dismisses the importance of these facts and legal protections by stating that (1) there is too much fine silt (without saying it mostly falls in the lower part of the watershed), (2) there are not enough gravels suitable for spawning, (3) there is not enough rearing habitat, (4) water temperatures are too high, and (5) there is only an occasional stray fish.

17

While there clearly is silt in Walnut Creek, fine silt particles tend to drop in those portions of the creek with slower flows and lower gradients, which is also where the project area is located. Pictures taken recently show gravels immediately below Drop Structure #1 (Attachment 2). These gravels may be suitable for spawning. An expert fly fisherman, Jamie Burman has visited the site many times over the last 30 years. He has seen salmonid redds and fry in the area below Drop Structure #1, as he states in his personal account (Attachment 3). He was fly fishing there this year on at least two of the occasions some of us visited.

18

When several of us visited Drop Structure #1 on November 6, 2021, we were impressed by how many Chinook salmon were present in the pool below the drop structure (Attachment 4) and by watching the salmon seek to continue their migration journey (Attachment 5). Experienced fly fishers recently

observed that the pool contained over twenty Chinook salmon, and that is after substantial predation occurred. That there are a lot of salmon is also supported by the presence of so many poachers and fly fishers. In addition, Jamie Burman, owner of a fly shop and a professional fly-fishing guide, has observed that many Chinook salmon and steelhead swim up to Drop Structure #1 (which means they swam through the project area). Fly fishers, who were doing catch and release, were successful. Common sense says that fly fishers don't come to an area seeking an occasional 'stray' fish.

19

A significant factor impacting fish survival in lower Walnut Creek is the extensive poaching that has occurred, and that is occurring, even as we write this. Fish need to survive long enough to procreate, and the poaching means that there is no future salmon stock for the area. During our visits to Drop Structure #1 after the two storms, we saw people who drove to the end of Franquette Avenue in Concord and proceeded to Drop Structure #1 where they caught and removed multiple Chinook salmon. The PMND fails to acknowledge the extensive human predation, particularly at Drop Structure #1, and how it affects successful spawning. Common sense states that poachers do not come to an area in the numbers that they do in pursuit of the occasional 'stray' fish.

20

There is little evidence of any efforts to create suitable spawning and rearing habitat, or to use the need to remove sediment to create suitable habitat. Yet, Chinook salmon are clearly present. Simply because the habitat isn't perfect is an insufficient reason not to take actions that will improve existing habitat.

21

The creation of wetlands described in the PMND is important, particularly if done with the intent to create wetland and not just to remove sediment. However, fish habitat can be better improved through the following actions: (1) excavate 1-2 large holes to create rearing habitat in the upper reaches of the portions of Grayson and Pine Creeks that are accessible to anadromous fish, and in Walnut Creek above and below Drop Structure #1, and (2) deposit and stabilize appropriate amounts of gravels suitable for spawning beds.

22

**Human Occupation of Walnut Creek.** The PMND does not mention the presence of human occupation in and near the project area, nor does it mention the substantial amount of trash there, including a wooden bridge (Attachment 6). The mere presence of humans in the channel displaces fish and wildlife from those areas. Trash in this area inevitably winds up in Suisun Bay. The PMND should acknowledge this and include a mitigation measure that requires the removal of all trash in the entire project area prior to any project operations.

23

**Arundo Donax.** The PMND does not mention the presence of *Arundo donax* in and near the project area. Our mapping indicates that there are at least 14 stands of *Arundo donax* downstream from Willow Pass Road. *Arundo donax* is a highly invasive species that, unless prompt action is taken, **will** spread to the rest of the area, including downstream towards the Lower Walnut Creek project area.

24

**Planting efforts.** The PMND proposes seeding of disturbed areas with native seed. Our experience in restoration work, and consultation with experts in riparian restoration, results in a conclusion that simply placing seed will be ineffective, and that any plants that grow will ultimately be replaced by non-native species. The best way to achieve success is with the handplanting of plugs, with temporary irrigation until the native plants are well established. This is exactly what the District is doing with 31,000 plants in its Lower Walnut Creek project where habitat restoration is an important objective. Also, the PMND should include a description of the specific vegetation to be planted, monitoring and

25

reporting of the success of whatever planting method is utilized, and performance standards that require the re-vegetated areas to be covered by a significant percentage of native plants after three years, or replanted if that percentage is not achieved. The Council also requests that vegetation that can provide shading of Walnut Creek be considered.

26

**Trail Closure:** The proposed closure of Pacheco Creek Trails and the Iron Horse Trail should be limited to only those hours where there is heavy equipment actively operating on the side of the creek on which the trail is located. If the heavy equipment is working on the east side of Walnut Creek, or if the heavy equipment is idle, there is absolutely no need for a trail closure. While the document says that access to nearby public roads is an easy alternative, that is not true around Concord Avenue, on which traffic flows almost like a freeway.

27

28

**Grayson Creek and Walnut Creek.** On page 56 and on page 60, the PMND incorrectly states that Grayson Creek merges with Walnut Creek to form Pacheco Creek, and then says it is Pacheco Creek that flows into Suisun Bay, suggesting that Walnut Creek does not. Grayson Creek and Walnut Creek do not merge to form Pacheco Creek, and Walnut Creek flows directly into Suisun Bay. This needs to be corrected.

29



Attachment to November 18, 2021 Letter to Alex Nettkemper

Gravel Beds Below Drop Structure # 1



## Walnut Creek Watershed

In 1975 I moved to Alamo, Ca from Back east (New Jersey)

I quickly discovered a creek near my home which full of Warmouth. (a Sunfish species) Back then this creek was full of Wildlife, deer, rabbits, fox, and reptiles. This was my playground.

I fished it almost daily well into my teen years. As development Progressed in Danville and San Ramon, I noticed after a storm The creek would stay cloudy much longer than previous years.

In 1988 I went down to one of my favorite spots on a warm Spring day and caught nothing, I went back several times in the month of June, and once again caught zero fish. This was a result of Siltation from construction up stream 5 miles away. I finally gave up on fishing on this section of Walnut creek. In 1995-a friend of mine said he was fishing Walnut creek lower downstream in Concord and caught a Steelhead Trout on a fly rod, at first I did not believe any fish could live in this polluted stream and had to go see for myself. I made my way down to the area he mentioned (Willows shopping center in Concord) as I walked down to the water, a large king salmon rolled right in front of me, I was surprised to see such a magnificent fish, I eventually hooked a few salmon that day. I found in the next few years that Steelhead Trout would show up in this watershed as well, in 1997 after several storms had come through that October, in January of the same year I noticed a few schools of salmon fry in the slower sections of this creek. After confirming the species with a fish mesh net, I was elated to see the cycle of life for these fish coming full circle in a creek I once thought was doomed.

Jamie Burman Owner of Creative Sports Fly Shop  
1712 Linda Dr, Pleasant Hill, ca (925)- 979-8040



Attachment 4 to November 18, 2021 Letter to Alex Nettkemper

Chinook Salmon in Pool Below Drop Structure #1



Below: Chinook Salmon at Drop Structure #1





Attachment to November 18, 2021 Letter to Alex Nettkemper  
Chinook Salmon Jumping at Drop Structure #1



Below: Chinook Salmon at Falls at Drop Structure #1. Picture by Patrick Graney











March 17, 2022

Bob Simmons, President  
Walnut Creek Watershed Council  
2866 Bowling Green Drive  
Walnut Creek, CA 94598

RE: Walnut and Grayson Creeks Desilting Project  
County Project No.: WO#8334

Dear Mr. Simmons:

Thank you for providing comments on the proposed Mitigated Negative Declaration (MND) for the Walnut and Grayson Creeks Desilting Project (Project) on behalf of the Walnut Creek Watershed Council. This letter is intended to address your comments submitted on November 18, 2021. Our responses to your comments are presented below and follow the order of your comments (numbered in the margin of your letter and attached for reference). Your submission included a letter dated November 18, 2021 and an Attachment 1. The documents were combined for the purposes of this response letter. Responses are numbered continuously beginning with the November 18, 2021 letter and continuing to Attachment 1. Because the first nine comments are summaries of subsequent comments that are expanded upon further in your letter, responses #1 – #9 provide a brief response and full responses are provided later in the document.

**Response #1:** The Project is a maintenance project that is necessary to restore flood capacity. CEQA does not require an exhaustive justification for Project objectives or need. Please see response #12 below for additional information.

**Response #2:** The biological assessment's focus is on potential Project impacts for the purpose of CEQA analysis. Since no work will be conducted in the flowing channel there is little potential for impacts to fish. Please see response #17 below for additional information.

**Response #3:** Human occupation and trash are not an impact of the Project, but the MND does describe the degraded habitat. Please see response #23 below for additional information.

**Response #4:** The comment does not identify any particular mitigation measure and therefore is difficult to respond to, however it is the opinion of the District that the proposed Best Management Practices and Mitigation Measures are adequate to reduce

Project impacts to less than significant. Please see response #11 below for additional information.

**Response #5:** The goal of the Project is to remove accumulated sediment to restore hydraulic capacity and reduce flood risk, which is the primary goal of the Flood Control and Water Conservation District. Though the project will increase valuable wetland habitat, it is not scoped as a restoration project. Please see response #11 below for additional information.

**Response #6:** Based on post-storm field observations, the conditions of the sediment benches where desilting is proposed remain unchanged. Please see responses #12, #13, #14, and #15 below for additional information.

**Response #7:** The goal of the Project is to remove accumulated sediment to restore hydraulic capacity for flood protection. Though the Project will increase valuable wetland habitat, it is not scoped as a restoration project. Please see response #11 below for additional information.

**Response #8:** The Project is limited to sediment removal on the floodplain benches and was specifically designed to avoid the low flow channel. It will not remove any materials from the low flow channel nor will it otherwise affect fish passage or spawning potential. Please see response #11 below for additional information.

**Response #9:** The removal of *Arundo donax* is not a goal of the Project. Please see response #24 below for additional information.

**Response #10:** The Project is limited to sediment removal on the floodplain benches. It does not include work on known fish migration barriers or other features that could affect the ability for fish to swim farther upstream. The drop structures are an existing condition and not part of the Project impacts. Therefore, regardless of the value of the modifying the drop structure, such work is outside the Project scope.

**Response #11:** The goals of the Lower Walnut Creek Restoration Project are very different than the goals of this Project, which is to remove accumulated sediment to restore hydraulic capacity to reduce flood risk. It is not a restoration project. However, the Project will not impact the flowing channel and was designed to minimize impacts to habitat where possible. In addition, the Project will result in higher value habitats by replacing sediment on the floodplain benches dominated by ruderal (weedy) vegetation with wetland habitats. There is a cyclical component to this benefit as the floodplain benches will silt in again over time and eventually be desilted again in a subsequent project, recreating the habitat.

The Flood Control District's *50 Year Plan* focuses on replacement of structures with more natural solutions where possible, the importance of community awareness, constraints, and other long-term planning considerations for bringing more natural processes back to our creeks. The Project at hand is needed for maintenance of flood capacity associated with the current design of the creek channels. It does not reconfigure the creeks, replace any structures, or do anything more than remove accumulated sediment. No work will be conducted in the flowing channel. The Project incorporates many elements to reduce impacts including avoiding wetland habitats as much as possible, not working in the flowing channel, working on only one side of the creek per season to allow use of the other side by wildlife, as well as a number of mitigation measures. As such, the Project is not inconsistent with the Flood Control District's *50 Year Plan* and mitigation measures are adequate.

In addition, the District's Lower Walnut Creek Restoration project is in a location that provides significantly fewer constraints and many more restoration opportunities than the urban area that is covered by the Project. There is no direct comparison possible between the two projects that have different purposes, constraints, and objectives.

**Response #12:** CEQA does not require an exhaustive justification for Project objectives or need. As stated in the MND under the Introduction and Description of Project, this work is part of periodic maintenance of these channels according to U.S. Army Corps of Engineers (USACE) requirements. The MND also states that the hydraulic capacity of these creeks has been reduced due to accumulation of sediment and growth of vegetation and that the Project is necessary to restore the hydraulic capacity of the creeks.

Extensive modeling was conducted to determine the extent of sediment removal needed to adequately restore capacity and to avoid the most sensitive habitats. In their current state, the hydraulic capacity of both creeks is reduced due to siltation as the creeks may overtop their banks during the 1% annual chance storm. Project work on Walnut Creek will reduce flood risk for commercial properties between Concord Avenue and Diamond Boulevard. Project work on Grayson Creek will reduce flood risk for commercial and residential properties between the confluence with Walnut Creek and Taylor Boulevard. Maintaining flood carrying capacity of these creeks is critical to protect existing land uses adjacent to both creeks.

**Response #13:** An alternatives analysis is not required for mitigated negative declarations per CEQA § 15071. Nevertheless, alternatives were considered as discussed under the Project description on page 2 of the MND. The proposed Project was deemed to provide the most flood protection while minimizing impacts to habitat and biological resources.

**Response #14:** The Contra Costa County Flood Control and Water Conservation District (FCD) is responsible for maintaining its facilities according to the original design capacity, which takes into consideration a number of factors depending on location and the facility, with the intention of not letting a creek overtop its banks. The fact that Grayson Creek overtopped its banks in some locations and that at Marsh Drive, the water level in Walnut Creek was approximately 6-inches below the soffit of the bridge, were visible examples of the necessity of this Project.

**Response #15:** The October 24, 2021 storm event was centered mostly over the Grayson Creek watershed. Based on post-storm field observations, the conditions of the sediment benches where desilting is proposed remain unchanged; therefore, the modeling that was used for the proposed Project is still valid and no additional modeling is needed. Changes to the low flow channels caused by the storm, if any, are insignificant to the overall hydraulic performance of the creeks.

**Response #16:** The Project was added to SFEI's SediMatch website in December 2018. The FCD has not received requests for sediment for beneficial reuse to date. Further, the Coarse Sediment Removal Strategy from SFEI specifies the need for coarse sediment. However, this Project is anticipated to remove finer grains of sediment such as silty sands or sandy silts. In addition, the FCD continues to coordinate with SFEI to support their efforts to prepare a sediment budget for the region by providing them with the Project's estimated volume of sediment to be removed so that this can be incorporated into their data and regional modelling.

**Response #17:** the MND analysis is focused on potential impacts resulting from Project activities. The analysis was based on surveys by a qualified biologist that included review of the Fish Passage Assessment – Lower Walnut Creek and Lower Grayson Creek, Contra Costa County, prepared by Charles H. Hanson, Ph.D. in 2014. As such, the site characterization is adequate to determine potential impacts of the Project. Moreover, the Project is limited to sediment removal on the floodplain benches (which are at an elevation too high for fish spawning and or passage) and was specifically designed to avoid the low flow channel. It will not remove any materials from the low flow channel nor will it otherwise affect fish passage or spawning potential. With regard to other wildlife, BIO-1, BIO-2, BIO-3, BIO-4, and BIO-5 were recommended by qualified biologists and are standard practices that are common to the industry to protect wildlife.

**Response #18:** Drop Structure #1 is outside the Project area. The gravels mentioned immediately below Drop Structure #1 are in the low flow channel, which is not affected by the Project. Please see response #17 for additional information.

**Response #19:** Please see response #18.

**Response #20:** Illegal poaching is not under the purview of the FCD, who is not responsible for law enforcement, nor is it an impact of the Project.

**Response #21:** Please see response #11.

**Response #22:** The Project is limited to sediment removal and was specifically designed to avoid the low flow channel. It will not remove any materials from the low flow channel nor will it otherwise affect fish passage or spawning potential. Please see response #11 for additional information.

**Response #23:** Human occupation and trash are not an impact of the Project, but the MND does describe the degraded habitat. On page 4, the MND states the following: "In the Project area, Grayson Creek is bordered by development on all sides, and is highly altered and disturbed." The Contra Costa County Public Works Maintenance Division regularly removes trash from the creeks and, prior to the ongoing COVID-19 pandemic, sponsored a number of creek clean up and education programs. Services for unsheltered people are available through other County departments.

**Response #24:** On page 4, the MND states the following: "In the Project area, Grayson Creek is bordered by development on all sides, and is highly altered and disturbed." The MND also states on page 22: "Both Grayson Creek and Walnut Creek are highly degraded within the Project area." The spread of *Arundo donax* in general is not an impact of the Project. However, spreading of *Arundo donax* could be exacerbated if stands are impacted by Project activities and are not handled properly. An invasive plant study was recently completed to identify invasive plants in the Project site and *Arundo donax* was identified. An additional measure will be added to require proper handling of *Arundo donax* in the Plans and Specifications developed for the Project.

**Response #25:** Planting plugs throughout the Project area individually by hand is not feasible due to the large area of disturbed soil that will need to be stabilized and does not provide the temporary stabilization that hydroseeding does. Further, hydroseeding with wetland species was very successful after the last desilt in 2006. Hydroseeding will stabilize the exposed sediment in the channel until vegetation is naturally established. Vegetation in the channel is expected to establish quickly, as it did in the past desilting operation.

**Response #26:** The MND indicates in a number of areas that native seed mix appropriate for the site will be used to revegetate the area and stabilize disturbed soils. As described in BEST MANAGEMENT PRACTICE BIO-2 on page 23 of the MND, a Storm Water Pollution Prevention Plan (SWPPP) will be prepared and implemented in accordance with the National Pollution Discharge Elimination System (NPDES) Construction General Permit as required under Section 402 of the Clean Water Act. Establishment of vegetation

cover is required under that program. Further, the FCD intends to monitor the establishment of vegetation and other recovery and success criteria related to the Project objectives. Regarding plants that can provide shade to the creek, the channel was designed by the Corps of Engineers with a specific roughness value that equates to grasses that can lie down under heavy flood flows and not block floodwaters. Woody vegetation, trees, or other vegetation increase roughness, decrease channel capacity and flood conveyance. To incorporate a higher roughness value would require either additional channel corridor width or an approved reduction in the level of flood protection.

**Response #27:** The proposed closures of Pacheco Creek Trail and the Iron Horse Trail will be coordinated with East Bay Regional Park District per the terms of their license agreement with FCD, and specified in the Project Specifications.

**Response #28:** Nearby crosswalks are available at Stanwell Drive (to the east) and New Drive (to the west).

**Response #29:** The portion of the creek where Walnut Creek drains into Suisun Bay has historically been known by many names, all of which are somewhat correct. The FCD uses the Corps of Engineer's nomenclature of Walnut Creek extending to Suisun Bay with Pacheco Creek as its most downstream tributary. Records from Contra Costa County and the United States Geological Survey (USGS) call this most downstream area Pacheco Creek or Pacheco Slough. Whatever the name, this description does not affect the analysis of impacts in the MND. However, your comment is noted.

These comments are incorporated into the MND document via inclusion of Appendix B Comment Letters and Responses. Please contact me if you have any further questions on our responses to your comments at [alex.nattkemper@pw.cccounty.us](mailto:alex.nattkemper@pw.cccounty.us) or (925) 313-2364.

Sincerely,



Alex Nattkemper  
Environmental Analyst  
Environmental Services Division



Bob Simmons  
March 17, 2022  
Page 7 of 7

---

c: Paul Detjens, Flood Control  
Gus Amirzehni, Flood Control  
Anthony DiSilvestre, Flood Control  
Ave Brown, Environmental Services  
Emma Burckert, Environmental Services

# California Department of Transportation



DISTRICT 4  
OFFICE OF TRANSIT AND COMMUNITY PLANNING  
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660  
[www.dot.ca.gov](http://www.dot.ca.gov)

November 18, 2021

SCH #: 2021100347  
GTS #: 04-CC-2021-00510  
GTS ID: 24599  
Co/Rt/Pm: CC/4/12.9

Alex Nattkemper, Environmental Analyst  
Contra Costa County  
Public Works Department  
255 Glacier Drive  
Martinez, CA 94553

## Re: Walnut & Grayson Creeks Desilting Project Mitigated Negative Declaration (MND)

Dear Alex Nattkemper:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Walnut & Grayson Creeks Desilting Project. We are committed to ensuring that impacts to the State’s multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the October 2021 IS/MND.

### Project Understanding

The project proposes to remove sediment from Walnut and Grayson Creeks that has accumulated since the last desilt operation in 2006. The project is located below segments of Interstate (I)-680 and State Route (SR)-4 in Contra Costa County.

### Utilities

Any utilities that are proposed, moved or modified within Caltrans’ Right-of-Way (ROW) shall be discussed. If utilities are impacted by the project, provide site plans that show the location of existing and/or proposed utilities. These modifications require a Caltrans-issued encroachment permit.

1

### Encroachment Permit

Please be advised that any permanent work or temporary traffic control that encroaches onto Caltrans’ ROW requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application

2

Alex Nattkemper, Environmental Analyst  
November 18, 2021  
Page 2

package, digital set of plans clearly delineating the State ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement. Your application package may be emailed to [D4Permits@dot.ca.gov](mailto:D4Permits@dot.ca.gov).

To download the permit application and to obtain more information on all required documentation, visit <https://dot.ca.gov/programs/traffic-operations/ep/applications>.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Nick Hernandez at [nick.hernandez@dot.ca.gov](mailto:nick.hernandez@dot.ca.gov). Additionally, for future notifications and requests for review of new projects, please email [LDR-D4@dot.ca.gov](mailto:LDR-D4@dot.ca.gov).

Sincerely,

A handwritten signature in black ink that reads "Mark Leong". The signature is fluid and cursive, with a long horizontal stroke at the end.

MARK LEONG  
District Branch Chief  
Local Development Review

c: State Clearinghouse



April 22, 2022

Mark Leong  
District Branch Chief, Local Development Review  
Caltrans District 4 Office of Transit and Community Planning  
P.O. Box 23660, MS-10D  
Oakland, CA 94623-0660

RE: Walnut and Grayson Creeks Desilting Project  
County Project No.: WO#8334

Dear Mr. Leong:

Thank you for providing comments on the proposed Mitigated Negative Declaration (MND) for the Walnut and Grayson Creeks Desilting Project (Project). This letter is intended to address your comments submitted on November 18, 2021. Our responses to your comments are presented below and follow the order of your comments (numbered in the margin of your letter and attached for reference).

**Response #1:** As stated on page 48 of the MND, the maximum excavation depth for sediment removal will not go below the surfaces that were established when the channels were originally built, so all utilities should be beneath that level and not be disturbed by desilting activities. Further, Project construction documents will require the contractor to identify all utility crossings within the desilt areas so that their locations can be clearly marked in the field, and avoided by construction activities. Therefore, no utility relocation or Caltrans-issued encroachment permit for utilities are necessary.

**Response #2:** On page 2, the MND states that the sediment removal activities will take place within the Flood Control District's right-of-way (ROW). No permanent work or temporary traffic control that encroaches onto Caltrans' ROW is anticipated. Use of a recently completed maintenance road under State Route 4 will be needed to access a portion of Grayson Creek. However, this road was built for the Flood Control District's use. Therefore, no encroachment permit from Caltrans is needed.

These comments are incorporated into the MND document via inclusion of Appendix B Comment Letters and Responses. Please contact me if you have any further questions on our responses to your comments at [alex.nattkemper@pw.cccounty.us](mailto:alex.nattkemper@pw.cccounty.us) or (925) 313-2364.

Sincerely,

*Alex Nattkemper*

Alex Nattkemper  
Environmental Analyst  
Environmental Services Division

AN:xx

\\PW-DATA\grpdata\engsvc\ENVIRO\Flood Control\Walnut and Grayson Creeks Desilting\CEQA\Public Noticing\3-Comments\Caltrans\2-Response\1. Response to Caltrans (final).docx

Enclosures

c: Paul Detjens, Flood Control  
Gus Amirzehni, Flood Control  
Anthony DiSilvestre, Flood Control  
Ave Brown, Environmental Services



## Friends of Pleasant Hill Creeks

November 19, 2021

Alex Nattkemper, Environmental Analyst  
Contra Costa County Public Works Dept.  
255 Glacier Drive, Martinez, CA 94553

[Via Email: Alex.Nattkemper@pw.cccounty.us](mailto:Alex.Nattkemper@pw.cccounty.us)

**RE: Walnut and Grayson Creeks Desilting Project (Project) –  
Comments on Proposed Mitigated Negative Declaration (County File No. 21-29)**

Dear Mr. Nattkemper:

Friends of Pleasant Hill Creeks (FPHC) respectfully submits the following comments on the Proposed Mitigated Negative Declaration (PMND) for the above referenced Project, which includes sections of Grayson Creek, an important environmental resource and riparian habitat corridor in our community.

### **About Friends of Pleasant Hill Creeks**

FPHC is a nonprofit community organization of Pleasant Hill residents who care about our creeks. Since 2017, more than 100 community volunteers have participated in creek cleanups, wildlife surveys, water quality monitoring, and educational outreach focused on Grayson Creek. FPHC has had many positive experiences working with local agencies, including the Contra Costa County Flood Control and Water Conservation District (FCD), to clean up and restore our creeks. FPHC supports the Lower Walnut Creek Restoration Project and FCD's *50-Year Plan* ("From Channels to Creeks"). FPHC is also a member of the Walnut Creek Watershed Council and supports the Council's comment letter.

### **Concerns**

In our view, the PMND is inadequate in its current form and should undergo further review and revision because: (i) it does not adequately describe the sensitive biological resources observed at and/or near the Grayson Creek sections of the Project site, including anadromous fish, migratory birds, and river otters; and (ii) it does not include adequate measures to mitigate the Project's environmental impacts on these resources. With this letter FPHC submits biological resource information that should be considered as part of the Lead Agency's review and suggests additional mitigation measures (see **Attachment A**).

### **Opportunity to Restore Grayson Creek While Providing Flood Protection**

In addition to providing flood protection, this Project should be designed to advance the long-term restoration of the creeks system. The FCD's *50-Year Plan* (**Attachment B**) states that "the District's mission must be expanded to include habitat preservation and water quality in the course of providing flood protection" (p. 3). The *50-Year Plan* envisions restoring the rich ecosystems within our creeks and riparian corridors to provide wildlife linkages between urban ecosystems and open-space areas. This Project provides an excellent opportunity to implement this vision by including restoration measures that enhance water quality and wildlife habitat in the Project areas consistent with improving flood control. Actions taken in the Project area can support the success of the Lower Walnut Creek Restoration Project as well as future restoration activities. With this letter FPHC suggests restoration measures that we believe will help implement the vision set forth in the *50-Year Plan* (see **Attachments A & B**).

### **Actions Requested**

FPHC respectfully requests that the Lead Agency:

- 3 1. Revise the PMND to include the biological resource information submitted with this letter;
- 4 2. Review and revise the PMND's impact analysis in consideration of this additional information;
- 5 3. Consider whether an Environmental Impact Report may be required for this Project;
- 6 4. Strengthen the mitigation measures to protect the biological resources of Grayson Creek;
- 7 5. Incorporate additional restoration measures into the Project to enhance Grayson Creek's riparian habitat and the creeks system consistent with the FCD's *50-Year Plan*; and
- 8 6. Identify beneficial reuse of the excavated silt in accordance with recommendations by the San Francisco Bay Estuary Institute (SFEI) rather than disposal in a landfill.

All attachments submitted and information provided or cited in footnotes to this letter are incorporated herein by reference.

We request that this comment letter and all the attachments be included as part of the PMND public review process.

Thank you for your consideration of our comments. We look forward to working with you, the Lead Agency, and other stakeholders to enhance the value of this Project for our community, Grayson Creek, and wildlife.

Sincerely,



Alan Bade  
Co-Founder, Friends of Pleasant Hill Creeks  
25A Crescent Drive #245  
Pleasant Hill, CA 94523  
[pleasanthillcreeks@gmail.com](mailto:pleasanthillcreeks@gmail.com)

cc:

Walnut Creek Watershed Council  
City Council of Pleasant Hill  
Contra Costa County Flood Control and Water Conservation District  
Contra Costa Resource and Conservation District  
Contra Costa County Board of Supervisors  
California Regional Water Quality Control Board  
California Department of Fish and Wildlife



## LIST OF ATTACHMENTS

- A Grayson Creek Specific Comments
- A-1 Photographs of Chinook Salmon Observed in Grayson Creek (October 2021)
- A-2 Bird Species Data Recorded in Grayson Creek Riparian Corridor Near Project Area
- A-3 River Otter and Muskrat Sightings in Grayson Creek
- A-4 Photograph of Western Pond Turtle Observed Near Grayson Creek / Chilpancingo Bridge
- A-5 Grayson Creek Water Quality Data Published by The Watershed Project
- A-6 Photographs of Fish Visible from Chilpancingo Bridge
- B Contra Costa County Flood Control and Water Conservation District's *The 50-Year Plan*

## Attachment A

### GRAYSON CREEK SPECIFIC COMMENTS

The following information and recommendations are based on field observations by FPHC members, data collection by FPHC and/or other community organizations, and publicly available information.

#### A. BIOLOGICAL RESOURCES

1. **Anadromous Fish.** In October 2021, FPHC members observed and photographed multiple large (18" to 40") anadromous fish in Grayson Creek upstream of the Project site. (**Attachment A-1**)<sup>1</sup> These fish have been identified from the photographs as Chinook salmon. The behavior of the fish we observed (swimming in a circular pattern and side by side) is consistent with spawning behavior. Our recent observations indicate that anadromous fish are passing through the Project site and attempting to spawn during the proposed timeframe of the Project (April 1 to October 31). Our observations are consistent with historical observations and assessments of Chinook salmon<sup>2</sup> in Grayson Creek and indicate that salmonids are migrating through the Project area and, potentially, spawning upstream. 9
2. **Migratory Birds:** FPHC and Mt Diablo Audubon Society have conducted monthly bird surveys on sections of Grayson Creek since 2017. The surveys have documented 104 species in two survey areas on Grayson Creek.<sup>3</sup> The survey area nearest to the Project area, which has very similar habitat, has documented **78 native and migratory** species of birds. (**Attachment A-2**) We have also observed nesting birds near the Project area including nesting raptors. 10
3. **River Otters and Muskrat.** FPHC members have observed river otters swimming, foraging, and utilizing the banks of Grayson Creek near the Project site. (River otters were not mentioned in the Biological Resources Assessment.) The River Otter Ecology Project's "Bay Area River Otters Sightings Map" has documented multiple sightings of river otters at or near the Project area.<sup>4</sup> FPHC members have also observed muskrat swimming near the Project site. (**Attachment A-3**) 11
4. **Western Pond Turtles:** FPHC members have observed Western Pond turtles just upstream of the project site, which confirms the need for mitigation measures to protect the turtles. (**Attachment A-4**) 12

#### B. HYDROLOGY AND WATER QUALITY

1. FPHC members observed Grayson Creek overtopping its banks in several places during the October 2021 storms, including in the Project area, which supports the need for work to improve the conveyance capacity of the creek. However, we believe the Project should be designed to maximize its restoration potential consistent with the FCD's *50-Year Plan*. A return to "pre-existing" conditions would not be considered a success. 13

---

<sup>1</sup> Due to concerns about poaching, we have not publicly disclosed the exact location where we observed the fish. If the exact location is relevant to your analysis, please contact us to discuss.

<sup>2</sup> See, e.g., Hanson, Charles H., *Fish Passage Assessment – Lower Walnut Creek and Lower Grayson Creek, Contra Costa County* (Walnut Creek: Hanson Environmental, Inc., September 2014).

<sup>3</sup> Grayson Creek Bird Survey data can be accessed at the following eBird hotspots: eBird, Grayson Creek Hotspot, <https://ebird.org/hotspot/L7453556>; eBird, Grayson Creek (Oak Park Blvd.) Hotspot, <https://ebird.org/hotspot/L9110333>.

<sup>4</sup> River Otter Ecology Project, "Bay Area River Otter Sightings Map," <https://roep.maps.arcgis.com/apps/webappviewer/index.html?id=95129308301f465faa56f200c0c133ac>.

2. Pollution of Grayson Creek from homeless encampments, dumping, and trash overflow from adjacent commercial establishments has occurred, and continues to be a concern, in and near the Project area. FPHC and other community organizations as well as the City of Pleasant Hill have observed, documented, and removed thousands of pieces of trash from Grayson Creek. 14
3. The Watershed Project has produced water quality reports relevant to the Project area (Grayson Creek at Chilpancingo Bridge) that should be included in the water quality analysis and monitoring processes.<sup>5</sup> This water quality data, together with our direct observations of fish and other wildlife, indicates that the water in Grayson Creek is relatively healthy and supportive of fish and other wildlife (**Attachments A-1, A-2, A-5, and A-6**). 15
4. Homeless encampments also present a significant safety issue. We have seen discarded needles, human feces and other safety concerns that could create risks for Project personnel. In addition, individuals camping/sleeping in the creek channel could be at risk during flooding events and during Project construction. Cooperative arrangements with law enforcement, adjacent city governments, the County, CORE, and California Department of Fish and Wildlife should be developed to address these issues, and others, such as poaching.<sup>6</sup> Homeless individuals camping in or near the Project area should be contacted before construction activities begin. The County's CORE program could be very helpful in this regard. 16
5. Dredged sediment should not be moved to landfills but reused beneficially to help restore the Bay's wetlands and mudflats in accordance with SFEI recommendations (see specific resources below in comments to HYD-1). 17

### C. **RECOMMENDATIONS**

We recommend that Mitigation Monitoring and Reporting Plan (MMRP) be strengthened and that additional restoration elements be incorporated into the Project design to enhance habitat preservation and water quality in the course of providing flood protection, consistent with the FCD's *50-Year Plan*. 18

#### 1. **BIO-1**

- The education program should include the above-referenced species information. 19

#### 2. **BIO-2**

- The PMND and MMRP do not adequately address the presence and/or passage of anadromous fish in Grayson Creek. The Biological Resources Assessment lists these fish only as "possible," while our observations have confirmed their presence as recently as October 2021. A qualified fish biologist should determine the size and configuration of the protected flow channel to enable the passage of anadromous fish upstream and downstream and review the other mitigation measures for adequacy. Movement of successful anadromous fish fry downstream could be especially impacted by the Project's excavations in late winter and spring while migrating back to Suisun Bay. 20

---

<sup>5</sup> The Watershed Project, *Water Quality in Contra Costa County*, <https://app.thewatershedproject.org/creek/WAL> and *Grayson Creek at Chilpancingo Pkwy.* (CEO16), <https://app.thewatershedproject.org/site/CEO160>.

<sup>6</sup> In addition to pollution, poaching threatens species of special concern in the watershed, including Chinook salmon, which are targets of poaching in Walnut Creek.

- The timing of the work season (currently planned for April 1 – October 31) should be reviewed in light of the additional species information provided above, particularly the presence of Chinook salmon that were observed in October of this year. 21
- Pre-construction surveys for special status and common wildlife species should include areas upstream and downstream of the Project area and in the adjacent riparian corridor on either side of the Project area. Many of the special status species are migratory, will be utilizing the corridor, and could be affected by construction activities. 22
- Any dewatering or water diversion activities should be designed to protect the anadromous fish, river otters, and other wildlife documented above. 23
- In addition to seeding of disturbed areas with a native seed mix suitable for riparian and wetland habitats, we also recommend planting native shrubs. 24
- The SWPPP should include surveying and removal of all trash and hazardous substances (e.g., needles and human waste from homeless encampments) from the Project area prior to and during construction activities in order to protect water quality and Project personnel. 25
- The SWPPP should consider The Watershed Project’s data. (**Note 5 and Attachment A-5**) 26

### 3. BIO 3

- Western pond turtles, a species of special concern, are seen fairly often on our monthly bird surveys near Chilpancingo bridge. (**Attachment A-4**)
- When implementing BIO-3, special attention should be made to look for nesting turtles as they may wander far from the creek in search of good nesting locations. Multiple visits may be required to adequately protect the turtles during their nesting season, which coincides with the Project's active dates.
- The Project should implement the best management practices (BMPs) identified by the Western Pond Turtle Range-wide Conservation Coalition, which includes the USFWS and CDFW. These recommend adding basking sites as habitat improvements. Below are links to two of the coalition’s BMP publications: 27
  - Western Pond Turtle Range-wide Management Strategy 2020, [https://ecos.fws.gov/docs/recovery\\_plan/WPT%20RCC%20Strategy%202020.pdf](https://ecos.fws.gov/docs/recovery_plan/WPT%20RCC%20Strategy%202020.pdf), and
  - Recommended Best Management Practices for the Western Pond Turtle on Department of Defense Installations, [https://www.denix.osd.mil/dodparc/parc-resources/materials-for-installation-personnel/bmp-western-pond-turtle/Pond%20Turtles%20BMP\\_Final\\_508\\_v2.pdf](https://www.denix.osd.mil/dodparc/parc-resources/materials-for-installation-personnel/bmp-western-pond-turtle/Pond%20Turtles%20BMP_Final_508_v2.pdf).

### 4. BIO 4

- Pre-construction surveys for nesting birds should be conducted by a qualified ornithologist. Non-disturbance buffer zones should be established and regularly monitored by the ornithologist. 28
- The “non-nesting” season described in the MMRP as September 1-January 31 is not accurate. For example, Anna’s Hummingbirds (a species often observed in Grayson Creek) nest during December and January. Therefore, nesting bird surveys should be conducted before any construction activities in this timeframe as well. 29
- Special attention should be made to look for nesting blackbird species, raptors and other species in the Project areas. FPHC members have observed nesting blackbirds near Center St bridge. Red-shouldered hawks traditionally nest in the sycamores near Grayson Creek (Chilpancingo Parkway and Shadowood Park). Cooper's Hawks are commonly seen on our surveys. We have often observed swallows nesting under bridges crossing Grayson Creek. 30

## 5. BIO 6

- The restoration seed and plant palate should include native vegetation only. Please also see comments below regarding planting methods (Section 7(d)).

31

## 6. HYD-1

- Given the documented presence of salmonids in Grayson Creek and the potential existence of fry, this mitigation measure should be re-evaluated to ensure that salmonids and fry can safely traverse the Project areas during construction.
- Appropriate beneficial reuse of excavated silt should be determined in accordance with recommendations by the San Francisco Bay Estuary Institute (SFEI) rather than disposal in a landfill. SFEI resources with additional information regarding beneficial reuse of dredged sediment are provided below.
  - Sediment for Survival Factsheet, [https://www.sfei.org/sites/default/files/biblio\\_files/Sediment for Survival factsheet.pdf](https://www.sfei.org/sites/default/files/biblio_files/Sediment%20for%20Survival%20factsheet.pdf)
  - Towards a Coarse Sediment Strategy for the Bay Area, [https://www.sfei.org/sites/default/files/biblio\\_files/Coarse%20Sediment%20Strategy%20SFEI%20highres.pdf](https://www.sfei.org/sites/default/files/biblio_files/Coarse%20Sediment%20Strategy%20SFEI%20highres.pdf)
  - Expert review of the sediment screening guidelines for the beneficial reuse of dredged material in San Francisco Bay, <https://www.sfei.org/documents/expert-review-sediment-screening-guidelines-beneficial-reuse-dredged-material-san>

32

33

## 7. RESTORATION MEASURES

### (a) Fish passage:

- Grayson creek has year-round water from Suisun Bay to its upper reaches with only minor impediments to fish passage. With a few modifications, this Project represents a significant opportunity to improve fish habitat in Grayson Creek and help restore the population of anadromous fish to the Walnut Creek Watershed.
- A low concrete dam in the project area at 37.991508, -122.067425 should be removed because during low flows it is a barrier to fish and may completely stop successful anadromous fish fry from reaching Suisun Bay.
- A second low barrier exists within the project area about 175 feet downstream of Highway 4 and should also be removed. This is described as a concrete encased pipeline that spans across the entire channel. Whether it is an active pipeline is unknown. During low flows it likely blocks successful anadromous fish fry from reaching the Bay.
- Both of these should be removed while large equipment is in the area, especially if they are relics and no longer in use.
- Gradients for good fish passage within the project area should be evaluated. "Humps" may exist where water is too shallow for fish to safely pass in lower flow conditions. Occasional pools may be needed to connect these shallow reaches.
- Areas should be identified where native trees can be safely added to help cool water temperatures. Other shading mechanisms could also be employed such as native riparian shrubs or plants.

34

35

36

37

38

39

**(b) Fish habitat:**

- This Project should support long-term restoration of the creeks system, including fish habitat. Actions taken in the Project area can enhance the success of the Lower Walnut Creek Watershed Project as well as future restoration activities. 40
- Gravel bars or beds are needed and should be added as part of this Project. Once again, pools could be excavated, and gravels added. Areas for gravel additions should be identified by a qualified biologist. During high water events, silt that may accumulate gets scoured away, exposing beds appropriate for spawning. High water events are also when anadromous fish are most likely to return to Grayson Creek. The beds are likely to remain free from silt after a high-water event long enough for eggs to be successful. Indeed, members of the Walnut Creek Watershed Council and FPHC observed these scoured gravel beds in both Grayson Creek and Walnut Creek after the Oct 24, 2021 storm. 41
- Gravel beds could also be added upstream where shady conditions already exist if these are considered more effective. We encourage the FCD to look at upstream sites like the one on FCD property near Beatrice Road. Water is year-round here on the East Fork of Grayson all the way to the concrete box channel and it is a well shaded site. Gravel beds could be added in a widened stream channel on FCD land. Another site is near Viking Dr. bridge. We believe this site would not need much modification. Water comes out of the box channel at high velocity during storm events and we expect it would adequately scour silt from added gravel beds. 42
- These and all potential fish habitat mitigations should be evaluated in the biological resources section of the Project document. 43
- We believe the assessment in the PMND as to whether there's enough water in Grayson Creek for fish was flawed. The evaluation was done in the Spring and Summer in the third year of a drought. The report should include depth data from multiple years to adequately assess whether enough continuous and deep enough water is available for fish. 44
- Depth gauges should be added at multiple points on Grayson Creek and monitored. 45

**(c) Wetland enhancement:**

- The PMND mitigations make only a cursory attempt to encourage wetlands. Rather than accepting the return of pre-project conditions as being a "successful" project, active efforts should be made to enhance existing and perhaps establish new wetlands. These will help with filtration (affecting water quality), provide cover for small fish, and encourage California native flora and fauna. 46

**(d) Grasslands and upslope:**

- We agree with Nomad's assessment of creeping ryegrass as desirable to encourage. We are actively planting it in riparian restorations on Grayson Creek. They state, "Creeping ryegrass stands (*Leymus triticoides* Herbaceous Alliance) is considered of high inventory priority as it has a Subnational Conservation Status Rank of S3 (CDFW 2020)" (Biological Resources Assessment, p. 31). However, the Project plans to reseed with California natives including the creeping ryegrass (*Leymus triticoides*) using a "hydro-seed" method. In our experience this California native needs to be planted as "plugs". It has a low germination rate as seeds. 47
- The replanting efforts need to be a multi-year project. Some of our most successful restorations have come from weed abatement the first year, planting in the second year, and following again with weed abatement in the third year. 48
- At a minimum, the Project areas need to be monitored after planting and not abandoned to return to their ruderal state. Reseeding or replanting alone is too passive. We need to ensure survival of

this revegetation investment. In our experience with native plant restorations, it is often second- or third-year efforts that ensure the long-term viability of the restoration. Creeping ryegrass is good at excluding non-natives when the non-native seed bank is removed but it will need some help past the first year.

- Efforts need to be made to remove completely all stands of nearby invasive *Arundo donax* including the rhizomes while heavy equipment is available. Special education needs to happen to make sure excavation crews do not inadvertently spread it. Arundo stands will need to be revisited after project completion for at least two seasons to ensure complete eradication, maybe more.
- Arundo removal in the watershed directly affects the Lower Walnut Creek Restoration Project! The last thing we want is for Arundo to infect this wonderful restoration.

49

**(e) Birds:**

- Birds would benefit from all of the mitigation and restoration measures recommended above. Native plants would provide better forage, and enhanced wetlands would be used by marsh birds such as Song Sparrow, Marsh Wren, Common Yellowthroat and others.
- Adding California native trees and shrubs would greatly improve bird habitat. California native species besides the graminoids should be considered, especially in the top areas of the creek's banks where they do not impede flows and may decrease erosion during higher flows.

50

51



**Attachment A-1 Photographs of Chinook Salmon Observed in Grayson Creek  
(October 2021)**



**Attachment A-1 Photographs of Chinook Salmon Observed in Grayson Creek  
(October 2021) Cont'd**



**Attachment A-1 Photographs of Chinook Salmon Observed in Grayson Creek  
(October 2021) Cont'd  
(with 4' surveyor's stake)**



**Attachment A-2 Bird Species Data Recorded in  
Grayson Creek Riparian Corridor Near Project Area**

*[See Following Pages]*





Friends of Pleasant Hill Creeks



Mount Diablo Audubon Society

## Grayson Creek Bird Survey Species List

Grayson Creek Riparian Corridor sections between Viking Dr. Bridge and Chilpancingo Parkway, Pleasant Hill, CA  
November 2017—October 2021

1. Greater White-fronted Goose (*Anser albifrons*)
2. Cackling Goose (*Branta hutchinsii*)
3. Canada Goose (*Branta canadensis*)
4. Wood Duck (*Aix sponsa*)
5. American Wigeon (*Mareca americana*)
6. Mallard (*Anas platyrhynchos*)
7. Bufflehead (*Bucephala albeola*)
8. Hooded Merganser (*Lophodytes cucullatus*)
9. Common Merganser (*Mergus merganser*)
10. Wild Turkey (*Meleagris gallopavo*)
11. Rock Pigeon (*Columba livia*)
12. Eurasian Collared Dove (*Streptopelia decaocto*)
13. Mourning Dove (*Zenaidura macroura*)
14. White-throated Swift (*Aeronautes saxatalis*)
15. Anna's Hummingbird (*Calypte anna*)
16. American Coot (*Fulica americana*)
17. Wilson's Snipe (*Gallinago delicata*)
18. Double-crested Cormorant (*Phalacrocorax auratus*)
19. Great Blue Heron (*Ardea herodias*)
20. Great Egret (*Ardea alba*)
21. Snowy Egret (*Egretta thula*)
22. Green Heron (*Butorides virescens*)
23. Black-crowned Night-Heron (*Nycticorax nycticorax*)
24. Turkey Vulture (*Cathartes aura*)
25. Cooper's Hawk (*Accipiter cooperii*)
26. Red Shouldered Hawk (*Buteo lineatus*)
27. Red-tailed Hawk (*Buteo jamaicensis*)
28. Belted Kingfisher (*Megasceryle alcyon*)
29. Red-breasted Sapsucker (*Sphyrapicus ruber*)
30. Downy Woodpecker (*Dryobates pubescens*)
31. Nuttall's Woodpecker (*Dryobates nuttallii*)
32. Northern Flicker (*Colaptes auratus*)
33. American Kestrel (*Falco sparverius*)
34. Merlin (*Falco columbarius*)
35. Pacific-slope Flycatcher (*Empidonax difficilis*)
36. Black Phoebe (*Sayornis nigricans*)
37. Say's Phoebe (*Sayornis saya*)
38. Hutton's Vireo (*Vireo huttoni*)
39. Warbling Vireo (*Vireo gilvus*)
40. Steller's Jay (*Cyanocitta stelleri*)
41. California Scrub-Jay (*Aphelocoma californica*)
42. American Crow (*Corvus brachyrhynchos*)
43. Common Raven (*Corvus corax*)
44. Chestnut-backed Chickadee (*Poecile rufescens*)
45. Oak Titmouse (*Baeolophus inornatus*)
46. Northern Rough-winged Swallow (*Stelgidopteryx serripennis*)
47. Violet-green Swallow (*Tachycineta thalassina*)
48. Barn Swallow (*Hirundo rustica*)
49. Cliff Swallow (*Petrochelidon pyrrhonota*)
50. Bushtit (*Psaltriparus minimus*)
51. Ruby-crowned Kinglet (*Regulus calendula*)
52. Red-breasted Nuthatch (*Sitta canadensis*)
53. White-breasted Nuthatch (*Sitta carolinensis*)
54. Marsh Wren (*Cistothorus palustris*)
55. Bewick's Wren (*Thryomanes bewickii*)
56. European Starling (*Sturnus vulgaris*)
57. Northern Mockingbird (*Mimus polyglottos*)
58. Western Bluebird (*Sialia mexicana*)
59. American Robin (*Turdus migratorius*)
60. Cedar Waxwing (*Bombocilla cedrorum*)
61. House Sparrow (*Passer domesticus*)
62. House Finch (*Haemorhous mexicanus*)
63. Purple Finch (*Haemorhous purpureus*)
64. Pine Siskin (*Spinus pinus*)
65. Lesser Goldfinch (*Spinus psaltria*)
66. American Goldfinch (*Spinus tristis*)
67. Fox Sparrow (*Passerella iliaca*)
68. Dark-eyed Junco (*Junco hyemalis*)
69. White-crowned Sparrow (*Zonotrichia leucophrys*)
70. Golden-crowned Sparrow (*Zonotrichia atricapilla*)
71. Song Sparrow (*Melospiza melodia*)
72. Lincoln's Sparrow (*Melospiza lincolni*)
73. California Towhee (*Melospiza crissalis*)
74. Red-winged Blackbird (*Agelaius phoeniceus*)
75. Brown-headed Cowbird (*Molothrus ater*)
76. Brewer's Blackbird (*Euphagus cyanocephalus*)
77. Orange-crowned warbler (*Leiothlypis celata*)
78. Common Yellowthroat (*Geothlypis trichas*)
79. Yellow Warbler (*Setophaga petechia*)
80. Yellow-rumped Warbler (*Setophaga coronata*)
81. Western Tanager (*Piranga ludoviciana*)

**Total Species: 81**

**Total Native and Migratory Species: 78**

**Total Raptor Species: 6**

*Data Source:* Grayson Creek Bird Survey, a joint community science project of Friends of Pleasant Hill Creeks (a project of SEE) and Mt. Diablo Audubon Society. Updated: 11/16/21.

*Contact:* [pleasanthillcreeks@gmail.com](mailto:pleasanthillcreeks@gmail.com)

**Attachment A-2 Bird Species Data Recorded in  
Grayson Creek Riparian Corridor Near Project Area Cont'd**



**Red-shouldered hawk nest near Chilpancingo Bridge, Grayson Creek**



**Red-shouldered hawk hunting crayfish in Grayson Creek**



**Attachment A-2 Bird Species Data Recorded in  
Grayson Creek Riparian Corridor Near Project Area Cont'd**



**Green Heron foraging in Grayson Creek**

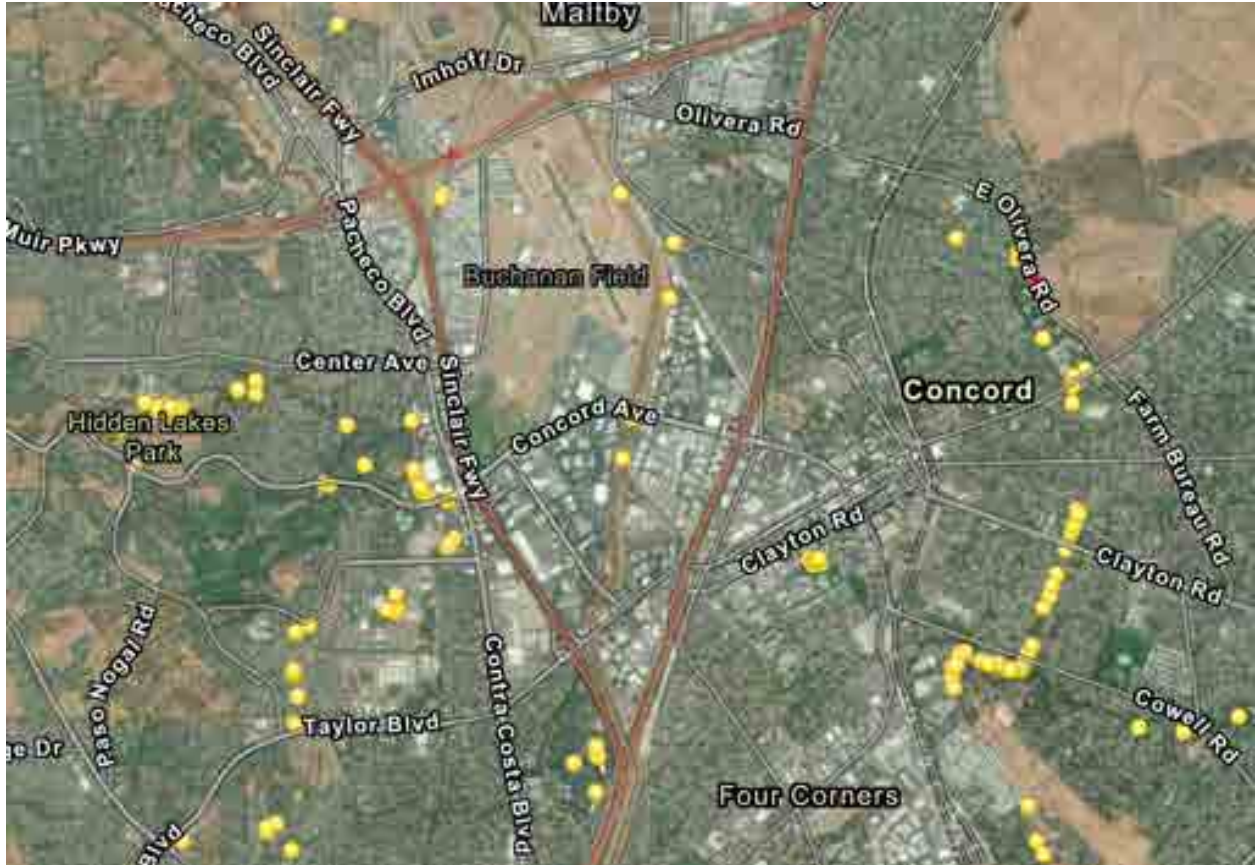


**Great Egret foraging in Grayson Creek**



## Attachment A-3 River Otter and Muskrat Sightings in Grayson Creek

### River Otter Sightings at or Near Project Area (For More Details, Please See Interactive Map (Link in Map Caption))



Data Source: River Otter Ecology Project, “Bay Area River Otter Sightings Map,”  
<https://roep.maps.arcgis.com/apps/webappviewer/index.html?id=95129308301f465faa56f200c0c133ac>.

**Attachment A-3 River Otters and Muskrat in Grayson Creek Cont'd**



**River Otter near Chilpancingo Bridge, Grayson Creek**



**Muskrat near Chilpancingo Bridge Grayson Creek**



**Attachment A-4 Photograph of Western Pond Turtle Observed Near  
Grayson Creek / Chilpancingo Bridge**



**Western Pond turtle (*Actinemys marmorata*) near Chilpancingo bridge**

**Attachment A-5 Grayson Creek Water Quality Data**  
**Published by The Watershed Project**

*[See Following Pages]*



# Water Quality in Contra Costa County

## Walnut Creek



### Creek Description

Walnut Creek runs from Mount Diablo and the East Bay Hills through the Cities of Walnut Creek, Pleasant Hill, Lafayette, and Danville before reaching the Carquinez Strait. 70% of its 29 miles are natural, with no obvious reinforcements or concrete channel. 45% of its watershed (the land that drains to the creek) is residential, while 30% is covered by impervious surfaces such as roads and houses. This large watershed encompasses over 90,000 acres and contains many smaller creeks that enter the main stem of Walnut Creek, including Grayson Creek.

### Creek Report Card

Dissolved Oxygen	● Good
pH	● Good
Specific Conductivity	● Bad
Temperature	● Good
Turbidity	● Marginal

### Explore Sampling Sites

Select Site ▾

### Explore Other Creeks

Walnut Creek ▾



# Water Quality in Contra Costa County

## Grayson Creek at Chilpancingo Pkwy. (CEO160)

Grayson Creek flows north continuing along a wide, open channel before flowing under Chilpancingo Parkway. The areas has some tall grass right next to the creek and animals such as fish, waterfowl and even turtles can be found here. This site is monitored once a month for temperature, dissolved oxygen, conductivity, pH, and turbidity. We always take volunteers on our monitoring expeditions, where you'll learn about the equipment we use and do observational assessments. Please contact [Satoko Mills](#) if you'd like to join us!

[Go back to Walnut Creek overview](#)

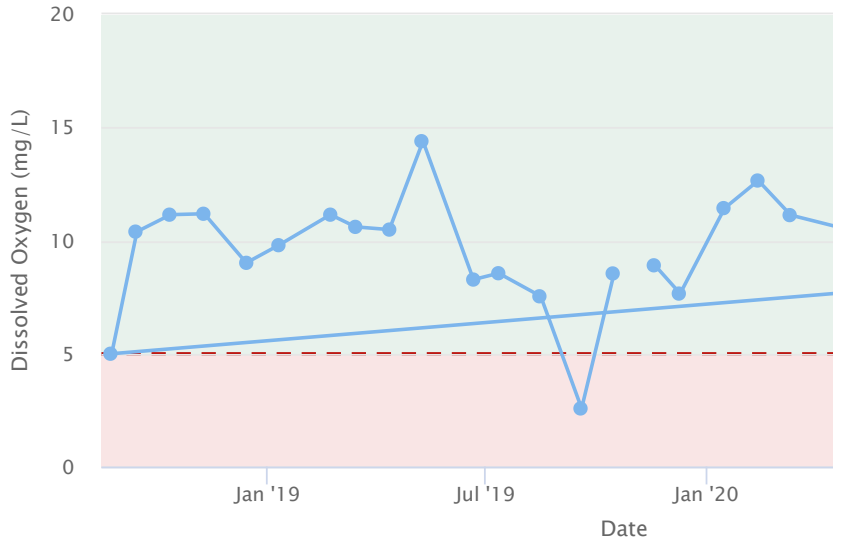
### Sites on Walnut Creek

Grayson Creek at Chilpancingo Pkwy. ▾

Plots Images

### Select Water Quality Feature

Dissolved Oxygen ▾



- Chilpancingo Pkwy.
- Golf Club Rd.
- Six Flags Hurricane Harbor
- Six Flags Hurricane Harbor
- Civic Park
- Diablo Valley College
- Ple...
- Hiç...

Click and drag on the chart to zoom in

▾ more details

### Vitals: Dissolved Oxygen

Aquatic organisms depend on oxygen for respiration. Oxygen is dissolved in water through aeration, via moving over rocks or waterfalls, and photosynthesis by plants living in the creek. Cold water can hold more dissolved oxygen than warm water, because the molecules in the water move slower and thereby retain more oxygen.

Dissolved Oxygen should be above 5 mg/L

(Source: [USEPA Dissolved Oxygen Threshold](#))



# Water Quality in Contra Costa County

## Grayson Creek at Chilpancingo Pkwy. (CEO160)

Grayson Creek flows north continuing along a wide, open channel before flowing under Chilpancingo Parkway. The areas has some tall grass right next to the creek and animals such as fish, waterfowl and even turtles can be found here. This site is monitored once a month for temperature, dissolved oxygen, conductivity, pH, and turbidity. We always take volunteers on our monitoring expeditions, where you'll learn about the equipment we use and do observational assessments. Please contact [Satoko Mills](#) if you'd like to join us!

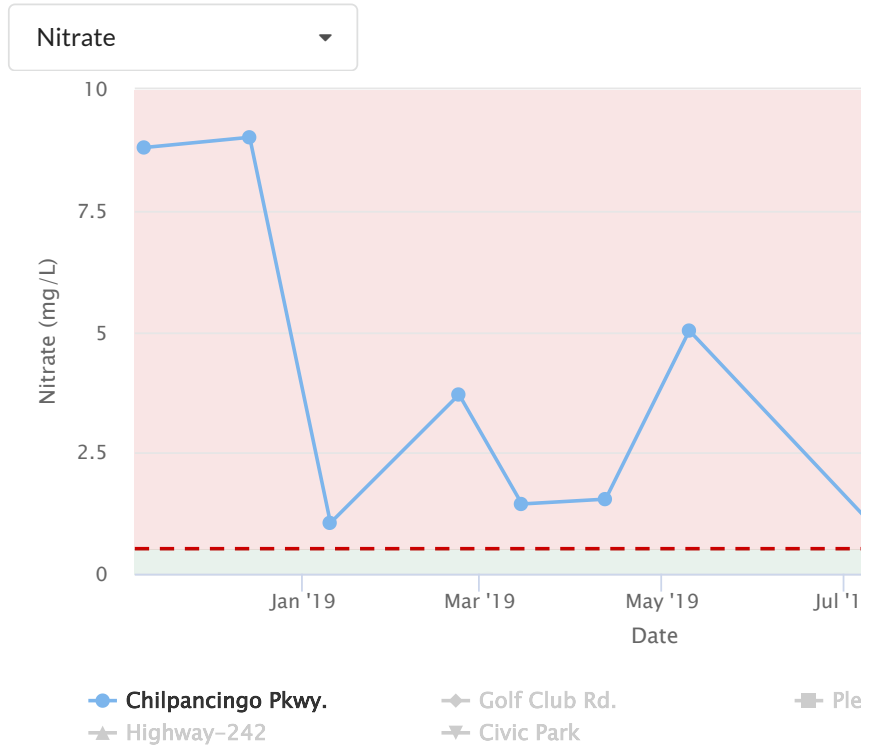
[Go back to Walnut Creek overview](#)

### Sites on Walnut Creek

Grayson Creek at Chilpancingo Pkwy. ▾

Plots Images

### Select Water Quality Feature



Click and drag on the chart to zoom in

▾ more details

### Nutrients: Nitrate

Nitrates are nitrogen in the form  $\text{NO}_3^-$ . Sources of nitrates include fertilizer, animal waste, human waste (typically from leaking septic systems), and industrial pollution. Nitrates are a critical nutrient for aquatic plants and algae, which utilize nitrates as a food source. However, high levels of nitrates can lead to overgrowth of algae and eutrophication, which is correlated with decreases in dissolved oxygen levels. The presence of nitrates by itself does not generally greatly affect aquatic species such as insects or fish until excessive nitrates are present, in which case it will create a harsh living environment for these organisms.

Nitrate should be below 0.5 mg/L

This threshold is based on the potential for eutrophication, rather than direct nitrate toxicity. (Source: [Revital Katznelson \(formerly SWAMP\)](#))





# Water Quality in Contra Costa County

## Grayson Creek at Chilpancingo Pkwy. (CEO160)

Grayson Creek flows north continuing along a wide, open channel before flowing under Chilpancingo Parkway. The areas has some tall grass right next to the creek and animals such as fish, waterfowl and even turtles can be found here. This site is monitored once a month for temperature, dissolved oxygen, conductivity, pH, and turbidity. We always take volunteers on our monitoring expeditions, where you'll learn about the equipment we use and do observational assessments. Please contact [Satoko Mills](#) if you'd like to join us!

[Go back to Walnut Creek overview](#)

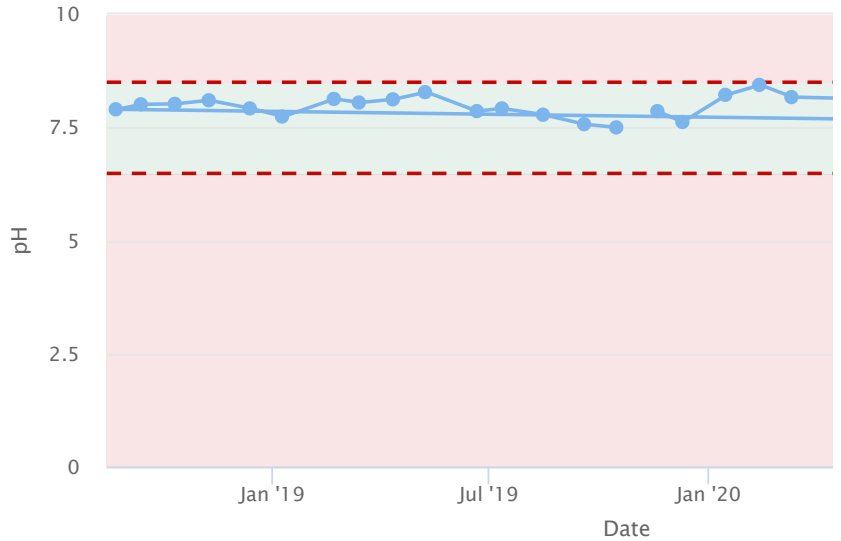
### Sites on Walnut Creek

Grayson Creek at Chilpancingo Pkwy. ▾

Plots Images

### Select Water Quality Feature

pH ▾



- Chilpancingo Pkwy.
- Golf Club Rd.
- Six Flags Hurricane Harbor
- Six Flags Hurricane Harbor
- Civic Park
- Diablo Valley College
- Ple...
- Hiç

Click and drag on the chart to zoom in

▾ more details

### Vitals: pH

pH is a measure of how acidic or basic the water is. pH in streams can be affected by many things, including urban runoff, mining activities, and even pine needles. Typically, the presence of organic matter and decomposition lower pH and urban runoff tends to increase pH. A pH range of 6.5 to 8.5 is optimal for the health of freshwater fish and bottom-dwelling macroinvertebrates.

pH should be between 6.5 and 8.5

(Source: [USEPA pH Threshold](#))



# Water Quality in Contra Costa County

## Grayson Creek at Chilpancingo Pkwy. (CEO160)

Grayson Creek flows north continuing along a wide, open channel before flowing under Chilpancingo Parkway. The areas has some tall grass right next to the creek and animals such as fish, waterfowl and even turtles can be found here. This site is monitored once a month for temperature, dissolved oxygen, conductivity, pH, and turbidity. We always take volunteers on our monitoring expeditions, where you'll learn about the equipment we use and do observational assessments. Please contact [Satoko Mills](#) if you'd like to join us!

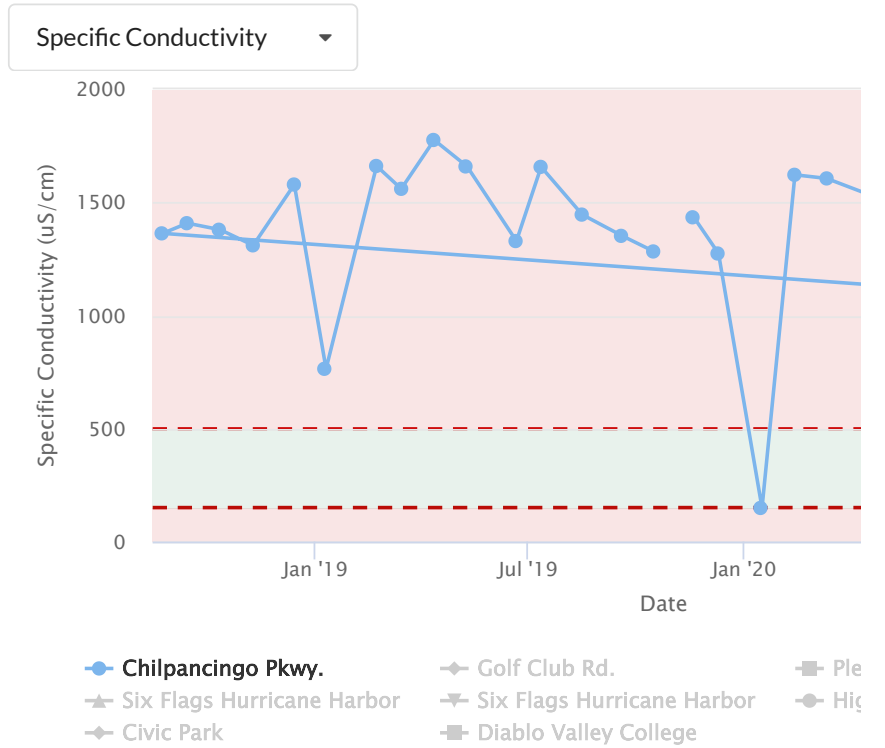
[Go back to Walnut Creek overview](#)

### Sites on Walnut Creek

Grayson Creek at Chilpancingo Pkwy. ▾

Plots Images

### Select Water Quality Feature



Click and drag on the chart to zoom in

▾ more details

### Vitals: Specific Conductivity

Conductivity measures the concentration of ions (charged particles) present in water. Conductivity is related to salinity, which measures just dissolved salts. Conductivity may be related to the underlying geology of the stream bed, or result from urban runoff containing nutrients like phosphates and nitrates, which are found in fertilizers.

Specific Conductivity should be between 150 and 500 uS/cm

(Source: [USEPA Conductivity Threshold](#))



# Water Quality in Contra Costa County

## Grayson Creek at Chilpancingo Pkwy. (CEO160)

Grayson Creek flows north continuing along a wide, open channel before flowing under Chilpancingo Parkway. The areas has some tall grass right next to the creek and animals such as fish, waterfowl and even turtles can be found here. This site is monitored once a month for temperature, dissolved oxygen, conductivity, pH, and turbidity. We always take volunteers on our monitoring expeditions, where you'll learn about the equipment we use and do observational assessments. Please contact [Satoko Mills](#) if you'd like to join us!

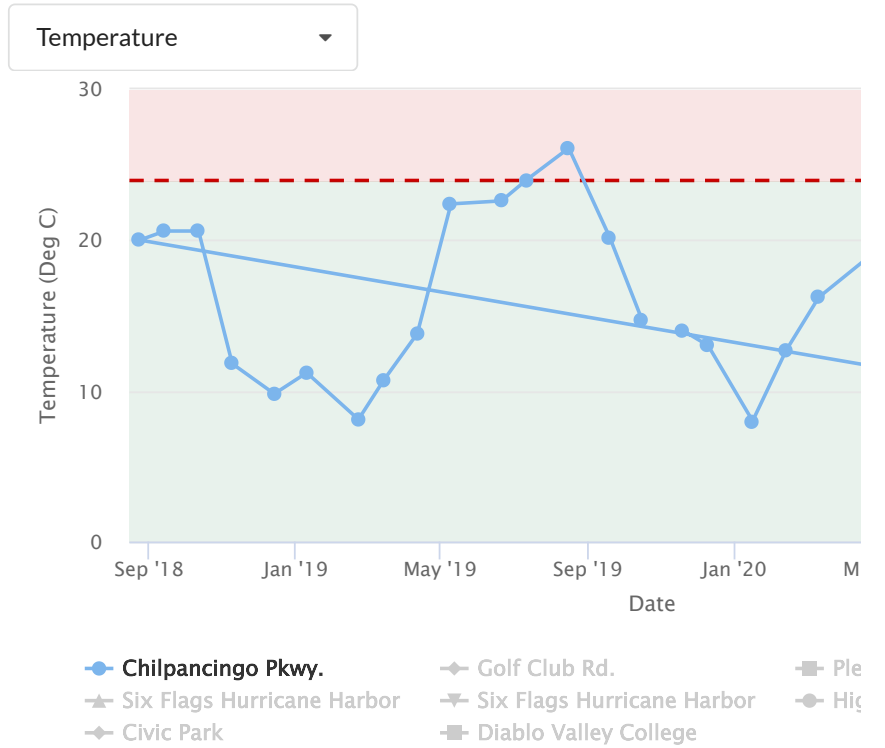
[Go back to Walnut Creek overview](#)

### Sites on Walnut Creek

Grayson Creek at Chilpancingo Pkwy. ▾

Plots Images

### Select Water Quality Feature



Click and drag on the chart to zoom in

▾ more details

### Vitals: Temperature

Water temperature affects all creatures living in the stream, as well as directly influencing water chemistry (including conductivity and dissolved oxygen). Different animals have different preferred temperature ranges; cold water fish such as rainbow trout like water to be less than 16°C, although they can tolerate higher temperatures. Deep, fast-moving, and shaded streams tend to be colder than shallow, slow-moving, and exposed streams.

Temperature should be below 24 Deg C

This is the maximum temperature tolerated by salmonids, although they tend to avoid waters that are over 20 degrees C. (Source: [California Water Boards Temperature Threshold](#))



# Water Quality in Contra Costa County

## Grayson Creek at Chilpancingo Pkwy. (CEO160)

Grayson Creek flows north continuing along a wide, open channel before flowing under Chilpancingo Parkway. The areas has some tall grass right next to the creek and animals such as fish, waterfowl and even turtles can be found here. This site is monitored once a month for temperature, dissolved oxygen, conductivity, pH, and turbidity. We always take volunteers on our monitoring expeditions, where you'll learn about the equipment we use and do observational assessments. Please contact [Satoko Mills](#) if you'd like to join us!

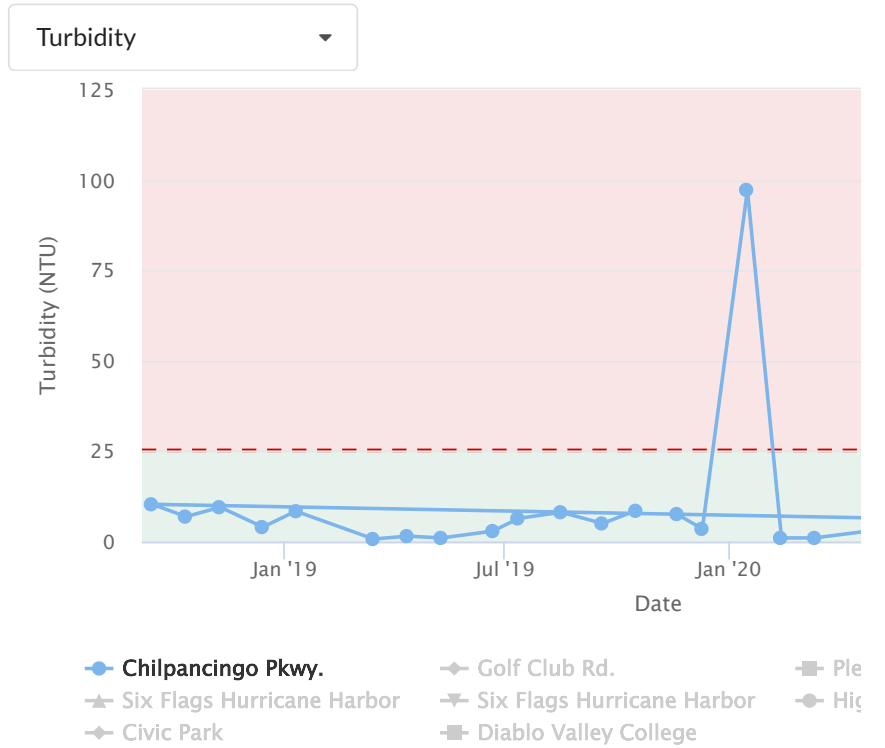
[Go back to Walnut Creek overview](#)

### Sites on Walnut Creek

Grayson Creek at Chilpancingo Pkwy. ▾

Plots Images

### Select Water Quality Feature



Click and drag on the chart to zoom in

▾ more details

### Vitals: Turbidity

Turbidity measures how clear the water is. Sediment or dissolved solids in the water can stick in the gills of fish, settle on top of spawning grounds, and even impair their ability to find food. Filter-feeding invertebrates such as clams and water fleas can become clogged with sediments, leading to starvation. It can even increase the temperature of the water, leading to lower oxygen levels. Rainfall often increases turbidity in creeks, as stormwater runoff contributes to higher flows and can cause creek-bed erosion. Other sources of increased turbidity include algal blooms, waste discharge, and even animals or children playing in the water.

Turbidity should be below 25 NTU

Turbidity Threshold derived from this publication: Sigler, J. W., T.C. Bjornn, and F.H. Everest. 1984. Effects of chronic turbidity on density and growth of steelhead and coho salmon. Transactions of the American Fisheries Society 113:142-150. (Source: [Turbidity Threshold](#))



**Attachment A-6 Fish Visible from Chilpancingo Bridge**



**Attachment A-6 Fish Visible from Chilpancingo Bridge Cont'd**



**Attachment B**

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

**THE 50-YEAR PLAN  
“From Channels to Creeks”**



# **The 50 Year Plan**

## **"From Channels to Creeks"**

**Adopted by the  
Contra Costa County Flood Control and Water Conservation District  
Board of Supervisors  
March 31, 2009**

*For information contact:*

*Mitch Avalon*

*Deputy Chief Engineer*

*Contra Costa County Flood Control and Water Conservation District*

*255 Glacier Drive, Martinez CA, 94553*

*maval@pw.cccounty.us*

*(925) 313-2203*

On April 9, 1999, Contra Costa County held its first Watershed Symposium. At that Symposium, we outlined a vision to convert our concrete and rip-rap lined channels into natural systems that safely convey the same flood waters. Over the years, this vision has been reviewed and refined. The purpose of this paper is to identify the benefits for the Flood Control District to convert its first generation infrastructure, consisting of concrete and rip-rap lined channels, to second generation facilities, consisting of natural creek systems, and the methods to achieve this. The vehicle to achieve this is long range planning for creek enhancement.

As with most Flood Control Districts, the Contra Costa County Flood Control and Water Conservation District was formed to provide flood protection infrastructure and improvements for a rapidly developing County. Our mandate at that time was defined as simply providing flood protection in the most economical manner. The County paid all right-of-way costs, which often resulted in relatively narrow concrete and rip-rap-lined channels. Today, however, communities desire a broader range of services. The citizens of our county still want flood protection, but they also want a healthy and natural looking eco-system in their drainage channels and creeks (while minimizing the amount on their tax bill for maintenance and new infrastructure costs). They want good water quality and a sustainable and rich plant and animal habitat in their creeks and watersheds. At the same time, our infrastructure is aging and will need to be replaced over the next several decades. Compounding our problem is a severe lack of funding. After passage of Proposition 13 in 1978, our tax revenue was reduced by 58%. We have been scrambling to perform our mission and maintain our existing infrastructure ever since. Planning for the capital replacement of an estimated \$500 million in infrastructure is daunting to say the least. To do this we need to take a long view and we need public support to plan and fund our infrastructure replacement.

Our existing major infrastructure has a remaining service life of 30 to 50 years. We need to embark now upon a planning process for long-range replacement of this essential infrastructure. The question for our communities is this; what type of infrastructure should it be replaced with? Should we simply rebuild our concrete or rip-rap channels, or should they be replaced with more natural systems of vegetation and riparian habitat in a manner that allows natural processes to maintain essential flood protection and water quality improvement functions, recreational and aesthetic values, as well as allowing flexibility to respond to climate change? Our experience indicates there will be much more support for replacing the existing infrastructure with natural systems. If we pose this question openly, then the answer becomes a community design issue, resulting in community involvement, and ultimately community buy-in and support. This long-range process to develop a creek enhancement plan was termed the "50 year plan" simply to illustrate the long-range aspect of the process.

### **Historical Background**

The Contra Costa County Flood Control and Water Conservation District (Flood Control District) was established in July of 1951. This was during the Age of Infrastructure. Americans had just returned from overseas where they had won World War II, in great part due to America's resources, technology, and "Yankee know-how". Americans were filled with optimism, a "can do" attitude, and the sense that any problem could be solved with technology and infrastructure. Contra Costa County, along with the rest of California, was growing and expanding. As the county developed, public policy required the construction of extensive infrastructure. The population in the Walnut Creek watershed increased from 53,000 to 250,000 between 1950 and 1966. The floods of 1955 and 1958 galvanized public support for flood control infrastructure throughout the county. The Flood Control District, in partnership with the the U.S. Army Corps of Engineers and the Department of Agriculture Soil Conservation Service, constructed improvements in the Walnut Creek, Marsh Creek, Pinole Creek, Rodeo Creek and other watersheds. Due to subsidies provided by the federal and state governments, the Flood Control District was able to construct these major regional flood control facilities at a local cost of approximately ten percent of the total project cost. The cities and the county supported the construction of infrastructure to meet the needs of the citizenry. At the time, however, we did not understand the environmental consequences of our infrastructure construction.

In the 1970's we began to understand the effects of unbridled construction activities. We began to understand that many things are interrelated, and saw the need to analyze things from a system-wide perspective and not on an individual basis. Public sentiment began to shift towards being more sensitive to the environment. The National Environmental Policy Act, Clean Water Act, and the Endangered Species Act were all passed in the late 1960's and 1970's. Since then, these and other

environmental policies and laws have been strengthened, and regulations established to enforce and monitor infrastructure construction and maintenance activities. Citizen action groups were formed in communities throughout the county to oppose the traditional approach to solving our infrastructure problems. These groups and evolving statutory requirements forced government agencies in the county to analyze the impact of construction activities on the environment. Over the last twenty-five years, these actions have defined the current public policy of providing infrastructure with environmental protection and preservation.

### **The New Mission and Our Challenge**

The original mission of the Flood Control District was to provide flood control infrastructure. This mission was aligned with the public policy at the time, and the District was very successful in providing flood protection improvements for the residents of the county. To be aligned with today's public policy, however, the District's mission must be expanded to include habitat preservation and water quality in the course of providing flood protection.

Other critical issues will also have to be addressed including the significant reduction in financial assistance offered by the state and federal government for flood protection projects, and the means to accumulate and protect reserve funds to implement an infrastructure replacement plan. Flood risk is defined by topography and is not evenly distributed. Hurricane Katrina focused a national debate on the equity of subsidizing disaster recovery costs for property located in hazard prone areas. In California's current "pay as you go" public policy environment, it will be very challenging to enlist the financial support of property owners outside flood hazard areas to implement an overhaul of existing flood channels that seemingly benefit a minority of property owners.

Our customers, the cities, the county, the public, and other agencies, are operating within the same public policy framework that the District is. All public infrastructure has a limited service life, a period of time the infrastructure will perform its designed service with routine maintenance before it needs to be replaced. The question is how do we plan for the replacement of this critical infrastructure within today's public policy framework?

### **The Approach to Flood Control Issues**

The Flood Control District's mission defines its approach to resolving flood control issues. The District's mission is consistent with current public policy and the mandate from the regulatory agencies to provide flood protection while preserving riparian

habitat and maintaining water quality. The “flood control” issues of today are different from the flood control issues of the past. The issues of today are, for lack of a better term, “creek issues”. Creek issues combine the concerns for flood protection, ecosystem preservation, and water quality. To resolve the issues we face today, we must approach them from a **multi-objective** perspective. We must identify the stakeholders involved in the issue, determine their interests and needs, and then provide alternatives that meet those needs and interests. The alternatives must be based on sound science to ensure that the creek system will provide all the functions necessary for the watershed.

Planning for creek issues requires **community-based planning**. This type of community planning will often transcend jurisdictional boundaries. Resolution of today’s issues must go beyond the traditional focus of the “plumbing” of the watershed (i.e., the creeks), and extend to the watershed as a whole. The solutions of tomorrow must be **watershed-based and multi-objective**, or more accurately, the solutions of tomorrow must evolve from **community-based watershed planning**.

### **Creek Enhancement Planning**

The Flood Control District has many miles of engineered, or historically termed “improved”, channels that no longer have the natural features of the original creek. Funding will likely become available to restore some natural features to these channels. Some channels were designed for specific land uses that have changed over time and, if this trend continues, may become inadequate in the future. If some of these facilities become inadequate, should they be replaced with the same type of facility or replaced with a facility having the features of a natural creek? Should concrete lined channels be replaced with engineered creeks? Can flood control earthen channels be converted to “flood control creeks”? As our community’s age and land uses change, we will have the opportunity through redevelopment to implement more natural flood protection facilities integrated in the new urban landscape.

The Flood Control District can develop Creek Enhancement Plans to, for example, plant trees in an earthen channel and still maintain flood protection, IF the drainage system is looked at from a watershed perspective, to offset the loss in capacity due to the trees planted in the channel. If the goal is to convert a flood control channel to a natural creek, then some Creek Enhancement Plans will need extremely long planning horizons of 50 years or more to achieve all of their objectives. Some plans may be as simple as providing a bypass pipe or an upstream detention basin or increased upstream infiltration to allow a creek section to be natural, while other plans may call for purchasing a row of houses in order to replace a concrete channel with a natural looking creek. These kinds of objectives are achievable and can be implemented without unreasonable disruption to a community if a long-range “50-year” creek enhancement plan is adopted. The Flood Control District will develop these plans if the

citizens of our cities and the county are interested in a more natural environment in our flood protection facilities.

### **Flood Control District Benefits**

There are several benefits for the Flood Control District to develop long-range plans to convert its drainage facilities into a natural system.

- Broad public support - Initially it may seem easier to simply replace the existing infrastructure. However, regulatory agencies and public sentiment support conveying flood waters in natural systems rather than artificial concrete systems. Planning future facilities that meet modern expectations will guarantee a broad level of support.
- Grant Funds - There will be opportunities for grant funds to construct elements of a more natural system and probably fewer (or maybe zero) opportunities for grant funds to replace concrete structures.
- Increase Awareness - Going through a long-term planning process provides an opportunity to discuss issues related to flood protection, floodplain management, natural creek system function and form, etc. Increased public awareness of stormwater issues leads to increased understanding and support for funding.
- Community Design - Including the public and community leaders in a long-range plan allows the project to become part of the community design element of a neighborhood or town. These can then be part of the general plan or specific plan for a community and can lead to partial funding through development fees or redevelopment revenue. These kinds of projects can also contribute to making communities more sustainable, including meeting new targets for carbon emission reduction, enhancing greater reliance on local water supplies, and responding to the anticipated effects of climate change.
- Life Cycle Costs - These vary by facility and channel reach. Concrete channels tend to have high initial construction costs, very low ongoing maintenance costs and high replacement costs. Natural channels require increased right-of-way width and generally higher ongoing maintenance but low or zero replacement costs. Taking the long view, the costs for natural channels will be much less compared to the costs of multiple life cycles for concrete channels.
- Water Quality and Conservation – Water flowing in natural creeks flows over and through biological media and is filtered through creek banks and beds, cleansing the water and retaining it longer in the watershed helping to meet stormwater (NPDES) permit requirements and enhancing aquatic habitat features.

- Aesthetics – Natural channels are much more appealing than concrete channels for recreational uses or simply as a visual amenity for a community.
- Recruitment and Retention – Staff working for the Flood Control District will be more likely to be motivated, have a high morale and make a career at the District if the District is progressive, visionary, and places importance on environmental protection.

### **Opportunities**

There are many opportunities for long-range planning for replacement of vital flood protection infrastructure within existing community planning and implementation activities that include the following:

- Redevelopment Plan – area-wide master plan that can include watershed infrastructure.
- Redevelopment Plan Projects – projects outlined in a community's Redevelopment Plan.
- Development Projects – requiring (or negotiating) implementation of short pieces of channel/creek enhancement with land use entitlements.
- General Plan Updates – watershed and system-wide infrastructure planning.
- General Plan Amendments – identify improvements to segments of a regional or watershed infrastructure plan.
- Specific Plans – neighborhood level improvements of watershed infrastructure.
- Watershed Management Plan – regional, watershed level assessment of infrastructure needs.
- Mitigation – opportunity to develop and possibly implement portions of a plan as alternative mitigation.
- Regulation Offsets/Alternative Compliance – opportunities to develop watershed or creek enhancement plans and/or implement portions of improvements as an offset or in-lieu of stormwater (NPDES) or regulatory permit requirements.
- FEMA Mapping – opportunity to review watershed or creek infrastructure needs within floodplains.



- Integrated Regional Water Management Planning – collaboration with water supply agencies that could provide funding or cost-share contributions to alternative stormwater management approaches that retain and “harvest” rainfall, thereby enhancing local water supplies for landscape irrigation and reduction of flood peaks.
- Community Based Organizations – collaborative or independent projects by non-profit organizations with private funding sources.
- Climate Change and Sea Level Rise – may be a trigger for long-range creek planning, especially with expansion of the floodplain incorporating more properties.
- Bay Area Stream Goals – opportunity for watershed and regional infrastructure planning.
- Emergency Planning – predisaster mitigation planning with grants from FEMA and other organizations.

### **Benefits for the Community**

The community gains many tangible benefits in addition to continuing flood risk reduction. These benefits are similar to those of the Flood Control District, but are from a different perspective.

- Quality of Life – having a natural creek system drain through a neighborhood rather than a concrete channel looks and feels better to the surrounding residents resulting in increased property values.
- Community Amenity – the community can plan and design its public spaces and retail/commercial areas to take advantage of the attraction of a natural system. The community can have a recreational and aesthetic focus along the creek as a natural system, rather than a concrete lined flood control utility.
- Habitat – a natural creek will provide the plant and animal habitat necessary for a rich eco-system within the creek and its riparian corridor and can provide wildlife linkages between urban ecosystems and open-space areas.
- Water Quality – a natural system will provide opportunities for cleansing and filtering storm run-off, particularly during low flow events, to reduce pollutants in the stormwater.
- Connection with Nature/Community Health – Nature Deficit Disorder (a term introduced by Richard Louv in his book “Last Child in the Woods”) embodies a

theory that children who lose the connection with nature exhibit a variety of behavioral problems more so than children who get out into nature. As our landscape becomes more urbanized and we have more technological diversions, our children have less opportunity and spend less time interacting in a natural environment. Reestablishing natural creeks in an urban setting will increase opportunities for children to interact with nature in an otherwise paved or manicured/structured environment.

- Community Involvement – The community has an opportunity for citizens to get involved in creek related activities, such as clean-ups, water quality monitoring and fish surveys, or for youth groups to help actively manage portions of the creek by, for example, removing invasive species, or by developing watershed plans. These activities increase citizen involvement and increase their sense of community.
- Development of “Green Jobs” – The community can develop and retain a skilled workforce restoring and maintaining public and private natural creeks. This could include re-vegetation and soil bioengineering project work, water quality monitoring, and coordination of erosion prevention/stabilization on private property and stream stewardship training for private property owners. These would be new jobs for the community that can’t be outsourced overseas, which helps the community’s economic sustainability.

## **Outreach**

Successful long-range planning and implementation will require active support from and partnerships with many agencies, groups and individuals. The Flood Control District will need to outreach to many different groups to increase awareness, enlist support and develop partners to initiate and sustain a long-range plan. For Contra Costa County this would include the following groups:

- Public Managers Association
- City/County Engineering Advisory Committee
- City Councils
- Watershed Forum
- Non-profit organizations
- Regulatory agencies

Developing a brochure (“The 50 year plan-A future for our Children”) or short, concise informational piece would be very helpful to communicate the concept and opportunity of this approach to infrastructure replacement.

## **Roles and Responsibilities**

If we are to embrace this approach to infrastructure replacement, what should the role of the Flood Control District be? And what of our partners, the cities, the non-profit groups (NGO's), the regulatory agencies, what role should they play?

- Flood Control District – The Flood Control District must be a cheerleader for the 50-year plan. We need to provide outreach information on the benefits and value added by this approach. By long practice and political prudence we do not conduct activities within a jurisdiction without that jurisdiction's approval. We must work hard to enlist the support of the public and the communities within which these projects and activities would occur. The root issue for the Flood Control District is funding. How can we obtain community support for funding capital replacement of flood protection infrastructure and then fund its ongoing maintenance? The average household spends maybe \$700 per year on potable water and over \$300 per year on wastewater treatment. In contrast, the average Contra Costa household spends about \$30 per year on water quality (NPDES) and less than \$70 per year on flood protection maintenance and improvements, depending on the specific watershed (see footnote 1). As a society, do we spend enough resources on stormwater management, does the general public understand the benefits and value of stormwater management and the flood protection system? Everyone uses the water supply system every day; everyone uses the waste water system every day. If a flood protection system is viewed as providing solely flood protection, then it is used only during heavy storm events. Even though a flood protection system saves a community from disastrous economic losses from rare storm events, it is never foremost in people's minds. If a flood protection system embodies a natural creek that has habitat value, recreational elements and opportunities for children to interact with nature, then it will be used on a more frequent basis and be viewed with more importance in relation to other necessary societal expenditures.
- Cities – Cities must take a leadership role in establishing the vision for their community for flood protection infrastructure. Cities must define the goals for a Creek Enhancement Plan. Cities must support the objectives of a 50-year plan if it is to be successful, and these objectives must be incorporated into the city's General Plan to ensure long-term commitment and provide the opportunities for eventual implementation through future land use decisions.
- Community Based Organizations/Non-Governmental Organizations/Non-Profit Groups – These community groups can play a key role in adding benefit and value to a community's Creek Enhancement Plan. For example, community organizations may harness the energy of volunteer citizens to monitor the health of the natural creek after it's converted from a concrete channel. Another group may partner with the Flood Control District to help maintain some of the features

of a natural channel using youth labor, which benefits the community by providing work for a segment of the community and provides activities for them after school. Community groups will be natural and necessary partners to communicate and outreach to the public about the overall benefits of a Creek Enhancement Plan and watershed based community planning processes. The Resources Conservation District has a long history in assisting community groups in these efforts.

- Regulatory Agencies – Regulatory agencies must invest time up front in the planning process to make sure the Creek Enhancement Plan includes the proper balance of habitat for the natural creek system. The regulatory agencies must also be flexible when the only way to implement a more natural system is by “shoehorning” it into an urban environment and compromises on everyone’s part are required to meet the sometimes daunting constraints involved. Balancing community use of the creek as a public open space with habitat needs for species will be especially tricky.

## **Challenges**

There are challenges to every endeavor in life, and addressing creek issues is no different.

- Jurisdictional Boundaries – It will be a challenge to develop watershed management plans in watersheds that span several jurisdictions.
- Form and Function – Unfortunately a concrete channel is much more efficient at moving flood waters than a natural creek. As a result, a natural creek needs to have more room (perhaps several times the width!) than a flood control channel. There are solutions to this, but coming to a consensus or collective agreement will be difficult.
- Conflicting Interests – Finding solutions that meet the concerns of the environmental and regulatory community for habitat preservation, the concerns of the neighborhood for aesthetics, the concerns of property owners on the floodplain for flood protection and the concerns of those property owners who front on the creek will be difficult.
- Political Leadership – It will also be difficult to develop 50 year plans for creek enhancement in a political environment that cycles on a four year period.
- Unified Vision – It will be a challenge for some communities to establish a collective vision for their creek, and to determine how to make their creek a resource and amenity for the community.

- Funding – A list of challenges would not be complete without funding. Funding, of course, seems to be an issue wherever we turn, and creek issues are no different. Along with any long-range plan for creek enhancements must be a plan to fund the improvements and the ongoing maintenance.
- Climate Change – This will result in increased storm runoff and flooding, and increased water surface elevation at a creek’s mouth, which will result in more property in the floodplain. However, this may be a trigger for comprehensive watershed based planning around creeks.

The Flood Control District will continue to provide the best service to the cities, the county, and their residents, for the needs of today and of the future. To be successful, we feel this will require a long-term, multi-objective approach on a watershed basis with community-based planning. Some effort to better define the potential costs and constraints to implementing more natural flood protection needs to be done. Creek issues can be resolved and challenges can be overcome, if there is a desire on everyone’s part to focus on common goals and work together.

#### Footnote 1

Revenue for constructing flood protection projects and maintaining existing flood protection facilities comes from a portion of the 1% ad-valorem property tax on parcels within a flood control zone. A flood control zone is a major watershed area within the county; for example, flood control zone 1 is the Marsh Creek watershed and flood control zone 9 is the Pinole Creek watershed. Prior to Proposition 13 in 1978, each year flood control zones established their budget needs for the upcoming year and recommended a tax rate to fund the budget. The budget and recommended tax rate was developed through a community-based advisory committee within the watershed. After Proposition 13 was passed in 1978, the tax rate was locked in and the total property tax collected was reduced to 1% of assessed value. In 1978 some flood control zones had a reasonable tax rate based upon projects that were underway. Other flood control zones had reduced tax rates because the zone had a surplus or there were no pending projects. As a result, today the revenue within flood control zones throughout the county vary significantly, with as low as a zero tax rate in Zone 9 (Pinole Creek watershed). This results in a zero annual investment per residential parcel in the Pinole Creek watershed for flood protection, \$35 annual investment per residential parcel in the Walnut Creek watershed and a \$70 annual investment per residential parcel in the Marsh Creek watershed.



April 22, 2022

Alan Bade, Co-Founder  
Friends of Pleasant Hill Creeks  
25A Crescent Drive #245  
Pleasant Hill, CA 94523

RE: Walnut and Grayson Creeks Desilting Project  
County Project No.: WO#8334

Dear Mr. Bade:

Thank you for providing comments on the proposed Mitigated Negative Declaration (MND) for the Walnut and Grayson Creeks Desilting Project (Project) on behalf of the Friends of Pleasant Hill Creeks. This letter is intended to address your comments submitted on November 19, 2021. Our responses to your comments are presented below and follow the order of your comments (numbered in the margin of your letter and attached for reference).

**Response #1:** The MND acknowledges on pages 22 and 23 that “both Central California Coast steelhead and Central Valley Fall/Late Fall-run Chinook salmon have potential to occur in the portions of Grayson Creek and Walnut Creek that are within the Project area.” However, the flowing channels are excluded from the Project and as such would not impact or result in the loss or disturbance of spawning or rearing habitat for anadromous fish.

To prevent any sediment mobilization from the desilting activities into the flowing channel, a Storm Water Pollution Prevention Plan (SWPPP) will be prepared and implemented, as explained in BEST MANAGEMENT PRACTICE BIO-2. In addition, MITIGATION MEASURE HYD-1 states that a two-foot berm/barrier will be left between the low flow channel and work areas to prevent sediment from entering the channel during construction, and affecting water quality.

Short-term impacts on migratory and other bird species nesting within the Project area are listed on page 26 of the MND. Therefore, MITIGATION MEASURE BIO-4 will be implemented, which includes preconstruction surveys for nesting bird species and burrowing owls.

As stated on page 32 of the MND, “the Project is not expected to affect the area’s utility

as a movement corridor for wildlife in the long term. During the desilting work, the temporary disturbance may discourage some movement during the day when work is taking place. This will be minimized by working on one side of the creek one year, then the other side the next year, leaving one side available for movement.”

Although river otters are not mentioned in the original MND, their inclusion would not change the Project or proposed mitigation measures since all work will occur outside the flowing channel. They would not be impacted by the Project due to their ability to avoid the work zone and find other temporary habitat outside the Project area, similar to other common species listed on page 33 of the MND. Preconstruction surveys will help minimize impacts to these types of species, as described in BEST MANAGEMENT PRACTICE BIO-1. The worker education program in BIO-1 will cover common species that could occur in the Project area, such as river otters and muskrat, in addition to special status species.

**Response #2:** As noted on pages 10 and 11 of the Flood Control District's *50 Year Plan*, some of the biggest challenges to replacing flood control channels – such as Grayson and Walnut Creek with facilities having the features of a natural creek – are lack of funding as well as physical constraints. A natural creek requires a much wider floodplain than a flood control channel. Since all or nearly all the parcels adjacent to both creeks are already developed, it would require an enormous amount of funding to purchase and relocate existing commercial and residential buildings and their associated infrastructure to other locations in order to make room for a wider creek.

The Project is a maintenance project with a goal to remove accumulated sediment to restore hydraulic capacity for flood protection; it is not a restoration project. However, the Project was carefully designed to minimize impacts to habitat where possible, and the Project will result in higher value habitats by replacing sediment on the floodplain benches dominated by ruderal (weedy) vegetation with wetland habitats. There is a cyclical component to this benefit, as the floodplain benches will silt in again over time and eventually be desilted again in a subsequent project, recreating the habitat.

The Flood Control District's *50 Year Plan* focuses on replacement of structures with more natural solutions where possible, the importance of community awareness, constraints, and other long-term planning considerations for bringing more natural processes back to our creeks. The Project at hand is needed for maintenance of flood capacity associated with the current design of the creek channels. It does not reconfigure the creeks, replace any structures, or do anything more than remove accumulated sediment. The Project incorporates many elements to reduce impacts including avoiding wetland habitats as much as possible, not working in the flowing channel, working on only one side of the creek per season to allow use of the other side by wildlife, as well as a number of mitigation measures. As such, the Project is consistent with the Flood Control District's *50 Year Plan*.



**Response #3:** Your comment letter will be included as an attachment to the MND and will be provided to the Project biologists prior to conducting the preconstruction surveys and biological monitoring.

**Response #4:** Please see response #3.

**Response #5:** An EIR is not required for the Project because all impacts will be mitigated to less than significant by the proposed measures.

**Response #6:** Please see responses #1 and #3.

**Response #7:** Please see response #2.

**Response #8:** The Project was added to SFEI's SediMatch website in December 2018. The Flood Control District (FCD) has not received requests for sediment for beneficial reuse to date. Further, the Coarse Sediment Removal Strategy from SFEI specifies the need for coarse sediment. However, this Project is anticipated to remove finer grains of sediment such as silty sands or sandy silts. In addition, the FCD continues to coordinate with SFEI to support their efforts to prepare a sediment budget for the region by providing them with the Project's estimated volume of sediment to be removed so that this can be incorporated into their data and regional modelling.

**Response #9:** The MND analysis is focused on potential impacts resulting from Project activities. The analysis was based on surveys by a qualified biologist that included review of *Fish Passage Assessment – Lower Walnut Creek and Lower Grayson Creek, Contra Costa County*, prepared by Charles H. Hanson, Ph.D. in 2014. As such, the site characterization is adequate to determine potential impacts of the Project. Moreover, the Project is limited to sediment removal on the floodplain benches (which are at an elevation too high for fish spawning and or passage) and was specifically designed to avoid the low flow channel. It will not remove any materials from the low flow channel nor will it otherwise affect fish passage or spawning potential. Also, please see response #1 above.

**Response #10:** Preconstruction surveys for nesting birds and the implementation of no-work buffers around any active nests that are found will avoid impacts to these species, as described in MITIGATION MEASURE BIO-4 on page 26 of the MND.

**Response #11:** Although rivers otters and muskrat are not mentioned in the MND, their inclusion would not change the Project or proposed mitigation measures. All work will occur outside the flowing channel and BEST MANAGEMENT PRACTICE BIO-1 and BIO-2 will reduce all impacts to all species that may be using or present in the creek channels. Also, please see response #1.

**Response #12:** As stated on page 25 of the MND, MITIGATION MEASURES BIO-1, BIO-2, and BIO-3 will reduce potential impacts to western pond turtle during Project implementation. If necessary, any western pond turtles observed within the work zone will be relocated out of harm's way by a qualified biologist.

**Response #13:** Please see response #2.

**Response #14:** Human occupation and trash are not an impact of the Project, though the MND does describe the degraded habitat. On page 4, the MND states the following: "In the Project area, Grayson Creek is bordered by development on all sides, and is highly altered and disturbed." The Public Works Maintenance Division regularly removes trash from the creeks and, prior to the pandemic, sponsored a number of creek clean up and education programs. Services for unsheltered people are available through other County departments.

**Response #15:** Water quality analysis and monitoring is not part of the Project, with the exception of avoiding impacts associated with construction. The Project is not expected to have adverse impacts to water quality in Grayson Creek. The Project was designed to avoid the flowing channel and implementation of Best Management Practices and Mitigation Measures will reduce, if not eliminate, the potential for unintended impacts to water quality during construction.

**Response #16:** Homeless individuals camping in or near the Project area will be contacted before construction activities begin. Any remaining encampments will be removed and abated prior to construction.

**Response #17:** Please see response #8.

**Response #18:** The proposed Best Management Practices and Mitigation Measures reduce impacts to less than significant and no additional measures are necessary to reduce Project impacts to less than significant. Also, please see response #2.

**Response #19:** The worker education program as described in BEST MANAGEMENT PRACTICE BIO-1 will be expanded to cover common species that could occur in the Project area, in addition to special status species.

**Response #20:** The Project will not affect the existing low flow channel. Also, please see response #9.

**Response #21:** The Project will not affect the existing low flow channel. Also, please see response #9.

**Response #22:** Preconstruction surveys for potential wildlife species will be conducted within buffers consistent with industry standards. As stated on page 32 of the MND, “the Project is not expected to affect the area’s utility as a movement corridor for wildlife in the long term. During the desilting work, the temporary disturbance may discourage some movement during the day when work is taking place. This will be minimized by working on one side of the creek one year, then the other side the next year, leaving one side available for movement.”

**Response #23:** The flowing channels are excluded from this Project and as stated on page 55 of the MND, “channel flows will be maintained during the Project, so a dewatering system will not be needed.”

**Response #24:** As stated on page 24 of the MND, “Disturbed areas will be seeded with a native seed mix suitable for riparian and wetland habitats.”

**Response #25:** The SWPPP will be prepared by a Qualified SWPPP Developer (QSD) or Qualified SWPPP Practitioner (QSP) and will focus on reduction of sediment mobilization and accidental release of hazardous substances associated with construction in accordance with the National Pollution Discharge Elimination System (NPDES) Construction General Permit as required under Section 402 of the Clean Water Act. Also, please see response #16.

**Response #26:** As described on page 54 of the MND, a SWPPP will be required by the contract plans and specifications and is required by BEST MANAGEMENT PRACTICE BIO-2: “The SWPPP will specify the Best Management Practices (BMPs) that will be used during Project construction to ensure water quality impacts are minimized. The SWPPP will address erosion control, sediment control, non-storm water management, accidental spills, and other sources of potential contamination that could occur from construction vehicles or materials.” For additional information, please see responses #15 and #25.

**Response #27:** Please see response #12.

**Response #28:** Please see response #10.

**Response #29:** No desilting activities will occur in December or January.

**Response #30:** Please see response #10.

**Response #31:** On page 24 of the MND, it states “Disturbed areas will be seeded with a native seed mix suitable for riparian and wetland habitats.”

**Response #32:** The Project is limited to sediment removal on the floodplain benches

and was specifically designed to exclude the low flow channel. It will not remove any materials from the low flow channel nor will it otherwise affect fish passage or spawning potential. All fish will be able to travel safely through the Project area during desilting.

**Response #33:** Please see response #8.

**Response #34:** The Project is a maintenance project with a goal to remove accumulated sediment to restore hydraulic capacity for flood protection; it is not a restoration project. However, the Project will not impact the flowing channel and was designed to minimize impacts to habitat where possible and the Project will result in higher value habitats by replacing sediment on the floodplain benches dominated by ruderal (weedy) vegetation with wetland habitats. There is a cyclical component to this benefit as the floodplain benches will silt in again over time and eventually be desilted again in a subsequent project, recreating the habitat. For more information, please see response #9.

**Response #35:** The Project is a maintenance project with a goal to remove accumulated sediment. As such, removal of existing structures is out of the Project scope.

**Response #36:** The Project is a maintenance project with a goal to remove accumulated sediment. As such, removal of existing structures is out of the Project scope.

**Response #37:** The Project is a maintenance project with a goal to remove accumulated sediment. As such, removal of existing structures is out of the Project scope.

**Response #38:** Please see responses #9 and #34.

**Response #39:** The Project is a maintenance project with a goal to remove accumulated sediment. As such, planting of trees is out of the Project scope. In addition, planting trees or other woody types of vegetation within the flood control facility would adversely affect flood protection and increase flood risk. The channel was designed by the Corps of Engineers with a specific roughness value that equates to grasses that can lie down under heavy flood flows and not block floodwaters. Woody vegetation, trees, or other vegetation increase roughness, decrease channel capacity and flood conveyance. To incorporate a higher roughness value would require either additional channel corridor width or an approved reduction in the level of flood protection. As stated on page 24 of the MND, "Disturbed areas will be seeded with a native seed mix suitable for riparian and wetland habitats."

**Response #40:** Please see responses #9 and #34.

**Response #41:** Please see responses #9 and #34.

**Response #42:** Please see responses #9 and #34.

**Response #43:** Please see responses #9 and #34.

**Response #44:** Please see responses #9 and #34.

**Response #45:** The Project is a maintenance project with a goal to remove accumulated sediment. As such, installing depth gauges is not part of the Project.

**Response #46:** Please see response #34.

**Response #47:** Planting creeping ryegrass (*Leymus triticoides*) plugs throughout the Project area individually by hand is not feasible due to the large area of disturbed soil that will need to be stabilized and does not provide the temporary stabilization that hydroseeding does. Further, hydroseeding with wetland species was very successful after the last desilt in 2006. Hydroseeding will stabilize the exposed sediment in the channel until vegetation is naturally established. Vegetation in the channel is expected to establish quickly, as it did in the past desilting operation.

**Response #48:** As described in BEST MANAGEMENT PRACTICE BIO-2 on page 23 of the MND, a SWPPP will be prepared and implemented in accordance with the NPDES Construction General Permit, as required under Section 402 of the Clean Water Act. Establishment of vegetative cover is a best management practice required under that program. Further, the FCD intends to monitor the establishment of vegetation and other recovery and success criteria related to the Project objectives.

**Response #49:** The removal of *Arundo donax* is not a goal of the Project. The worker education program as described in BEST MANAGEMENT PRACTICE BIO-1 will include methods to prevent the spread of invasive species, including *Arundo donax*, that occur in the Project area.

**Response #50:** The Project will result in higher value habitats by replacing sediment on the floodplain benches dominated by ruderal (weedy) vegetation with wetland habitats, which would benefit marsh birds and other wetland species. There is a cyclical component to this benefit as the floodplain benches will silt in again over time and eventually be desilted again in a subsequent project, recreating the habitat.

**Response #51:** Please see response #34 above.

These comments are incorporated into the MND document via inclusion of Appendix B Comment Letters and Responses. Please contact me if you have any further questions on our responses to your comments at [alex.nattkemper@pw.cccounty.us](mailto:alex.nattkemper@pw.cccounty.us) or (925) 313-2364.

Sincerely,

*Alex Nattkemper*

Alex Nattkemper  
Environmental Analyst  
Environmental Services Division

AN:xx

\\PW-DATA\grpdata\engsvc\ENVIRO\Flood Control\Walnut and Grayson Creeks Desilting\CEQA\Public Noticing\3-Comments\Friends of Pleasant Hill Creeks\3-Responses\1. Response to FPHC (final).docx

Enclosures

c: Paul Detjens, Flood Control  
Gus Amirzehni, Flood Control  
Anthony DiSilvestre, Flood Control  
Ave' Brown, Environmental Services

## **Appendix C**

### **Draft Mitigated Negative Declaration For Public Review**



**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626


**Contra  
Costa  
County**



2021-00398

**FILED**

**October 19, 2021**  
**DEBORAH COOPER**  
**CLERK-RECORDER**

By   
Deputy clerk

**John Kopchik**  
Director

**Aruna Bhat**  
Deputy Director

**Jason Crapo**  
Deputy Director

**Maureen Toms**  
Deputy Director

**Amalia Cunningham**  
Assistant Deputy Director

October 19, 2021

**NOTICE OF PUBLIC REVIEW AND INTENT  
TO ADOPT A PROPOSED MITIGATED NEGATIVE DECLARATION  
County File No. 21-29**

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Department of Conservation and Development of Contra Costa County has prepared an Initial Study for the following project:

**PROJECT NAME:** Walnut and Grayson Creeks Desilting Project

**LEAD AGENCY:** Contra Costa County Department of Conservation and Development  
Contact: Telma B. Moreira (925) 655-2863

**APPLICANT:** Contra Costa County Flood Control and Water Conservation District Contact: Alex Nattkemper (925) 313-2364

**LOCATION:** Unincorporated Contra Costa County, City of Concord, City of Pleasant Hill

**ZONING:** This Project intersects numerous zoning classifications within City and unincorporated county areas. Zoning includes Open Space (Concord), Retail Business (Pleasant Hill), Heavy Industrial, Light Industrial, Mobile Home/Manufactured Home Park, Retail Business, and Single Family Residential (Unincorporated County)

**DESCRIPTION:** Contra Costa County Flood Control and Water Conservation District (District), in cooperation with the Contra Costa County Public Works Department (CCCPWD), proposes to remove sediment from Walnut and Grayson Creeks that has accumulated since the last desilt operation in 2006 (Project). This work is part of periodic maintenance of these channels as required by the U.S. Army Corps of Engineers. In their current state, the hydraulic capacity of both channels is reduced from the design capacity due to siltation. The hydraulic function of these channels is critical to the operations of the District facilities in the area, and this Project will help regain the hydraulic capacity of both channels. The proposed desilt locations are as follows: Grayson Creek from Chilpancingo Parkway to Imhoff Drive; and Walnut Creek from approximately 1,200 feet downstream of Diamond Boulevard to approximately 1,300 feet downstream of Concord Avenue. These reaches



were chosen due to their cost-effectiveness and ability to provide the most flood risk reduction in high-priority areas of Concord, Pleasant Hill, Pacheco, and Vine Hill while minimizing impacts to Environmentally Sensitive Areas (ESAs) such as wetlands and marshes. The vertical limit of sediment removal (2 to 7 feet) will be to the original designed geometry of the channels, derived from the as-built plans. A total of about 172,300 cubic yards (cy) of sediment will be removed; 129,800 cy from Walnut Creek and 42,500 cy from Grayson Creek. Approximately 100 haul truck trips per day will be generated by the Project over a limited number of days for a total of approximately 18,534 haul truck trips. Sediment from Walnut Creek will be transported to Marathon Refinery and stockpiled in an upland location. Sediment from Grayson Creek will be disposed at the nearest permitted landfill. All ESAs adjacent to the project work will be separated from the work by a temporary fence or flagging, with an additional 2-foot berm buffering the creek channel from excavation. After desilting, the disturbed areas at all Project sites will be reseeded with a mixture of native plants. Work is proposed to occur from April to October of two consecutive years expected to start in 2022.

**ENVIRONMENTAL EFFECTS:** The Initial Study for the proposed project identified potentially significant impacts in the environmental areas of Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hydrology/Water Quality, Noise, Tribal Cultural Resources, and Wildfire. Environmental analysis determined that measures were available to mitigate potential adverse impacts to insignificant levels. As a result, a Mitigated Negative Declaration (MND) has been prepared pursuant to Public Resources Code Section 21080(c), 21064.5, and Article 6 of the California Environmental Quality Act (CEQA) Guidelines.

Pursuant to the requirements of CEQA (CEQA Guidelines Section 15071) the MND describes the proposed project; identifies, analyzes, and evaluates the potential significant environmental impacts, which may result from the proposed project; and identifies measures to mitigate adverse environmental impacts. Mitigations identified in this document designed for the proposed project will ensure that the project will not cause a significant impact on the environment.

A copy of the Initial Study/Mitigated Negative Declaration (IS/MND) may be reviewed at the Contra Costa County Public Works Department, 255 Glacier Drive, Martinez, during normal business hours. You may also view the IS/MND on the County's webpage: <https://www.contracosta.ca.gov/4841/Public-Input>. All documents referenced in the MND are available on request.

**PUBLIC COMMENT PERIOD:** The period for accepting comments on the adequacy of the environmental document is from **October 20, 2021 to November 19, 2021**. Any comments should be in writing and submitted to the following address and/or email address:

Alex Nattkemper, Environmental Analyst  
Contra Costa County Public Works Department  
255 Glacier Drive  
Martinez, CA 94553  
[Alex.Nattkemper@pw.cccounty.us](mailto:Alex.Nattkemper@pw.cccounty.us)

The environmental document is expected to go before the County Board of Supervisors on **December 14, 2021**. To confirm the Board date, please contact Alex Nattkemper at (925) 313-2364.

Attachments: Figure 1: Project Regional Location  
Figure 2: Project Area Overview

# Walnut and Grayson Creeks Desilting Project

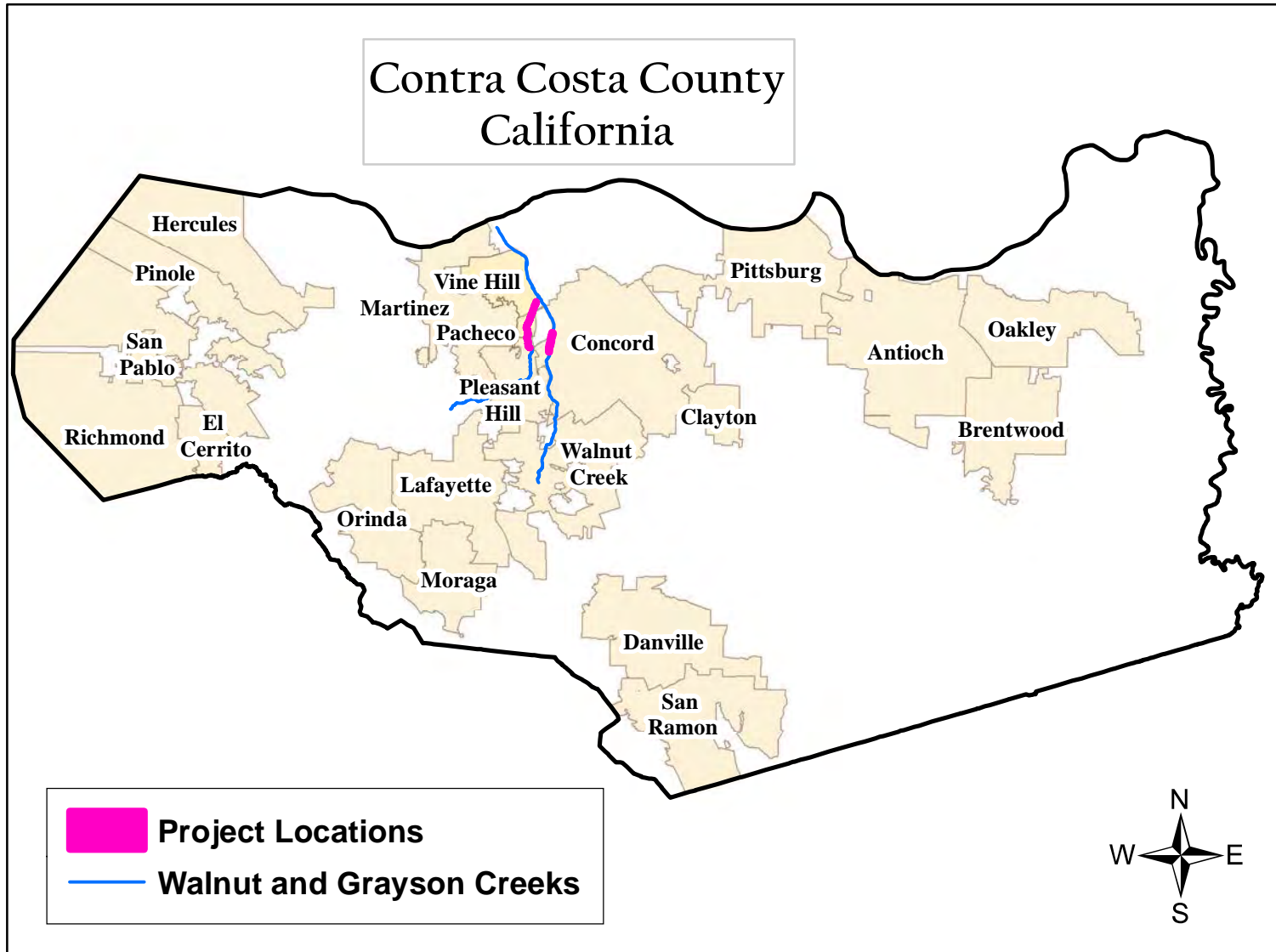


Figure 1



# Walnut and Grayson Creeks Desilting Project

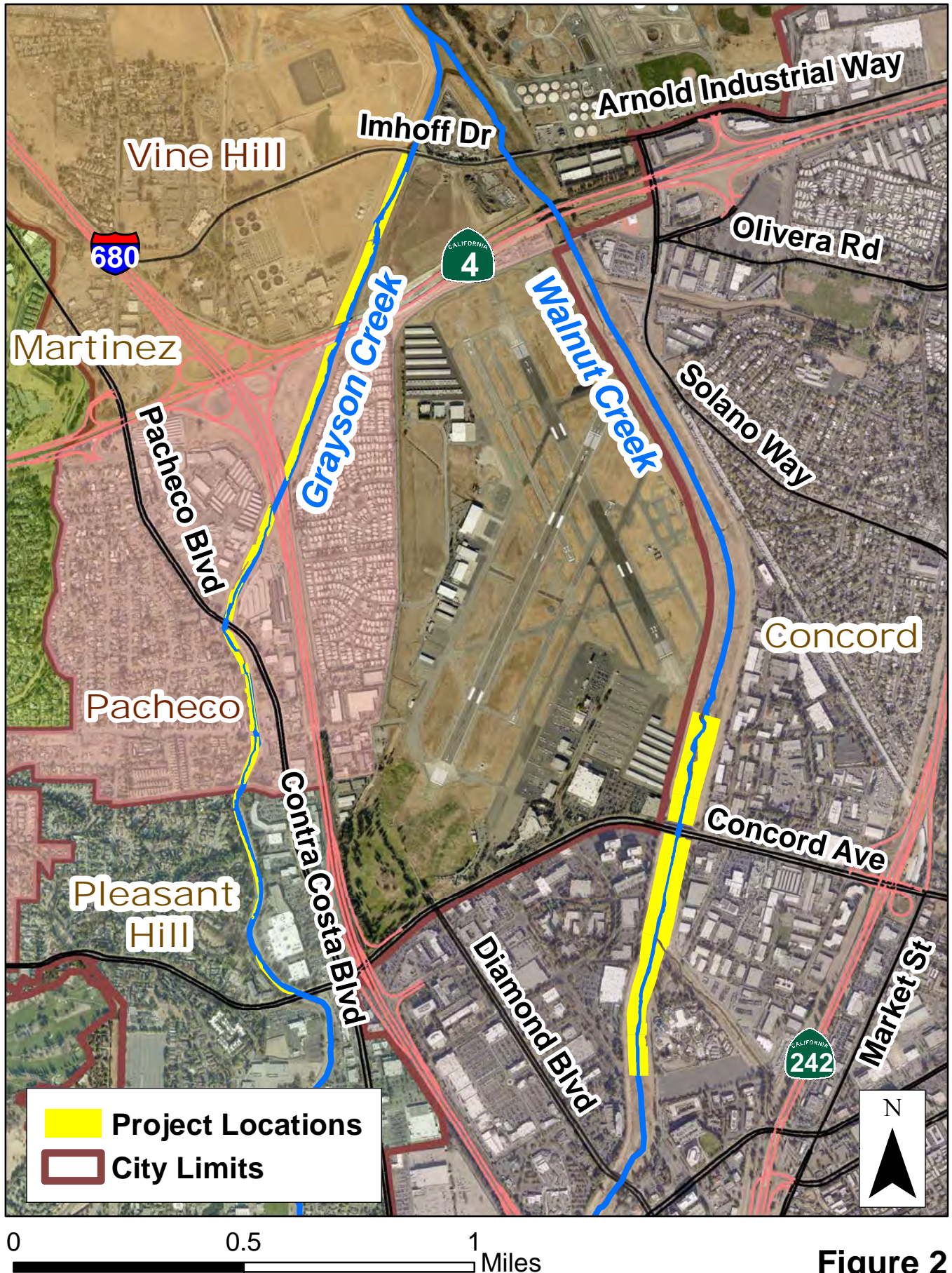


Figure 2

**CEQA ENVIRONMENTAL CHECKLIST FORM (REVISED JANUARY 7, 2019)**

1. **Project Title:** Walnut and Grayson Creeks Desilting Project
2. **Lead Agency Name and Address:** Contra Costa County  
Department of Conservation and Development  
30 Muir Rd.  
Martinez, CA 94553
3. **Contact Person and Phone Number:** Alex Nattkemper (925) 313-2364
4. **Project Location:** The Project is located in unincorporated Contra Costa County, the City of Concord, and the City of Pleasant Hill (Figure 1).
5. **Project Sponsor's Name and Address:** Contra Costa County Flood Control and Water Conservation District  
255 Glacier Drive  
Martinez, CA 94553
6. **General Plan Designation:** Open Space, Public/Semi-public
7. **Zoning:** Open Space (Concord), Retail Business (Pleasant Hill), Heavy Industrial, Light Industrial, Mobile Home/Manufactured Home Park, Retail Business, and Single Family Residential (Unincorporated County)

**8. Introduction:**

In 1965 and 1963 the U.S. Army Corps of Engineers conducted a project to engineer Walnut and Grayson Creeks respectively to reduce flood risks to the surrounding land uses and support development of the area. After completion, responsibility for operation and maintenance of the channels was turned over to the Contra Costa County Flood Control and Water Conservation District (District). During normal flows and the rise and fall of the water level in the rainy season, sediment from the upper watershed travels in the water and eventually settles out forming sediment bars on either side of the flowing channel sometimes referred to as the low flow channel. The low flow channel is the part of the creek that continues to flow during the non-rainy season. Ultimately, vegetation grows on the sediment bars that flood periodically as the water level rises and falls creating more valuable vegetation communities such as wetlands and marshes, as well as less valuable vegetation communities including ruderal (weedy) vegetation. Ruderal vegetation typically develops on the highest portion of the silt bars that get the least amount of water. These sediment bars and resulting vegetation take up space in the channel and reduce the space for water to flow, which reduces the capacity of the channels to hold water between the banks, increasing the chance for flooding. Thus, periodic removal of deposited sediment (desilting) is necessary to restore capacity in the creek channels. Low flow channel and flowing channel are used interchangeably in this document as well as desilting and sediment removal, and creek and channel.



## **Description of Project:**

The purpose of this Project is to remove sediment from Walnut and Grayson Creeks that has accumulated since the last desilt operation in 2006. This work is part of periodic maintenance of these channels as required by the U.S. Army Corps of Engineers. In their current state, the hydraulic capacity of both channels is reduced from the design capacity due to siltation. The hydraulic function of these channels is critical to the operations of the District facilities in the area, and this Project will help regain the hydraulic capacity of both channels. During project planning, four different alternatives were considered: 1) do nothing, 2) raise the levees and build floodwalls, 3) desilt the channels indiscriminately, or 4) selective desilting, which was the option chosen for this Project.

The proposed desilt locations are as follows:

- Grayson Creek from Chilpancingo Parkway to Imhoff Drive
- Walnut Creek from approximately 1,200 feet downstream of Diamond Boulevard to approximately 1,300 feet downstream of Concord Avenue

These reaches were chosen due to their cost-effectiveness and ability to provide the most flood risk reduction in high-priority areas of Concord, Pleasant Hill, Pacheco, and Vine Hill while minimizing impacts to Environmentally Sensitive Areas (ESAs) such as wetlands and marshes. The channels in these reaches were divided into regions for desilting, termed sediment bars (see Figure 2), which represent areas that are most beneficial to hydraulic capacity and least impactful to ESAs.

In order to minimize environmental impacts, ESAs were identified along Walnut and Grayson Creeks via a thorough set of procedures. Using LiDAR data from a 2018 drone survey, the lowest points of the channel were identified and highlighted for investigation as potential ESAs. Aerial photos on Google Maps (taken during the dry season in October 2017) were used to locate the banks of the channel and vegetation patches (greenery). The assumption was that areas of greenery must have available water and could contain ESAs. A 2-foot buffer was established around the low flow channel to minimize impacts to the flowing channel. In addition, District staff performed site investigations in September 2019 to evaluate channel conditions. Following the ESA delineation by biological consultant Nomad Ecology, the "Ordinary High Water Mark" (OHWM) was used to determine the extent of the low flow channel around which the 2-ft buffer was redrawn. The OHWM is a technical term for the physical indicators of the typical water level. Open water/freshwater marshes were also included as ESAs. The flowing channel will be avoided completely. Other ESAs will be avoided to the extent feasible.

The vertical limit of sediment removal will be to the original designed geometry of the channels, derived from the as-built plans (see Figure 3). There is approximately 2 to 7 feet of sediment to be removed on each of the sediment bars contributing to about 172,300 cubic yards (cy); 129,800 cy from Walnut Creek and 42,500 cy from Grayson Creek. The sediment removal activities will take place within District right-of-way.

Some large sediment bars were divided into smaller segments. The sediment bars were then divided into Rank 1 and Rank 2 sediment bars based on flood risk reduction. The Project currently has enough funding to desilt both Rank 1 and 2 sediment bars (known as the Large Desilt), with the potential of reducing the Project to exclude Rank 2 sediment bars if desilting costs come in high. The analysis in this document assumes the Large Desilt and therefore covers the greatest impact. The extent of the Large Desilt includes all the locations noted above. In contrast, the Small Desilt includes the following: Grayson Creek from 2nd Avenue South to SR-4, and Walnut Creek from approximately 1,700 feet downstream of Diamond Boulevard to approximately 300 feet downstream of Concord Avenue.

The current plan for the excavated material from Walnut Creek entails transporting it to the nearby Marathon Refinery and stockpiling the sediment in an upland location. The sediment from Grayson Creek will be disposed at the nearest permitted landfill. If Marathon Refinery cannot accept the Walnut Creek sediment, and another user cannot be identified, it will be properly managed and disposed of at an appropriate permitted landfill.

Nine bridges cross the Project area: Imhoff Drive, State Route 4, Interstate 680, Pacheco Boulevard, Center Avenue, 2nd Avenue South, Chilpancingo Parkway, Concord Avenue, and the Iron Horse Regional Trail. Trucks carrying sediment will be using surrounding city roads to access the identified sediment receiving sites. A staging area for trucks will not be necessary since they will be travelling in and out of the Project site. Other vehicles and equipment will be staged in the work area on levee access roads adjacent to the creeks.

Differences between the two creek locations will be accommodated through modifications to the sediment removal process and types of equipment used. Work along Grayson Creek, which has a rather narrow channel, is likely to move slower as a long armed excavator is planned to remove sediment from the top of bank. Along Walnut Creek and in some areas of Grayson Creek, an excavator will likely be positioned on sediment bars directly via access ramps where sediment bars are wide enough to allow equipment to operate. In these areas, temporary earthen ramps for equipment will be constructed on the banks, and removed following project completion. Soil for the access ramps will be collected from the sediment bars to be desilted via a long armed excavator positioned at the top of bank. In total, 16 access points (three for Walnut Creek, 13 for Grayson Creek) and 14 temporary access ramps (three for Walnut Creek, 11 for Grayson Creek) are anticipated. The quantity of material to be used for an access ramp is anticipated to be 340 cy, and the ramp will extend from the top of the trapezoidal channel into the sediment bars. The dimensions of the ramps will be approximately 15 feet wide by 170 feet long with 1V:3H side slopes, and some additional fill possibly needed for flaring the ramps at their ends to avoid wetlands. The access ramps will terminate near the toe of the creek bank, above both the OHWM and the water level of the dry season. Some adjustments may be needed due to field conditions; however, any impacts would be similar to those already discussed in this document. Anticipated locations of access ramps are shown on Figure 2. A biologist will go into the field before desilting starts and flag wetland areas so they can be avoided during construction



of the temporary ramps as much as possible. Temporary wetland crossing mats also may be installed to facilitate additional access for the movement of equipment if needed.

Access to Walnut Creek north of Concord Avenue is expected to be from underneath the Concord Avenue and Iron Horse Regional Trail bridges, with construction vehicles and equipment driving down the creek along designated haul routes that will be established for the Project. Between 1 to 3 feet of sediment will be removed beneath the bridges in order to provide sufficient clearance.

Work is proposed to occur from April to October of two consecutive years expected to start in 2022 such that only one side of the channel is desilted each year minimizing impacts to the ESAs. The contractor is anticipated to work sequentially on the channels, desilting each of them separately, with a single crew using all the equipment to complete work on one side before proceeding with the next. The estimated duration of Project work is a total of 192 days spent over two seasons (96 days per season). All ESAs in the vicinity will be separated from the work by a temporary fence or flagging, with an additional 2-foot berm buffering the creek channel from excavation. After desilting, the disturbed areas at all Project sites will be reseeded with a mixture of native plants. Prior to the rainy season, cuts will be made intermittently in the berm so that the flow of water will naturally erode the barrier following desilting activities. This will prevent ponding of water in desilted areas. The District is the Project applicant; however, the Project will be assigned to Contra Costa County Public Works Department's (CCCPWD) Design/Construction Division for Project implementation.

## **9. Surrounding Land Uses and Setting:**

In the Project area, Grayson Creek is bordered by development on all sides, and is highly altered and disturbed. North of Pacheco Boulevard, the surrounding land uses are residential, industrial and commercial areas such as a quarry, a sanitary treatment plant, self-storage facilities, and a mobile home park. South of Pacheco Boulevard, the Project area is bordered by single-family residential neighborhoods to the west and shopping centers to the east. Gravel access roads run along the majority of Grayson Creek in the Project area. Seven bridges cross Grayson Creek in the Project area.

Within the Project area, Walnut Creek is also bordered by industrial and commercial uses including Buchanan Field Airport, auto dealerships, business parks, a waterslide park and a large home improvement store. The Iron Horse Regional Trail, a paved multi-use public trail, runs along the east side of Walnut Creek north of Concord Avenue and west of the channel south of Concord Avenue.

Grayson Creek north of 2nd Avenue is treeless and characterized by steep banks containing ruderal/non-native grassland vegetation. South of 2nd Avenue, scattered trees separate the channel from adjacent residential communities and commercial shopping centers. The trees include both native and non-native species. Walnut Creek is treeless for the entire length that is

in the Project area, with the exception of scattered trees that are planted along the Iron Horse Regional Trail adjacent to buildings.

**10. Other public agencies whose approval is required (e.g., permits, financing, approval, or participation agreement):**

U. S. Army Corps of Engineers (USACE), San Francisco Bay District of the Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW). Coordination and/or approval from the City of Concord and the City of Pleasant Hill may be needed.

**11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

Wilton Rancheria submitted a general request letter to be notified of Projects within Contra Costa County under Assembly Bill (AB) 52. The CCCPWD Environmental Division initiated contact with Wilton Rancheria on February 18, 2020 regarding the Project. No request for consultation nor information about potential resources was received from the tribe. No response was received from Wilton Rancheria within 30 days of receipt of this formal notification, therefore no AB52 consultation was initiated, as per California PRC section 21080.3.1(b).

### Environmental Factors Potentially Affected

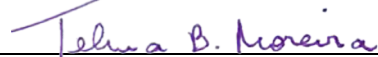
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources    | <input checked="" type="checkbox"/> Cultural Resources      | <input type="checkbox"/> Energy  |
| <input checked="" type="checkbox"/> Geology/Soils           | <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Hazards & Hazardous Materials                 |
| <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning                  | <input type="checkbox"/> Mineral Resources                             |
| <input checked="" type="checkbox"/> Noise                   | <input type="checkbox"/> Population/Housing                 | <input type="checkbox"/> Public Services                               |
| <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation                     | <input checked="" type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities/Services Systems         | <input checked="" type="checkbox"/> Wildfire                | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

### Environmental Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Telma Moreira  
Principal Planner  
Contra Costa County  
Department of Conservation & Development  
30 Muir Rd.  
Martinez, CA 94553

October 19, 2021

Date

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>1. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

a) *Would the project have a substantial adverse effect on a scenic vista?*

According to the Contra Costa County General Plan 2005-2020 (General Plan), the County has two main scenic resources in addition to many localized scenic features: (1) scenic ridges, hillsides, and rock outcroppings; and (2) the San Francisco Bay/Delta estuary system (Contra Costa County 2005a).

The closest scenic ridgeline identified on Figure 9-1 of the General Plan is located approximately 2 miles southeast of the Project. Views of Mount Diablo and rolling hills are visible in the distance from some Project locations, particularly in the northernmost area to be desilted near Imhoff Drive, but views are obscured by urban development for Project areas further south. The Project will not have a substantial adverse effect on any scenic vista because it is limited to sediment removal from the channels and no modifications to a scenic vista or structures that might block a scenic vista are proposed.

Desilting activities will be visible to residents living adjacent to Grayson Creek in areas adjacent to Buchanan Airport, and south of Pacheco Boulevard. However, the work is temporary and is not expected to cause significant aesthetic impacts. The remainder of land use in the Project area is largely industrial and commercial. All disturbed areas will be seeded with a seed mix that includes native grasses and vegetation species. Following

the work, the Project site is expected to return to a similar vegetated appearance eventually returning to a pre-Project vegetated condition. The Project will not block or change views in any directions. Therefore, the Project will have **no impact**.

- b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?*

The Project is not located within a state scenic highway (Caltrans 2019). Although work will occur directly adjacent to a portion of State Route 4 that has been designated a scenic highway by the General Plan (Figure 5-4; Contra Costa County 2005b), the Project will not damage any scenic resources such as trees or rock outcroppings. All disturbed areas will be hydroseeded with a seed mix that includes native grasses and vegetation species. Following the work, the Project site is expected to return to a similar vegetated appearance eventually returning to a pre-Project vegetated condition. Therefore, the Project will have **a less than significant impact**.

- c) *In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

The Project is located in the cities of Concord and Pleasant Hill and in the unincorporated areas of Pacheco and Vine Hill. These are urban areas. The applicable governing document for scenic quality in Concord is the Land Use Element of the Concord 2030 General Plan (Concord 2005). Scenic vistas within the City of Concord are not identified in their general plan, but there are policies related to the preservation of visible hillside and open space areas (General Plan Policy LU-1.1.9) and development and design standards related to viewshed protection in hillside areas, open space preservation, grading impacts, and height and massing of structures (General Plan Principle LU-11.1: Protect Ridgelines and Visible Hillsides).

The applicable governing document for visual quality in Pleasant Hill is the Community Development Element of the General Plan 2003 (Pleasant Hill 2003). A long-term goal in the Pleasant Hill General Plan (Community Development Program 9.5) is the following: "Consider an ordinance to identify and protect significant views of vistas and open space."

The applicable governing document for Pacheco and Vine Hill is the Contra Costa County General Plan described above in Section 1.a. According to the County's General Plan Land Use Element Map, the land use for most of the Grayson Creek within the Project area is designated as Public/Semi-Public, while a small portion at the northern end of the Project

near the confluence with Walnut Creek is considered Open Space. All of Walnut Creek within the Project area is designated as Open Space on the County's General Plan Land Use Element Map. In addition, both Walnut Creek and Grayson Creek are designated as Open Space on the General Plan Land Use Maps for the cities of Concord and Pleasant Hill, respectively.

Public views of the channels are available throughout the Project area. Gravel access roads run along the majority of Grayson Creek in the Project area, although only the section that runs between Pacheco Boulevard and Center Avenue is designated as a public walking path and is part of a linear feature named Pacheco Creekside Park. Publicly accessible vantage points are located along the entirety of Walnut Creek within the Project area. The paved Iron Horse Regional Trail parallels the east side of Walnut Creek north of Concord Avenue and the west side of the creek south of Concord Avenue.

The Project will not conflict with any of the general plans because the Project is limited to sediment removal along two existing creeks, which will result in temporary change to the way desilted portions of the creeks look but will not substantially alter their visual character or quality of public views of the creeks.

Currently the views of both creeks consist of scattered vegetation and a low flow channel. After the work, there will be more views of the water and less vegetation. All temporarily impacted areas along the banks will be restored by reseeding with native species. Eventually, vegetation will reestablish and grow back similar to the existing conditions and thus, the change in vegetation will be temporary. Ultimately, the views are of a creek channel and will continue to be of a creek channel as the sediment and vegetation removal will not affect the overall appearance or character of the area. Therefore, Project impacts will be **less than significant**.

- d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

The Project will not create a new permanent source of light or glare that would adversely affect day or nighttime views. No reflective surfaces or lights will be installed by the Project. Desilting activities are expected to take place during the daylight hours only and are not expected to occur at night and thus, supplemental lights will not be necessary. Therefore, Project impacts will be **less than significant**.



### Sources of Information

California Department of Transportation (Caltrans 2019). 2019. *List of eligible and officially designated Scenic Highways*. Website: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed August 6, 2021.

Concord. 2005. *2030 General Plan*. Chapter 3. Land Use. Planning Division, Concord, CA. (Concord 2005). Website: <https://www.cityofconcord.org/463/2030-General-Plan>. Accessed August 6, 2021.

Contra Costa County. (Contra Costa County 2005a, b). 2005. *Contra Costa County General Plan 2005-2020*. Contra Costa County Community Development Department. Martinez, CA. Website: <https://www.contracosta.ca.gov/4732/General-Plan>. Accessed August 6, 2021.  
2005a: Chapter 9. Open Space Element  
2005b: Chapter 5. Transportation and Circulation Element

Pleasant Hill. 2003. *General Plan 2003*. Community Development Element. Planning Division, Pleasant Hill, CA. (Pleasant Hill 2003). Website: <https://www.pleasanthillca.org/132/Current-General-Plan>. Accessed August 6, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>2. AGRICULTURAL AND FOREST RESOURCES – Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The Project will not affect any locally or statewide important farmland. According to the California Department of Conservation Farmland Mapping and Monitoring Program (DOC 2016), there is no farmland in the Project area and is not currently used for agricultural purposes. Since the area immediately adjacent to the Project consists of roadways and residential, commercial, and industrial properties, the entire Project area is designated as Urban and Built-Up Land. Therefore, the Project will have **no impact**.

- b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

There is no farmland in the Project area. Therefore, the Project will have **no impact**.

- c) *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g) or conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?*

There is no forestland, or land zoned for timberland production in the Project area. Therefore, the Project will have **no impact**.

- d) *Would the project involve or result in the loss of forest land or conversion of forest land to non-forest use?*

There is no forestland, or land zoned for timberland production in the Project area. Therefore, the Project will have **no impact**.

- e) *Would the project involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?*

There is no farmland in the Project area. Therefore, the Project will have **no impact**.

### **Sources of Information**

California Department of Conservation (DOC 2016). 2016. Division of Land Resource Protection, Farmland Mapping and Monitoring Program. 2016. Contra Costa County Important Farmland. Website: <https://www.conservation.ca.gov/dlrp/fmmp/Pages/ContraCosta.aspx>. Accessed August 6, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3. AIR QUALITY – Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The information below comes from the June 2021 Air Quality & Greenhouse Gas Impact Assessment on the Project by AMBIENT Air Quality & Noise Consulting.

**SUMMARY:**

- a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

The proposed Project is located within the San Francisco Bay Area Air Basin (SFBAAB) and within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The BAAQMD is responsible for ensuring that state and federal ambient air quality standards are not violated within the SFBAAB. The BAAQMD prepared the 2017 Clean Air Plan (CAP) to address nonattainment of the national and state ozone standards in the SFBAAB. The 2017 CAP also serves as a multi-pollutant air quality plan to protect public health and the climate. BAAQMD recommends that consistency with the 2017 CAP be evaluated based on the following criteria:

- Does the project support the primary goals of the air quality plan?
- Does the project include applicable control measures from the air quality plan? and
- Does the project disrupt or hinder implementation of any 2017 CAP control measures?

If all the questions are concluded in the affirmative, the BAAQMD considers the Project to be consistent with the CAP. If the Project would not result in significant and unavoidable air quality impacts after the application of mitigation, then the Project would be considered consistent with the 2017 CAP. BAAQMD-recommended thresholds of significance for short-term activities are summarized in Table 1 (AMBIENT 2021).

As noted in Subsection (b) below, the Project would not result in new long-term operations-related emissions. Furthermore, with mitigation, the Project would not result in significant increases of short-term emissions that would exceed BAAQMD significance thresholds. No 2017 CAP control measures are directly applicable to the Project and no mitigation is required. Therefore, implementation of the proposed Project would not conflict with or obstruct implementation of the 2017 CAP. This impact is considered **less than significant**.

**Table 1. Summary of BAAQMD Thresholds of Significance for Short-term Activities**

Pollutant	Threshold of Significance
Criteria Air Pollutants & Precursors	
ROG:	54 lbs./day
NO <sub>x</sub> :	54 lbs./day
CO:	--
PM <sub>10</sub> (exhaust)*:	82 lbs./day
PM <sub>2.5</sub> (exhaust)*:	54 lbs./day
PM <sub>10</sub> /PM <sub>2.5</sub> (fugitive dust):	Best Management Practices
Risk and Hazards for New Sources and Receptors	Same as Operational Thresholds
Odors	None
<p>* Applies to short-term/construction exhaust emissions only.            CO = carbon monoxide            lbs./day = pounds per day            NO<sub>x</sub> = oxides of nitrogen            PM<sub>2.5</sub> = particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less            PM<sub>10</sub> = particulate matter with an aerodynamic resistance diameter of 10 micrometers or less            ROG = reactive organic gases            SO<sub>2</sub> = sulfur dioxide</p>	

b) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

Implementation of the proposed Project would not result in long-term activities or the installation of new emission sources that would result in long-term increases in emissions. Increases in emissions would be short-term and of temporary duration, lasting only as long as the desilting activities occur. Emissions of ozone-precursor pollutants such as reactive organic gases (ROG) and NO<sub>x</sub> (oxides of nitrogen) would be primarily associated with the use of off-road equipment (e.g., excavators, tractors, loaders), on-road vehicles

used for worker commute to and from the site, and on-road haul truck trips. Emissions of particulate matter (PM) would be largely associated with desilting activities and the movement of vehicles and equipment on unpaved surfaces.

Short-term emissions associated with the proposed Project are summarized in Table 2. Modeling assumed use of construction equipment that meet Tier 3 emission standards. As shown in Table 2, maximum daily emissions would total approximately 1.3 lbs./day of ROG, 28.8 lbs./day of NO<sub>x</sub>, 1.2 lbs./day of PM<sub>10</sub> and 0.5 lbs./day of PM<sub>2.5</sub>. Daily emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> would not exceed BAAQMD's significance thresholds. The BAAQMD recommends implementing basic construction measures for all projects regardless of emissions. The Project will implement these measures. Therefore, to further reduce emissions, implementation of **Best Management Practice AQ-1** and **Mitigation Measure AQ-2** would include BAAQMD-recommended measures for the control of short-term emissions.

**Table 2. Short-term Emissions of Criteria Air Pollutants without Mitigation**

Year	Emissions (lbs./day)			
	ROG	NO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
2022				
On-Site Activities:	0.7	6.2	0.4	0.3
Off-Site Activities:	0.5	22.6	0.8	0.2
<b>Total:</b>	<b>1.3</b>	<b>28.8</b>	<b>1.2</b>	<b>0.5</b>
2023				
On-Site Activities:	0.7	5.5	0.4	0.2
Off-Site Activities:	0.4	17.4	0.8	0.2
<b>Total:</b>	<b>1.1</b>	<b>22.9</b>	<b>1.2</b>	<b>0.4</b>
Maximum Daily Emissions <sup>1</sup> :	1.3	28.8	1.2	0.5
BAAQMD Significance Threshold <sup>2</sup> :	54	54	82	54
Exceeds Threshold/Significant Impact?	No	No	No	No
1. Based on the highest daily emissions without the implementation of fugitive dust control measures. 2. On-site activities include desilting work along the channel using off-road vehicles. Off-site activities include worker, vendor, and haul-truck trips using on-road vehicles.				

**BEST MANAGEMENT PRACTICE AQ-1:**

To further reduce emissions, the Project will incorporate the recommended BAAQMD basic construction measures that apply to the Project.

**BEST MANAGEMENT PRACTICE AQ-1** The following BAAQMD-recommended "Basic Construction Mitigation Measures" shall be implemented for the control of short-term emissions, including fugitive dust and off-road equipment emissions:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All off-road equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**IMPACT AQ-2:**

Without use of construction equipment meeting Tier 3 emission standards, Project emissions may exceed BAAQMD thresholds of significance.

**MITIGATION MEASURE AQ-2:**

The following measures shall be implemented to reduce construction-generated emissions:

- Idling of diesel-powered off-road equipment shall be limited to a maximum of two minutes when not in use. When not in use, diesel-powered off-road equipment shall not be allowed to idle when located within 1,000 feet of sensitive land uses (e.g., residential dwellings, daycare facilities, schools). When not in use, idling of diesel-powered on-road haul trucks shall be prohibited. Signs shall be posted at the project site entrance to remind equipment operators of idling limitations.
- The Project shall require off-road heavy-duty equipment (50 horsepower, or greater) to meet Tier 3 emission standards.
- To the extent locally available, use on-road heavy-duty trucks that meet year 2007, or cleaner, certification standards for on-road heavy-duty diesel engines.

With implementation of **Mitigation Measures AQ-1** and **AQ-2** impacts would be considered **less than significant with mitigation incorporated**.



c) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

With regard to public health and welfare, both the U.S. Environmental Protection Agency (EPA) and the State of California have developed Ambient Air Quality Standards (AAQS) for various pollutants. These standards define the maximum amount of air pollutants that can be present in ambient air. An AAQS is generally specified as a concentration averaged over a specific time period, such as one hour, eight hours, 24 hours, or one year. The different averaging times and concentrations are meant to protect against different exposure effects. In general, the standards adopted by the State of California are equivalent to or more health-protective than the national standards established by the U.S. EPA.

To assist local jurisdictions with the evaluation of localized pollutant concentrations and potential health-related impacts, the BAAQMD has developed recommended thresholds of significance and screening criteria for the pollutants of primary concern (e.g., PM<sub>10</sub>, CO). Accordingly, project-generated emissions of PM<sub>10</sub> that exceed 82 pounds per day (lbs./day) or PM<sub>2.5</sub> that exceed 54 lbs./day could result in a violation of the applicable AAQS at nearby receptors, which could result in or contribute to health-related impacts. In addition, ground-level concentrations of toxic air contaminants (TACs) that would result in an incremental increase in cancer risk of 10 in 1 million or a Hazard Index greater than 1 for the Maximally Exposed Individual would also be considered to result in a potentially significant impact to human health. Other localized pollutants of potential concern include exposure to naturally-occurring asbestos. Short-term localized air quality impacts are discussed in greater detail, as follows:

#### **Fugitive Dust Emissions**

Implementation of the Project would result in short-term emissions of fugitive PM associated with ground disturbance. However, as noted in Subsection (b), short-term emissions of PM would be significantly less than BAAQMD's daily significance thresholds. However, if uncontrolled, short-term emissions of PM could result in or contribute to localized concentrations that could adversely impact nearby sensitive receptors. As a result, the BAAQMD recommends that all projects resulting in ground disturbance include "Basic Construction Mitigation Measures". **Mitigation Measure AQ-1** will reduce potential impacts to **less than significant with mitigation incorporated**.

#### **TACs (DPM Emissions)**

The primary TAC of concern associated with short-term construction projects is diesel-exhaust particulate matter (DPM). Implementation of the Project would result in the generation of DPM emissions associated with the use of off-road diesel equipment and on-road haul trucks. Health-related risks associated with diesel-exhaust emissions are primarily associated with long-term exposure and associated risk of contracting cancer.

For residential land uses, the calculation of cancer risk associated with exposure to TACs is typically calculated based on a 70-year period of exposure. The use of diesel-powered construction equipment, however, would be temporary and episodic. Assuming that activities involving the use of diesel-fueled equipment and vehicles were to occur over a cumulative period of approximately one year, Project-related construction activities would constitute less than two percent of the typical exposure periods used for the evaluation of potential health risks. In addition, a majority of Project-generated PM emissions would be associated with on-road mobile sources and would be dispersed over a large area along area roadways. Implementation of Mitigation Measure AQ-2 includes the use of newer off-road equipment and on-road trucks, which would further reduce potential impacts to nearby receptors.

As a result, exposure to construction-generated DPM would not be anticipated to exceed applicable thresholds (i.e., incremental increase in cancer risk of 10 in one million or a hazard index greater than 1) and would have a **less-than-significant** impact to nearby receptors.

#### **Naturally-Occurring Asbestos**

Naturally-occurring asbestos, which was identified by the California Air Resources Board as a TAC in 1986, is located in many parts of California and is commonly associated with ultramafic rock. The Project site is not located near any areas that are likely to contain ultramafic rock (AMBIENT 2021). As a result, the risk of exposure to asbestos during the construction process would be considered **less than significant**.

- d) *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Implementation of the Project would not result in the installation of any major sources of odors. In addition, no major sources of odors have been identified near the Project site. As a result, the implementation of the Project would not result in the long-term exposure of individuals to increased concentrations of odors. However, desilting operations would involve the use of a variety of gasoline or diesel-powered equipment that would emit exhaust fumes. Some people may consider exhaust fumes, particularly diesel-exhaust, objectionable. However, construction-generated emissions would occur intermittently and would dissipate rapidly with increasing distance from the source. As a result, short-term desilting activities would not expose a substantial number of people to frequent odorous emissions. For these reasons, this impact would be considered **less than significant**.

**Sources of Information**

AMBIENT Air Quality & Noise Consulting. (AMBIENT 2021). Air Quality & Greenhouse Gas Impact Assessment for the Walnut and Grayson Creeks Desilting Project, Contra Costa County, California. June 2021

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>4. BIOLOGICAL RESOURCES – Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

The following analysis is based on the Biological Resources Assessment (BRA) prepared by Nomad Ecology for the Project. This report is based on the field investigations, review of available databases and literature, familiarity with local fauna, and on-site habitat suitability.

Two federally- or state-listed, proposed, candidate, or fully protected invertebrate species were determined to have the potential to occur within the Project area: western bumble bee (*Bombus occidentalis*) and Crotch bumble bee (*Bombus crotchii*). They are both candidates for listing as endangered under the California Endangered Species Act (CESA).

There are a few CNDDDB occurrences of these species within Contra Costa County, though all of them are records of collections that occurred more than 50 years ago. There have been no recent verified observations of either the western bumblebee or the Crotch bumblebee in Contra Costa County (Nomad 2021a). However, both of these bumblebee species may occur in ruderal grassland habitats characterized by grassland within the Project area. Western and Crotch bumble bees could nest or seek nectar plants within the Project area. Impacts to listed bumblebee species potentially occurring onsite will be minimized and/or avoided by working on one side of the creek per year so that nectar plants remain available, by restoration of desilted areas with native plants, and through implementation of avoidance and minimization measures, including preconstruction surveys and biological monitoring.

**BEST MANAGEMENT PRACTICE BIO-1:**

The Project area contains habitat for special status species and other protected species that could be affected by Project implementation. The following general Best Management Practices (BMPs) will lessen the impact to all special status species.

**BEST MANAGEMENT PRACTICE BIO-1:**

- A qualified biologist will conduct an education program covering all the sensitive resources with potential to occur in the Project area and the avoidance and minimization measures requiring implementation for all Project personnel prior to the start of construction activities.
- Preconstruction surveys for all special status and common wildlife species will be conducted within the Project area by a qualified biologist immediately prior to equipment or material staging, pruning/grubbing, or surface-disturbing activities. The qualified biologist will search aquatic vegetation, the water's surface, leaf litter, logs, snags, and other habitat features for special status and common wildlife species. If species are found, individuals will be relocated outside of the Project area if the qualified biologist is permitted to do so by all regulatory agencies and determines that relocation is warranted. Although not expected, this includes dewatering activities. If water diversion systems are implemented, a qualified biologist will be on site to relocate all fish, turtles, invertebrates, and other wildlife observed outside of the work area.

- A qualified biologist will conduct biological monitoring during initial ground disturbance and as appropriate based on the results of the preconstruction surveys or as required by regulatory agencies.
- All work should be conducted during the dry season and when the water is at its lowest level. Therefore, work will occur between April 1 and October 31, or as approved by the regulatory agencies.

## **Fish**

One federally- or state-listed, proposed, candidate, or fully protected fish species was determined to have the potential to occur within the Project area: Central California Coast Distinct Population Segment (DPS) steelhead (*Oncorhynchus mykiss irideus*), which is federally listed as a threatened species and are the anadromous form of rainbow trout. In addition, the Project area is mapped as federally designated Essential Fish Habitat (EFH) for Central Valley fall/late fall-run Chinook salmon (*Oncorhynchus tshawytscha*), a California Species of Special Concern, and a National Marine Fisheries Service (NMFS) Species of Concern. Although it is not a listed species, Central Valley fall/late-fall run Chinook salmon is similar to steelhead in terms of anadromous habitat suitability and potential Project-related effects.

The 1996 Magnuson-Stevens Fishery Conservation and Management Act established essential fish habitat provisions to identify and protect important habitats of federally managed marine and anadromous fisheries. The act requires consultation with NMFS regarding the potential impacts on essential fish habitat of federal agency actions. However, the Project area does not provide suitable habitat as defined by the Magnuson-Stevens Act as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity". The Project will not result in adverse effects to essential fish habitat for any species.

Both Grayson Creek and Walnut Creek are highly degraded within the Project area. The channel bottom of both creeks within the Project area is silty/muddy, lacking the gravelly substrate necessary for successful egg development in salmonids. The banks consist primarily of short grasses and ruderal vegetation which provides little if any complexity or cover to the channel. A lack of trees or other tall riparian vegetation also exposes the water to continual sunlight, resulting in elevated water temperatures.

Based on previous assessments and the presence of open water habitat, both Central California Coast steelhead and Central Valley Fall/Late Fall-run Chinook salmon have potential to occur in the portions of Grayson Creek and Walnut Creek that are within the project area. However, because these channels have been highly degraded by channelization, urbanization, and the presence of passage barriers, these species are not expected to spawn or rear juveniles within the project area. Therefore, the Project would

not result in the loss or temporary disturbance of spawning or rearing habitat for anadromous fish.

Individual adults may occasionally migrate through the Project area during high-flow periods, but are not expected to spend any significant length of time there. Thus, it is possible that individual fish could stray into the portions of the flowing channel where the desilt will take place, however, no work will occur in the flowing channel and a two-foot berm will buffer the stream channel from the desilting activities.

Sediment plumes caused by the removal of silt in Grayson and Walnut Creeks could potentially affect water quality and other fish habitat downstream of the Project area. The two-foot buffer berm and implementation of **Mitigation Measures BIO-1** and **BIO-2** will reduce potential sediments from flowing downstream during the work and reduce impacts to less than significant. Implementation of **Mitigation Measure BIO-2** includes BMPs for materials management and to minimize sediment mobilization and during Project implementation.

**BEST MANAGEMENT PRACTICE BIO-2:**

Special status fish and other species could be affected by sediment mobilization into the flowing channel. The following general Best Management Practices (BMPs) will lessen the impact to all special status species.

**BEST MANAGEMENT PRACTICE BIO-2:**

A Storm Water Pollution Prevention Plan (SWPPP) will be prepared and implemented in accordance with the National Pollution Discharge Elimination System (NPDES) Construction General Permit as required under Section 402 of the Clean Water Act. The SWPPP will identify water pollution control and construction-waste containment measures to be implemented during Project construction, including but not limited to:

- Trash generated by the Project will be promptly and properly removed from the site daily.
- All refueling of construction and maintenance vehicles will occur in paved or gravel areas away from the top of bank of the Walnut Creek and Grayson Creek channels. Runoff from these paved or gravel areas will not be allowed to flow into the channels.
- Hazardous material absorbent pads and similar materials will be available on site in the event of a spill that could potentially impact jurisdictional waters.
- Stabilization methods for disturbed areas will be implemented.
- No erodible materials will be deposited into watercourses. Brush, loose soils, or other debris material will not be stockpiled within stream channels or on adjacent banks.



- Active construction areas will be watered regularly.
- Disturbed areas will be seeded with a native seed mix suitable for riparian and wetland habitats.

## **Sensitive And Locally Rare Wildlife Species**

### **Invertebrates**

Two sensitive or locally rare invertebrate species were determined to have potential to occur within the Project area: obscure bumble bee (*Bombus caliginosus*) and Bridges' coast range shoulderband snail (*Helminthoglypta nickliana bridgesi*).

The obscure bumble bee (*Bombus caliginosus*), is included on CDFW's Special Animals List. There are no recent verified observations of this species in Contra Costa County (Nomad 2021a). However, the obscure bumble bee could nest or seek nectar plants in grassland habitats within the Project area. Impacts to obscure bumble bees potentially occurring onsite will be avoided through implementation of avoidance and minimization measures, including preconstruction surveys and biological monitoring.

The Bridges' coast range shoulderband snail (*Helminthoglypta nickliana bridgesi*) is included on CDFW's Special Animal List. Suitable habitat is present among ruderal vegetation within the Project area. The nearest occurrence is located 1.1 miles northeast of Grayson Creek and is from 2004 (Nomad 2021a). The Project would result in the temporary loss of annual and ruderal grassland present on the silt bars and creek bank that support tall, weedy vegetation inhabited by this species. The Project could result in the direct mortality or injury of individuals of this species. Impacts to shoulderbands potentially occurring onsite will be minimized through implementation of avoidance and minimization measures, including preconstruction surveys and biological monitoring.

### **Fish/Amphibians**

No sensitive or locally rare fish or amphibian species were determined to have the potential to occur within the Project area.

### **Reptiles**

One sensitive or locally rare reptile species was determined to have potential to occur within the Project area: western pond turtle (*Actinemys marmorata*), which is a California Species of Special Concern. There are known western pond turtle populations in Grayson and Walnut Creeks. There is a CNDDDB occurrence from Grayson Creek within the Project area, and a western pond turtle individual was observed basking on a rock during the site visit in the southern portion of the Grayson Creek Project area, between 2nd Avenue and Chilpancingo Parkway. This species could use the aquatic habitat throughout the Project area within both Walnut and Grayson Creeks for foraging, migration, and

breeding. Nesting habitat is present in ruderal habitat that line the channels within the Project area.

Direct and indirect effects to the western pond turtle and their nests could occur, as turtles are known to occur within Walnut and Grayson Creek. **Mitigation Measure BIO-1, BIO-2, and BIO-3** will minimize potential effects to western pond turtle during Project implementation. In the event that any western pond turtle individuals are observed within a construction zone during the preconstruction surveys or construction monitoring, the individual will be relocated out of harm's way according to permit conditions.

**IMPACT BIO-3:**

Western pond turtles are known to occur in the Project area and may have nests in or near the Project site.

**MITIGATION MEASURE BIO-3:**

A qualified biologist will work with CCCPWD staff prior to the start of the Project to identify potential western pond turtle nesting habitat in the Project area and ensure all staging, access, and stockpile locations are located outside of potential nesting habitat, to the greatest extent possible. The work areas identified for use will be delineated with flagging, fencing, or other material as deemed necessary to ensure that work activities do not occur outside of these approved areas. In the event that any western pond turtle individuals are observed within a construction zone during the preconstruction surveys or construction monitoring, the individual will be relocated out of harm's way according to permit conditions.

**Birds**

Two sensitive or locally rare bird species were determined to have the potential to nest, roost, or forage within the Project area: Cooper's hawk (*Accipiter cooperii*) and western burrowing owl (*Athene cunicularia*). Cooper's hawk is included on the CDFW Watchlist. Suitable nesting habitat is present in the large trees lining Grayson Creek, towards the southern portion of the Project area. They could utilize the Project area for foraging. No Cooper's hawks were observed during the site visit.

Western burrowing owl is a California Species of Special Concern. Suitable habitat is present in the open ruderal vegetation of the Project area. No suitable burrowing owl burrows were observed during the site visit, and vegetation was higher than typically preferred by burrowing owl. However, it is possible when the vegetation is shorter during certain times of the year or maintained more regularly that burrowing owls could be present along the banks of Walnut or Grayson Creeks. The nearest occurrence is from 2008 at the Buchanan Field Airport, located approximately 0.3 mile east of Grayson Creek and 0.6 mile west of Walnut Creek.

One federally- or state-listed, proposed, candidate, or fully protected bird species was determined to have the potential to nest/winter, roost and forage within the Project area: white-tailed kite (*Elanus leucurus*), whose nesting sites are designated as fully protected by the California Fish and Game Code. This species receives additional protection under the Migratory Bird Treaty Act (MBTA). Suitable nesting habitat is present in the few mature trees on site, and suitable foraging habitat is present throughout the Project area. The nearest CNDDDB occurrence was recorded in 2005 in Antioch, approximately 12 miles east of the Project area. White-tailed kites are known to breed throughout all of Contra Costa County. No white-tailed kites were observed during the site reconnaissance (Nomad 2021a).

The Project would result in the temporary loss of foraging habitat and could result in harassment to individual white-tailed kites and disrupt nesting and foraging activities. Preconstruction surveys for nesting birds, and the implementation of no-work buffers around any active nests that are found will avoid impacts to this species.

#### **IMPACT BIO-4:**

If migratory and other bird species (including Cooper's hawk, burrowing owl, and white-tailed kite) nest within the Project area, the Project could result in short-term impacts such as failure to breed, nest abandonment, reduced fecundity and decreased survivorship from noise and movement of personnel and equipment that exceeds normal background conditions within the Project area. Disturbance may alter the birds' behavior in ways that result in injury, mortality and reduced foraging success, such as the temporary loss of habitat due to avoidance of areas with intolerable levels of disturbance, and altered activity patterns.

#### **MITIGATION MEASURE BIO-4:**

If work activities cannot be timed to avoid the breeding season, then preconstruction surveys for nesting bird species will be conducted as detailed below to minimize impacts to these species. Active nests will be avoided and a non-disturbance buffer zone will be established around them or monitored for disturbance. Therefore, the Project will not adversely affect migratory bird species (including Cooper's hawk and white-tailed kite). Preconstruction surveys for burrowing owl will be conducted as detailed below to minimize impacts to this species. Active burrows will be avoided and a non-disturbance buffer zone will be established around them. Therefore, the Project will not adversely affect burrowing owl.

- If tree or vegetation removal, pruning, or grubbing activities are necessary, such activities may be conducted during the non-nesting season (September 1 – January 31) to avoid impacts to nesting birds. If all Project work is conducted during this work window, preconstruction surveys would only be required for wintering burrowing owls and not nesting birds.

- If Project work begins during the breeding season (February 1 – August 31), preconstruction surveys will be conducted by a qualified biologist within the Project area and adjacent habitats up to 300 feet from the Project boundary where access available, no more than one week prior to equipment or material staging, pruning/grubbing or surface-disturbing activities. The surveys will entail a variety of search techniques, such as incidental flushing of an adult from the nest, watching parental behavior (e.g., carrying nest material or food), systematically searching nesting substrates, and use of call-broadcasts. If no active nests are found within the survey area, no further mitigation is necessary.
- If active nests, i.e. nests with eggs or young present, are found within the survey area, non-disturbance buffers should be established at a distance sufficient to minimize disturbance based on the nest location, topography, cover, the nesting pair's tolerance to disturbance and the type/duration of potential disturbance. No work should occur within the non-disturbance buffers until the young have fledged as determined by a qualified biologist. If buffers are established and it is determined that Project activities are resulting in nest disturbance, work in the nearby vicinity of the nest would cease immediately and CDFW would be contacted for further guidance.
- Burrowing owl surveys will be conducted prior to any work activities, regardless of season. If active burrowing owl burrows are found (i.e. sign of use or individuals are observed), they will be monitored to ensure active status and a non-disturbance buffer will be implemented and monitored. The no-work buffer will be dependent on whether the owl is present during the nesting or wintering seasons. If buffers are established and it is determined that Project activities are resulting in burrowing owl disturbance, work would cease in the nearby vicinity and CDFW would be contacted for further guidance.

## **Mammals**

Three sensitive or locally rare mammal species were determined to have the potential to occur within the Project area: pallid bat (*Antrozous pallidus*), western red bat (*Lasiurus blossevilli*), and hoary bat (*Lasiurus cinereus*). Pallid bat and western red bat are both California Species of Special Concern, and are considered a High Priority species by the Western Bat Working Group. Hoary bat is designated a Medium Priority species by the Western Bat Working Group. Specific habitat requirements for the three special status bat species that have nearby CNDDDB occurrences is provided below. In addition, several other bat species have the potential to occur within the Project area based on range, habitat, and recorded occurrences in the region. Because bat species in general are underreported to CNDDDB relative to their actual abundance in the environment due to their nocturnality, difficulty to detect, and difficulty to positively identify and count when

detected, habitat suitability and Project-related effects are analyzed generally for all roosting bat species.

Foliage-roosting bats, including the western red bat and hoary bat may roost in the tree canopy, particularly in large, mature trees. Both of these species roost in foliage under overhanging leaves, particularly in riparian areas. Females raise pups solitarily or in very small groups, and may move their young among multiple roost locations. Crevice and cavity-roosting bats such as pallid bat, big brown bat (*Eptesicus fuscus*), and several species of myotis bats (*Myotis spp.*) may use any available cracks or holes in trees as roosting habitat, in addition to the bridge structures within the Project area. In addition to roosting habitat, bats may forage for insects almost anywhere in the Project area. No sign of roosting bats was observed during the site visit; however, a thorough bat roost survey was not conducted. Bats could be roosting in the bridges or trees in the Project area. Since removal of these structures is not proposed as part of the Project, bats could be affected by noise by human and equipment presence that occurs near their roosts. However, temporary disturbance from noise and human and equipment presence should be insignificant due to the short duration of work that would occur underneath the bridge structures or nearby trees within the Project area. Foraging habitat for bats will not be affected. Nevertheless, to minimize potential for disturbance to roosting bats to the greatest extent possible, the following Mitigation Measure will be implemented.

**IMPACT BIO-5:**

If roosting bats are present in the bridges or trees in the Project area, they could be disturbed by staging or Project activities.

**MITIGATION MEASURE BIO-5:**

Roosting bat habitat assessments and preconstruction surveys will be conducted to ensure the absence of roosting bats before construction, as detailed below.

- Prior to the start of construction, a bat habitat assessment will be conducted to identify suitable bat roosting habitat including bridges, snags, rotten stumps, and trees with broken limbs, exfoliating bark, cavities, etc. Potential roosting habitat will be avoided to the maximum extent practicable. If no suitable roost sites are identified, no further minimization measures are necessary.
- If suitable roosting habitat is identified and will be disturbed by presence and noise of equipment and workers for more than two hours (i.e. near bridges), a qualified biologist will be present to monitor the bat roosting habitat and will stop work if any disturbance to bats is detected and contact CDFW for further guidance.
- Although not anticipated, if suitable roosting habitat is identified and will be removed by the Project, a qualified biologist will survey potential suitable roost sites immediately prior to the removal. If any sign of roosting bats or observation of

individual bats is observed, the roost will be removed in coordination with CDFW or according to permit conditions. Typical removal methods include first removing non-habitat features such as limbs smaller than 3 inches in diameter. The tree is left overnight to allow any bats using the tree/snag to find another roost during their nocturnal activity period. A qualified biologist would survey the trees/snags a second time the following morning prior to felling and removal.

### **Critical Habitat**

The Project is not located in critical habitat for any federally-listed species. The Southern DPS of Green sturgeon (*Acipenser medirostris*), an anadromous fish that is federally listed as threatened, has critical habitat that is immediately adjacent to the Project area. The critical habitat ends at Walnut Creek's junction with Grayson Creek and therefore is just outside the Project area. The species is not expected to occur in Grayson Creek or the reach of Walnut Creek within the Project area. Past communications from NMFS with the U.S. Army Corps of Engineers for a similar project in 2006 stated that these channels within the Project area no longer provide sufficient conditions for self-sustaining anadromous populations of steelhead.

Based on the field investigations, review of available databases and literature, familiarity with local flora, and on-site habitat suitability, no federal and/or state listed or California Native Plant Society ranked species were observed on site nor considered to have the potential to occur within the Project area. Therefore, no further rare plant surveys are warranted.

### **Federal/State Listed, Proposed, Candidate, or Fully Protected Fish and Wildlife Species**

Four federally/state-listed, proposed, Candidate or fully protected fish or wildlife species were determined to have the potential to occur within the Project area: western bumble bee, Crotch bumble bee, steelhead Central California Coast DPS, and Central Valley Fall/Late-Fall Run Chinook salmon. The Project is not anticipated to substantially impact any special status species with implementation of **Mitigation Measures BIO-1 to BIO-5**. Therefore, Project impacts will **be less than significant with mitigation incorporated**.

- b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

Sensitive Natural Communities are characterized as plant assemblages that are unique in constituent components, restricted in distribution, supported by distinctive soil conditions, considered locally rare, potentially support special status plant or wildlife species, and/or receive regulatory protection from municipal, county, state and/or federal

entities. The regulatory framework that protects sensitive natural communities is derived from local, state, and federal laws and regulations including Section 10 of the federal Rivers and Harbors Act, sections 401 and 404 of the federal Clean Water Act, Section 1600 et seq. of the California Fish and Game Code, Section 15065 of the CEQA guidelines, and various other city or county codes. Implementation and enforcement of these regulations are conducted by their respective regulatory entities such as the U.S. Army Corps of Engineers, California Regional Water Quality Control Board, California Department of Fish and Wildlife, lead agency, and/or various cities or counties. Natural Communities with ranks of S1, S2, and S3 are considered Sensitive Natural Communities to be addressed in the environmental review processes of CEQA and its equivalents (Nomad 2021a).

In the Project area, creeping ryegrass stands are growing within a matrix of ruderal non-native grassland vegetation on disturbed levee banks and in the benches adjacent to the low flow channels of Grayson Creek and Walnut Creek. Creeping ryegrass stands (*Leymus triticoides* Herbaceous Alliance) is considered of high inventory priority as it has a Subnational Conservation Status Rank of S3 (Nomad 2021a). A rank of S3 indicates a vegetation alliance or association as "Vulnerable" meaning it is at moderate risk of extinction or elimination due to a restricted range, relatively few populations, recent and widespread declines, or other factors.

Vegetation communities in the Project area include ruderal, seasonal wetland, and freshwater marsh. Although not considered a sensitive natural community by CDFW, freshwater marsh, seasonal wetlands, and open water are treated as sensitive natural communities as they are jurisdictional wetland features regulated by the U.S. Army Corps of Engineers and the California State Water Resources Control Board. Additionally, all channels and drainages on site exhibit ordinary high water marks and evidence of scour. They are considered sensitive natural communities and are regulated by the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and the California State Water Resources Control Board.

Impacts to creeping ryegrass grassland, seasonal wetlands, and potentially freshwater marsh may occur in varying degrees during Project activities. All impacts are temporary and these habitats are expected to recolonize any areas where they are disturbed following desilting activities. Removal of sediment bars from the channel will improve and increase wetland habitat as the sediment is currently occupied by ruderal, upland vegetation, which will likely be converted to wetland vegetation and hydrology following Project implementation. Impacts will be minimized by implementing BMPs including minimizing the disturbance areas to the minimum necessary to complete the Project, revegetating the site following construction, and implementing erosion control. All work will follow regulatory permit conditions. With regard to seasonal wetlands and freshwater marsh, the Project is designed to be self-mitigating, as the site will be revegetated with



appropriate native species. Creeping ryegrass will be incorporated to reestablish that species in appropriate areas. **Mitigation Measure BIO-6** clarifies that ESAs will be avoided to the extent feasible, and the type of vegetation to be used to reestablish seasonal wetland, freshwater marsh, and creeping rye grass species after desilting work.

#### **IMPACT BIO-6:**

The Project could have negative impacts on sensitive natural communities.

#### **MITIGATION MEASURE BIO-6:**

- Prior to the start of desilting activities, areas containing freshwater marsh and seasonal wetlands, that are near but outside of the work area will be delineated and conspicuously flagged or fenced to minimize impacts to these resources.
- A qualified restoration biologist or botanist will create a seed and plant palette appropriate for reestablishing impacted vegetation.
- The seed and plant palette will include creeping ryegrass in appropriate locations.

Further, temporary impacts to the riparian habitat or other sensitive natural communities will be minimized through implementation of **Mitigation Measures BIO-1, BIO-2 and BIO-6**. Therefore, Project impacts will **be less than significant with mitigation incorporated**.

- c) *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

The Project was specifically designed to avoid freshwater marsh and seasonal wetlands as much as possible while still meeting the Project objective of flood protection. Nevertheless, temporary impacts to seasonal wetlands will occur and impacts to freshwater marsh may occur during Project construction through direct removal and potential filling for access ramps, though filling for access ramps will be avoided if feasible. Hydraulically, all areas will continue to be subject to inundation during high flows and after the planned eroding of the 2-foot berms that protect the flowing channel from the work area. Overall, removal of sediment bars from the channel is expected to improve and increase wetland habitat as many of the targeted sediment bars are currently occupied by ruderal, upland vegetation, which are expected to convert to wetland vegetation and hydrology following Project implementation and revegetation. This expectation is based on planned revegetation efforts and on the results of past desilting operations, which successfully re-established wetland communities using the same or similar practices.

Over time, sediment and ruderal vegetation will fill back in, but this takes years to happen. For example, the last desilt was in 2006. The District periodically and selectively removes sediment from the channels for flood control purposes, as is required by the operation manual, and completes an environmental review and obtains regulatory permits each time. The District has a Programmatic Routine Maintenance Program that allows smaller areas of desilting on a programmatic level, but the amount of sediment removal is limited.

Temporary impacts of this Project will be minimized by fencing or flagging areas to be avoided, general BMPs including, but not limited to, preparation of a SWPPP that outlines measures to minimize mobilization of sediment, as well as measures to reduce construction materials and fluids from entering the channels. The impacted areas will be revegetated with a plant palette intended to restore and increase wetland vegetation and habitat back to pre-Project conditions. These measures are described in **Mitigation Measures BIO-1, BIO-2, and BIO-6**. Therefore, impacts will be **less than significant with mitigation incorporated**.

- d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?*

Habitat loss, fragmentation, and degradation resulting from land use changes or habitat conversion can alter the use and viability of wildlife movement corridors (i.e. linear habitats that naturally connect and provide passage between two or more otherwise disjunct larger habitats or habitat fragments).

Wildlife use in the vicinity of the Project area is likely moderate. Grayson Creek and Walnut Creek within the Project area are connected to the rest of the Walnut Creek watershed and provide an aquatic and terrestrial movement corridor surrounded by urban development. The perennial creeks provide habitat for large-scale migratory movement, daily travel, and dispersal for common and rare fish and wildlife species. Because the Project area is surrounded by development, it is likely that terrestrial wildlife commonly occurs in these relatively protected and lower human-use areas of these channels and their banks. Western pond turtles (*Actinemys marmorata*) are also known to occur and nest in the area.

Overall, the Project is not expected to affect the area's utility as a movement corridor for wildlife in the long term. During the desilting work, the temporary disturbance may discourage some movement during the day when work is taking place. This will be minimized by working on one side of the creek one year, then the other side the next year, leaving one side available for movement.

No significant impacts on wildlife habitat or movement corridors are anticipated given the temporary nature of the Project, which is not expected to significantly alter the channels or surrounding habitats. The Project is not permanently removing channel habitat or creating new wildlife movement barriers. The Project area will be available for common wildlife to move through during and after desilting activities. Fish, turtles, and other aquatic species would likely be able to swim away from the immediate work zone and therefore should not be impacted during construction. Siltation would be controlled through required best management practices and **Mitigation Measure BIO-2** so the water quality should not be impacted such that it could significantly harm any aquatic species. Common ground-mobile species such as eastern fox squirrel (*Sciurus niger*), striped skunk (*Mephitis mephitis*), gray fox (*Urocyon cinereoargenteus*), red fox (*Vulpes vulpes*), and mule deer (*Odocoileus hemionus*) should be able to leave the Project site on their own once work starts and, due to the temporary nature of the Project, therefore should not be impacted during construction. There is a chance that less mobile, leaf litter species such as California slender salamander (*Batrachoseps attenuatus*) or Sierran tree frog (*Pseudacris sierra*) could be impacted during construction, but these species are relatively abundant and preconstruction surveys will help minimize impacts to these types of species.

Native fish that are not listed as endangered, threatened, species of species concern, or special animal, are likely to occur within Grayson and Walnut Creeks. Native species that could occur within the Project area include Sacramento sucker (*Catostomus occidentalis*), central California roach (*Lavinia symmetricus symmetricus*), three-spined stickleback (*Gasterosteus aculeatus*), and prickly sculpin (*Cottus asper*). These fish could utilize the channels within the Project area for foraging, spawning, rearing, and migration, and they provide prey for turtles and an abundance of bird species.

The Project will avoid impacts to the flowing channel. The Project is likely to expand open water and wetland habitat by desilting areas that are currently filled by sediment, which will be an overall benefit for native fish species. The Project biologist will conduct preconstruction surveys and relocate native fish, if found in any of the wetted portions of the silt bars. The Project is expected to have minimal effects to native fish populations due to the temporary nature of the Project, the implementation of avoidance and minimization measures, and the increased habitat that will be available to fish post-desilting. These measures are described in **Mitigation Measures BIO-1** and **BIO-2**. Therefore, impacts will be **less than significant with mitigation incorporated**.

- e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

The Project will not conflict with any local policies or ordinances protecting biological resources. Tree removal is not anticipated. Therefore, the Project will have a **less than significant impact**.

- f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The Project is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the Project will have **no impact**.

### **Sources of Information**

Nomad Ecology, LLC. (Nomad 2021a). Biological Resource Assessment for the Walnut and Grayson Creeks Desilting Project, Contra Costa County, California. June 2021

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>5. CULTURAL RESOURCES – Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to California Environmental Quality Act Guidelines Section 15064.5?*

To determine if the Project site contains potential significant historic resources and to evaluate the Project’s potential to impact those resources, Pacific Legacy, Inc. conducted an investigation of the Project’s Area of Potential Effect (APE), which included archival research of historic period data, a record search, and an intensive pedestrian survey. The results are detailed in the Phase I Archaeological Survey Report (Pacific Legacy 2021). The horizontal APE for activities on Grayson Creek is 2.21 miles long and includes the area between the levees from Chilpancingo Parkway to the confluence with Walnut Creek. The horizontal APE for activities along Walnut Creek is 0.87 miles long and spans both levees from 1,200 ft. downstream of Diamond Boulevard to 1,300 ft. downstream of Concord Avenue. The vertical APE is 7 feet, the maximum depth of excavation related to sediment removal.

The records search of the California Historical Resources Information System (CHRIS) was conducted at the Northwest Information Center (NWIC) at Sonoma State University. The record search collected information on prior studies and known cultural resources within the APE and a 0.25-mile buffer. Although the records search revealed one previously recorded historic period cultural resource within the APE, the Walnut Creek and Grayson Creek Levees (P-07-002731), this resource has been previously determined not eligible for listing in the National Register of Historic Places (NRHP). Since the criteria for the California Register of Historic Resources (CRHR) eligibility are very similar to those of the NRHP, the levees resource is unlikely to be eligible for the CRHR.

Pacific Legacy conducted an intensive pedestrian survey of the Project APE on May 15, 2020. The purpose of the survey was to identify any new cultural resources within the APE that may be affected by the Project. The total area surveyed was approximately

three miles. No signs of prehistoric or undocumented historic period deposits, features, or artifacts were observed during the survey.

There has been extensive disturbance of the Project area due to the channelization of both creeks and fill for the adjacent levees in the early 1960s, and previous desilting activities in 1993, 1995, 1997 and 2006. Project construction documents for the desilting work will not allow excavation below the design level for the channels. Therefore, all areas that will be disturbed by the Project have been previously impacted, and new findings of cultural importance are not anticipated. However, the potential for unanticipated subsurface historical resources cannot be ruled out completely. Therefore, **Mitigation Measure CUL-1** will be followed in the event that subsurface resources are discovered during Project activities.

**IMPACT CUL-1:**

Project activities could impact previously unidentified historical resources during ground-disturbing activities.

**MITIGATION MEASURE CUL-1:**

The following will be implemented during Project activities if unanticipated potential historic or prehistoric archaeological resources are encountered.

- Prior to the start of Project activities, cultural resource sensitivity training regarding identification of archaeological and historical resources in the field will be provided for construction personnel in the unexpected event that inadvertent discoveries are made during sediment removal.
- If any suspected cultural or historic resources are located during Project activities, specifications will require all work to be halted within 100 feet of the discovery and the location of the discovery will be secured.
- The Contractor will immediately notify the CCCPWD Resident Engineer, who will then request a qualified archaeologist to evaluate the finding(s) before advising the Resident Engineer to either continue work or recommend further review of the discovery.

With implementation of **Mitigation Measure CUL-1**, Project impacts on historical resources would be **less than significant with mitigation incorporated**.

- b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5?*

The records search at the NWIC did not identify any recorded archaeological resources within the Project APE. One prehistoric period midden site had been previously recorded within 0.25 miles of the APE, but is located well beyond the Project area and will not be impacted. Pacific Legacy also completed a Native American Consultation and Sacred Land database search. The Native American Heritage Commission's (NAHC) review of the Sacred Land database was negative in the Project APE. The NAHC provided a list of 10 Native American tribal contacts who might have information about cultural materials within the APE. Pacific Legacy sent letters requesting information from these tribal representatives on April 15, 2020. To date, one Project specific response was received via follow-up phone call on April 20, 2020. The response came from the Chairperson of the Amah Mutsun Tribal Band, who requested that all work crews on the Project receive sensitivity training, and that archaeologists be contacted in case of cultural resources.

Based on the results of the investigation described above, the Project should have no impact on known cultural resources and no monitoring during Project activities is warranted. However, the Project may unearth unanticipated prehistoric subsurface resources. Therefore, with implementation of **Mitigation Measures CUL-1**, provided above in subsection 5(a), and **CUL-2** provided in subsection 5(c) below, Project impacts on potential archaeological resources would be **less than significant with mitigation incorporated**.

- c) *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

No formal cemeteries are present within or adjacent to the Project area. As part of the cultural review conducted for the Project, the NAHC did not identify any recorded sites within or adjacent to the Project APE and contacts with the Native American tribal representative did not reveal any unrecorded Native American burial sites. Despite the investigations previously described, Project activities could unearth unanticipated historical or prehistoric archaeological resources. However, with implementation of **Mitigation Measures CUL-1**, provided above in subsection 5(a), and **CUL-2**, provided below, Project impacts on archaeological resources, including Native American resources, would be **less than significant with mitigation incorporated**.

**IMPACT CUL-2:**

The Project could impact previously undiscovered human remains.

**MITIGATION MEASURE CUL-2:**

If human remains are encountered (or are suspected) during any Project-related activities, construction personnel will be advised to stop all work within 100-feet of the discovery and immediately contact the CCCPWD Resident Engineer, who will contact the Contra Costa County Coroner. At the same time, the Resident Engineer will contact an



archaeologist to assess the situation. The discovery location will be secured without touching or removing the remains or any associated artifacts. In addition, any associated spoils will be secured and left undisturbed so that they can be examined. The Resident Engineer will record the location of the find and keep notes of all calls and events. The find will be treated as confidential and the location will not be publicly disclosed.

If the Coroner determines that the human remains are of Native American origin, the Coroner must notify the NAHC within 24 hours of this identification. The NAHC will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the CCCPWD and the NWIC.

### **Sources of Information**

Pacific Legacy, Inc. (Pacific Legacy 2021). Phase I Archaeological Survey Report for the Walnut and Grayson Creeks Desilting Project, Contra Costa County, California. June 2021

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>6. ENERGY – Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

The Project is limited to the removal of sediment along the channels and will not require energy use once constructed. Project construction will result in an incremental increase in energy usage associated with construction equipment (i.e., fuel in vehicles and power generators). However, energy usage during construction would be minimal and would not require excessive amounts of wasteful usage of energy. Therefore, Project impacts will be **less than significant**.

- b) *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Although the Project will result in a temporary increase in energy usage during construction, the operation of the Project would not require change from the existing condition. As such, the Project does not have potential to conflict with or obstruct a state or local plan for renewable energy or energy efficiency (The Cadmus Group 2018). Therefore, Project impacts will be **less than significant**.

**Sources of Information**

The Cadmus Group. (The Cadmus Group 2018). 2018. *Contra Costa County Renewable Resource Potential Study*. Contra Costa County Community Development Department. Martinez, CA. Website: <https://www.contracosta.ca.gov/6997/Renewable-Resource-Potential-Study>. Accessed October 1, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>7. GEOLOGY AND SOILS – Would the project:</b>				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:*
- i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*

The Project area is just outside of an Alquist-Priolo Fault Zone (SCDC 2019). The main trace of the Concord Fault runs in a northwest-southeast direction immediately east of the Project area. The Concord Fault is capable of producing earthquakes and may cause strong ground shaking within the Project area. However, the Project is limited to sediment removal, which will not introduce new land uses that could be impacted by fault rupture. Therefore, Project impacts will be **less than significant**.

*ii) Strong seismic ground shaking?*

Contra Costa County is located within a region of high seismicity. As noted above, the main trace of the Concord Fault runs immediately east of the Project area and is capable of producing earthquakes and may cause strong ground shaking within the Project area. The possibility of ground shaking from fault rupture near the Project area is considered high based on available geological and seismic data. The duration and intensity of shaking will depend upon both the magnitude of the earthquake, distance from the epicenter, and ground conditions. However, the Project is limited to sediment removal, which will not introduce new land uses that could be impacted by ground shaking. Therefore, Project impacts will be **less than significant**.

*iii) Seismic-related ground failure, including liquefaction?*

According to Figure 10-5 of the County's General Plan, the general Project area ranges from generally high potential to generally moderate to low potential for liquefaction (Contra Costa County 2005c). However, the Project is limited to sediment removal, which will not introduce new land uses that could be impacted by unstable soil. Therefore, Project impacts will be **less than significant**.

*iv) Landslides?*

According to Figure 10-6 of the General Plan, the Project area is not located within a potential landslide area (Contra Costa County 2005c). The topography of the Project area is generally flat. Therefore, the Project impacts will be **less than significant**.

*b) Would the project result in substantial soil erosion or the loss of topsoil?*

Grading and excavation associated with the Project will result in a minor change in topography in the channel, and temporarily increase the exposure of soils to wind erosion. However, adherence to standard dust and erosion control practices, including, but not limited to, general watering of exposed areas, will minimize impacts and are

incorporated in **Mitigation Measures AQ-1** and **BIO-2**. Contract specifications will require a two-foot berm/buffer zone between the limits of excavation and the low flow channel to prevent soil from entering this area during sediment removal activities. This measure will be incorporated into the construction contract and is memorialized in **Mitigation Measure HYD-1**. Therefore, Project impacts will be **less than significant with mitigation incorporated**.

- c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

According to Figure 10-5 of the County's General Plan, the Project area ranges from generally high potential to generally moderate to low potential for liquefaction (Contra Costa County 2005c). However, the Project is limited to sediment removal, which will not introduce new land uses that could be impacted by unstable soil. Desilting of the Project area will not result in unstable earth conditions or change geologic substructures. Excavation depths will not go below surfaces that were established when channels were built, so in-situ soil layers will not be disturbed. In order to stabilize exposed soils, all areas left exposed due to the desilting work will be hydroseeded with a mix that includes native species, at the earliest practicable date. Hydroseeding will stabilize the exposed sediment in the channel until vegetation is naturally established. Vegetation in the channel is expected to establish quickly, as it has in past desilting operations. Therefore, Project impacts will be **less than significant**.

- d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

According to Figure 5 of the Aquatic Resource Delineation Report (Nomad 2021b), the Project is mostly located on Omni clay loam, Sycamore silty clay loam, and Laugenor loam. Clay tends to be an expansive soil, while loamy soils are usually a very stable soil that shows little change with the increase or decrease of moisture temperature. However, the Project is limited to removal of existing sediments along the channels, which will not create substantial risk to life or property from expansive soils. Hydroseeding will stabilize the exposed sediment in the channel until vegetation is naturally established. Vegetation in the channel is expected to establish quickly, as it has in past desilting operations. Exposure of people or property to geologic hazards is not expected to occur as a result of the Project. Therefore, Project impacts will be **less than significant**.

- e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

Septic tanks and alternative wastewater disposal systems are not part of the Project. Therefore, the Project will have **no impact**.

- f) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Based on the Geologic Map of the Walnut Creek Quadrangle (Dibblee, T.W., and Minch, J.A., 2005), the Project is located on surficial sediments characterized as “alluvial gravel, sand, and clay of valley areas.” Holocene alluvial deposits and fill are generally considered too recent to contain significant paleontological resources and therefore have low paleontological sensitivity. Further, the Project will only remove deposited sediment and Project contract specifications will stipulate that construction shall stop in the area if such potential resources are discovered. In addition, **Mitigation Measure CUL-1** will be followed in the event subsurface resources are discovered during Project construction. Therefore, Project impacts on paleontological resources would be **less than significant with mitigation incorporated**.

### **Sources of Information**

Contra Costa County. (Contra Costa County 2005c). 2005. *Contra Costa County General Plan 2005-2020*. Contra Costa County Community Development Department. Martinez, CA. Website: <https://www.contracosta.ca.gov/4732/General-Plan> Accessed August 6, 2021. 2005c: Chapter 10. Safety Element

Nomad Ecology, LLC. (Nomad 2021b). Aquatic Resource Delineation Report for the Walnut and Grayson Creeks Desilting Project, Contra Costa County, California. June 2021

State of California Department of Conservation (SCDC 2019). 2019 *California Geologic Survey – EQ Zapp: California Earthquake Hazards Zone Application*. Website: <https://www.conservation.ca.gov/cgs/geohazards/eq-zapp> Accessed August 6, 2021

Dibblee, T.W., and Minch, J.A., 2005, Geologic map of the Walnut Creek quadrangle, Contra Costa County, California: Dibblee Geological Foundation, Dibblee Foundation Map DF-149, scale 1:24,000. Website: [https://ngmdb.usgs.gov/Prodesc/proddesc\\_71826.htm](https://ngmdb.usgs.gov/Prodesc/proddesc_71826.htm)

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>8. GREENHOUSE GAS EMISSIONS – Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

The following analysis is based on AMBIENT Air Quality & Noise Consulting’s Air Quality & Greenhouse Gas Impact Assessment prepared for the Project:

Currently the BAAQMD does not have thresholds for GHG emissions specific to construction activities. Nevertheless, short-term emissions associated with the proposed Project were quantified using the California Emissions Estimator Model (CalEEMod), version 2016.3.2. Emissions were quantified based on Project-specific data and default modeling parameters contained in the model for Contra Costa County. Construction-generated greenhouse gas (GHG) emissions are summarized below in Table 3. As depicted, the proposed Project would generate a total of approximately 308.7 metric tons of carbon dioxide equivalent (MTCO<sub>2e</sub>) in 2022 and approximately 300.3 MTCO<sub>2e</sub> in 2023. Construction-generated emissions would vary, depending on the final construction schedules, equipment required, and activities conducted. Project-generated GHG emissions would be short term and would not exceed the significance threshold of 1,100 MTCO<sub>2e</sub> per year as established by the BAAQMD for operational emissions for land use development projects. As a result, the proposed Project would not result in GHG emissions that would have a significant impact on the environment and mitigation would not be required. Further, implementation of **Mitigation Measure AQ-2**, which would require the use of newer off-road equipment and on-road trucks, would help to further reduce diesel-exhaust emissions. Project impacts would be **less than significant**.



**Table 3. Unmitigated Construction-Generated GHG Emissions**

Year	Annual GHG Emissions (MTCO <sub>2</sub> e/year)
2022	308.7
2023	300.3
Maximum Annual Emissions	308.7
Significance Threshold	1,100
Exceeds Significance Threshold?	<b>No</b>

- b) *Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

As previously stated, the BAAQMD has adopted a recommended GHG significance threshold of 1,100 MTCO<sub>2</sub>e per year for operational emissions for land use development projects. Annual operational emissions that exceed this threshold would be considered to result in a cumulatively considerable contribution of GHG emissions that could potentially interfere with GHG-reduction planning efforts. The BAAQMD has not adopted a recommended mass-emissions GHG significance threshold for short-term/construction-related activities. In the absence of a recommended mass-emissions threshold for short-term/construction activities, this Project analysis relies on the annual significance threshold for long-term operational activities. As a result, construction generated emissions in excess of 1,100 MTCO<sub>2</sub>e per year would be considered to have a potentially significant impact on the environment that could potentially conflict with GHG-reduction planning efforts. As shown in Table 3 above, Project-generated GHG emissions would be short term and would not exceed the significance threshold of 1,100 MTCO<sub>2</sub>e per year, nor would the Project conflict with applicable GHG-reduction plans, policies or regulations. Therefore, Project impacts would be **less than significant**.

**Sources of Information**

AMBIENT Air Quality & Noise Consulting. (AMBIENT 2021). Air Quality & Greenhouse Gas Impact Assessment for the Walnut and Grayson Creeks Desilting Project, Contra Costa County, California. June 2021

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>9. HAZARDS AND HAZARDOUS MATERIALS – <i>Would the project:</i></b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

In order to classify the sediment within the Project area for off-site disposal, Ninyo & Moore collected a total of six samples in Grayson Creek and twenty-seven samples in Walnut Creek (Ninyo & Moore 2020). Based on the results of the sediment sampling activities in their report, the channel sediments are classified as non-hazardous waste and would be acceptable at a Class II or potentially Class III, or cover materials at a

Class II landfill facility. No health and safety precautions were recommended as long as contractors removing the materials keep dust concentrations below the BAAQMD's fence line action level (FAL) of 50 micrograms per meters cubed. The project is not expected to generate large amounts of dust and **Mitigation Measures AQ-1, BIO-2**, and standard BMPs will further minimize generation of dust.

The current plan for the excavated material from Walnut Creek entails transporting it to the nearby Marathon Refinery and stockpiling the sediment in an upland location. Because Marathon has their own permitted project which requires additional soil, they will accept and handle soil from Walnut Creek in accordance with their approved plan and grading permit. It is anticipated that the material will be stockpiled temporarily at the Marathon site before being used elsewhere on the property. The stockpile will have BMPs installed around the perimeter and be routinely inspected to prevent sediment transport. During soil placement, the pile will be graded, sloped and track-walked to prevent erosion. There is ample open space at this location so soil can be spread out rather than steeply sloped. The stockpile area is also flat with well-established vegetation to capture any sediment in storm water runoff.

The sediment from Grayson Creek will be disposed at the nearest permitted landfill. If Marathon Refinery cannot accept the Walnut Creek sediment, and another user cannot be identified, it will be properly managed and disposed of at an appropriate permitted landfill.

During sediment removal, construction vehicles will travel to and from the Project site. Examples of construction vehicles include diesel-powered trucks, loaders, dump trucks, long- and short-arm excavators, water trucks, and pick-up trucks. This equipment may require the use of fuels and other common liquids that have hazardous properties (e.g., fuels, oils, fluids that are flammable) but they would be handled in small quantities that would not create a substantial hazard for construction workers and/or the public. Compliance with federal, state, and local hazardous materials regulations would minimize the risk to the public presented by these potential hazards during desilting. The Project would not involve routine transport, use, or disposal of hazardous materials or involve potential releases of hazardous materials into the environment. Therefore, Project impacts will be **less than significant**.

- b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?*

The Project has the potential to release hazardous substances, such as accidental petroleum spills from equipment, during construction. Per the contract specifications, standard construction safety practices will be followed during construction to ensure no

accidental release of hazardous substances occurs and no increase in the potential for exposure to these substances occurs. Underground utilities within the Project area include high-risk, 8-inch-diameter Kinder-Morgan and 16-inch-diameter Phillips 66 petroleum pipelines that are bored under the channel on the southern side of the existing Highway 4 bridge that crosses Grayson Creek. There may also be a 30-inch-diameter water line owned by the Contra Costa Water District on the southern side. Next to the Walnut Creek channel, there may be an existing 21-inch-diameter Central Contra Costa Sanitary District line running north-south along the eastern levee. These utility lines will be marked in the field. The maximum excavation depth will not go below the surfaces that were established when the channels were originally built, so all utilities should be beneath that level and not be disturbed by desilting activities. In addition, nine bridges cross the Project area, which may contain utility lines. Project construction documents will require the contractor to identify these utility crossings so that their locations can be clearly marked in the field, and avoided by construction activities. Therefore, Project impacts will be **less than significant**.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

There are no schools within one-quarter mile of the Project area. The closest schools to the Walnut Creek portion of the Project are Mt. Diablo High School (0.5 miles away) and Queen of All Saints Elementary School (0.8 miles away). The closest schools to the Grayson Creek portion of the Project are Diablo Valley College (0.3 miles away), Valley View Middle School (0.6 miles away), College Park High School (0.6 miles away), and Valhalla Elementary School (0.8 miles away). Therefore, Project impacts will be **less than significant**.

- d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

If hazardous materials were present in the sediment to be removed, disturbance of that sediment could mobilize the contaminants into the environment or into the air where they might be inhaled or ingested by humans. In order to determine if sediment slated for removal may have been contaminated by upstream sources of hazardous substances, the District contracted Ninyo & Moore to conduct sediment sampling to characterize the sediment that would be disturbed during the desilting activities.

Government Code Section 65962.5 requires the California Department of Toxic Substances Control (DTSC) to compile and update at least annually a list regarding the location of hazardous materials release sites. The list is maintained through EnviroStor,

which is DTSC's online data management system for tracking cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. Similarly, GeoTracker is the SWRCB's data management system for sites that impact, or have the potential to impact, water quality in California, with emphasis on groundwater.

Prior to the sampling activities, Ninyo & Moore reviewed the state's GeoTracker and EnviroStor databases to determine if any current or former environmental cases were located in the vicinity of the Project site. No environmental cases were found; however, the site is located near several highways which are historically known sources of elevated lead concentrations due to prior uses of leaded gasoline.

The San Francisco Bay Regional Water Quality Control Board (SFRWQCB) established Environmental Screening Levels (ESLs) to determine what concentrations of certain chemicals could pose a threat to human health and/or the environment. The ESLs take into account different exposure scenarios anticipated to be encountered at the Project site. The Tier 1 ESL is the most conservative of the ESLs available for a particular chemical, and is the first one to be reviewed to determine if chemicals could pose a risk at the Project site. However, the presence of a chemical at concentrations in excess of a Tier 1 ESL does not necessarily indicate that adverse impacts to human health or the environment are occurring; this simply indicates that a potential for adverse risk may exist and that additional evaluation is warranted. Following the Tier 1 ESL review, additional exposure pathways are reviewed and the most appropriate are selected based on anticipated site usage. As this is a desilting project and materials are being removed from the site, the receptor for the site will be a construction worker, so the Construction Worker ESLs were also reviewed. Concentrations are compared to the 2019 (SFRWQCB) Tier 1 ESLs, and Direct Exposure Human Health Risk Levels for Construction Worker ESLs (Construction Worker ESLs). Concentrations are also compared to the state and federal waste classification criteria.

A total of 33 sediment samples were collected and analyzed for the following constituents for waste classification:

- Total Petroleum Hydrocarbons (TPH) as diesel-range organics (TPHd) and as motor oil range organics (TPHmo) by United States Environmental Protection Agency (US EPA) Method 8015B.
- TPH as gasoline range organics (TPHg) and volatile organic compounds (VOCs) using US EPA Method 8260B.
- Title 22 metals by US EPA Methods 6020/7471A.

### THPs

Concentrations of TPHd and TPHmo were detected at low levels above their respective laboratory reporting limits (the smallest concentration of a chemical that can be reported by a laboratory), but did not exceed their Tier 1 ESLs. TPHg was not detected above its laboratory reporting limit during this sampling event.

### VOCs

VOCs detected during this sampling event are as follows. One sample reported low levels of 2-Butanone (methyl ethyl ketone) and 4-isopropyltoluene above their reporting limits. 2-Butanone was not detected above its Tier 1 ESL, and ESLs have not been established for 4-isopropyl toluene. No other VOCs, including benzene, toluene, ethylbenzene and xylenes (BTEX) or methyl tert-butyl ether (MTBE), were reported above their respective laboratory reporting limits during this sampling event.

### Title 22 Metals

Concentrations of 13 metals (arsenic, barium, beryllium, cadmium, chromium, cobalt, copper, lead, mercury, molybdenum, nickel, vanadium and zinc) were detected above their respective laboratory reporting limits. Detections exceeding screening levels are discussed further below:

#### Arsenic

Arsenic was detected in each sample at concentrations ranging from 1.0 milligrams per kilogram (mg/kg) to 7.9 mg/kg. These concentrations are below the background concentration of arsenic of 11 mg/kg in Bay Area soils, which has been accepted by the RWQCB. In this case, a background concentration refers to the amount of chemicals found in the soils of a particular area that are naturally occurring and have not been elevated by human activities.

#### Lead

Lead was detected in each sample at concentrations ranging from 2.3 mg/kg to 32 mg/kg. One concentration was detected at the Tier 1 ESL of 32 mg/kg. No samples exceed the Construction Worker ESL of 160 mg/kg.

#### Vanadium

Vanadium was detected in each sample at concentrations ranging from 5.6 mg/kg in WC4-0.5 to 46 mg/kg in WC5-1.0. Twenty-one (21) of the samples, collected from both Grayson and Walnut Creeks exceed the Tier 1 ESL of 18 mg/kg and none of these concentrations exceed the Construction Worker ESL of 470 mg/kg. In addition, the highest concentration detected (46 mg/kg) is below the arithmetic mean of background concentrations of vanadium in California soils, which is 112 mg/kg (Bradford et al. 1996).

Based on the sediment sampling results, it is unlikely that the desilting activities pose significant hazard to the public or the environment and Project impacts would be **less than significant**.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

The nearest airport to the Project site is Buchanan Field Airport, located approximately 0.2 miles from the Grayson Creek portion of the Project site and approximately 0.01 miles from the Walnut Creek portion of the Project site. According to the Buchanan Field Airport Master Plan (Buchanan Field Airport Master Planning Program 2008), the Project is not located within any of the noise contours surrounding the airport, therefore construction workers would not be exposed to excessive noise levels from airport activities. As described below in Section 13(a), the Project will not generate long-term excessive noise levels beyond existing conditions. Therefore, Project impacts will be **less than significant**.

- f) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

No interference with an emergency response plan or evacuation plan is expected to result from the Project. Maintenance roads parallel the Project site at both channels, enabling maintenance vehicles to avoid public thoroughfares during the excavation work. The desilting of the channels will not change the nature of the Project area. Emergency vehicles will have access at all times during construction. Therefore, Project impacts will be **less than significant**.

- g) *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

The Project is located in an urban area. According to the California Department of Forestry and Fire Protection (Cal Fire), the Project is not located in a Very High Fire Hazard Severity Zone (Cal Fire 2009). The Project will reduce fuel load for a number of years by replacing ruderal vegetation that tends to be dry in the summer with more wetland varieties. Over time, sediment and ruderal vegetation will fill back in, but this takes years to happen. For example, the last desilt was in 2006. Additionally, no residences, gathering places, or structures are proposed by the Project and the Project does not propose uses that would put residences in danger or increase the risk of wildland fire hazards beyond what currently exists for the public. Therefore, Project impacts will be **less than significant**.



### **Sources of Information**

Bradford, G.R., A.C. Chang, A.L. Page, D. Bakhtar, J.A. Frampton, and H. Wright. (Bradford et al. 1996) Background Concentrations of Trace and Major Elements in California Soils. Kearney Foundation Special Report. University of California, Division of Agriculture and Natural Resources

Buchanan Field Airport (Buchanan Field Airport Master Planning Program 2008). Contra Costa County Public Works Department, Buchanan Field Airport. Website: <https://www.contracosta.ca.gov/4016/Buchanan-Field-Master-Plan-RevOct-2008>. Accessed August 10, 2021.

California Department of Forestry and Fire Protection (Cal Fire 2009). Very High Fire Hazard Severity Zones in Local Responsible Area, Contra Costa County. Website: <https://frap.fire.ca.gov/mapping/pdf-maps/>. Accessed August 10, 2021.

California Department of Toxic Substances Control (DTSC 2021). EnviroStor. Website: <http://www.envirostor.dtsc.ca.gov/public/>. Accessed August 10, 2021.

Ninyo & Moore. (Ninyo & Moore 2020). Sediment Sampling and Analysis Letter Report, Grayson Creek and Walnut Creek, Various Cities and Unincorporated Areas – Contra Costa County, California. December 2, 2020

State Water Resources Control Board (SWRCB 2021). GeoTracker. Website: <http://geotracker.waterboards.ca.gov/>. Accessed August 10, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>10. HYDROLOGY AND WATER QUALITY – Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The Project is located within the Walnut Creek watershed. This approximately 145 square mile watershed drains the east side of the East Bay Hills and the west side of Mount Diablo. The upper watershed is formed of steeply sloped canyons, and the lower watershed is formed of gently sloping alluvial floodplains with residential and urban development. Walnut Creek drains the Walnut Creek Watershed, which is fed by several

major tributaries including San Ramon Creek, Bollinger Creek, Las Trampas Creek, Lafayette Creek, Grayson Creek, Murderer's Creek, Pine Creek and Galindo Creek. Walnut Creek flows from the City of Walnut Creek, through Pleasant Hill, Concord and into unincorporated Contra Costa County. The Walnut Creek channel flows north and merges with Grayson Creek to form Pacheco Creek, which then empties into Suisun Bay approximately 3.6 miles north of the northern boundary of the Project area at Imhoff Drive.

Grayson Creek drains the approximately 24 square mile Grayson Creek/Murderers Creek sub-watershed, which is contained in the Walnut Creek watershed. The Grayson Creek watershed drains the eastern flank of the Briones Hills. This watershed includes all of Pleasant Hill and portions of Martinez, Walnut Creek, and unincorporated Contra Costa County. Hidden Valley Creek and Murderer's Creek join the main stem of Grayson Creek before it flows into Walnut Creek just downstream of Highway 4.

Walnut Creek is designated as an impaired waterbody under the Federal Clean Water Act due to the presence of diazinon, which is a pesticide. The drainage area in the Project area is expected to be subject to regulation by the United States Army Corps of Engineers (USACE), the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB), and the State Water Resources Control Board (SWRCB). Impacts to the channels and associated wetlands require authorization with a Section 404 Individual Permit from the USACE, and a Section 401 Water Quality Certification from the SFBRWQCB. The 401 Water Quality Certification will address the waste discharge requirements of the SFRWQCB. Total disturbance due to the Project will be greater than an acre; therefore, in order to comply with the State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) General Construction Permit requirements, a Storm Water Pollution Prevention Plan (SWPPP) will be required by the contract plans and specifications and has been required by **Mitigation Measure BIO-2**. The SWPPP will specify the Best Management Practices (BMPs) that will be used during Project construction to ensure water quality impacts are minimized. The SWPPP will address erosion control, sediment control, non-storm water management, accidental spills, and other sources of potential contamination that could occur from construction vehicles or materials. As discussed in Section 9 (d) above, sediment does not contain hazardous substances in excess of SFRWQCB standards. Adherence to BMPs in the SWPPP, and obtaining a 401 certification from the SFRWQCB will address compliance with water quality standards and discharge requirements.

Avoidance and minimization measures will be undertaken in the design of the Project to avoid adverse impacts to water quality, such as creating a two-ft. berm/buffer that will be flagged around the low flow channel of both channels. Contract specifications will require these measures to be implemented to ensure that sediment will not enter the waterway. Contract specifications will also require preparation of a SWPPP, which will

outline specific measures to protect water quality during construction. Examples of measures include, but are not limited to, the storage, servicing and fueling of construction equipment outside of the channel and practices to reduce the possibility of a spill of gasoline, oil, or other pollutant that could have a significant impact on water quality. Normal channel flows will be maintained during the Project, so a dewatering system will not be needed. The low flow channel will not be impacted by the sediment removal, and no changes to the alignment of the channels are proposed. Therefore, no change in drainage patterns are expected. Excavation of sediment deposits from the benches adjacent to the low flow channels will allow water to move more efficiently during high flow events. Project work will occur at the driest part of the year (April to October) to reduce the likelihood of rain interrupting the sediment removal activities. The Project will not create substantial sediment laden run-off to the channel, as vegetation is expected to re-establish itself quickly after the activities are completed. At the completion of the Project, all disturbed areas will be stabilized using hydroseeding with a mix of native species.

The excavated material from Walnut Creek will be transported to the nearby Marathon Refinery and stockpiled in an upland location according to their approved plans and grading permit.

The sediment from Grayson Creek will be disposed at the nearest permitted landfill. If Marathon Refinery cannot accept the Walnut Creek sediment, and another user cannot be identified, it will be properly managed and disposed of at an appropriate permitted landfill.

For the reasons stated above, the Project will not adversely affect surface or ground water quality. Therefore, Project impacts will be **less than significant with mitigation incorporated**.

**IMPACT HYD-1:**

Project activities could cause sediment to enter the channels and affect water quality.

**MITIGATION MEASURE HYD-1:**

A two-foot berm/barrier will be left between the low flow channel and construction areas in both Walnut Creek and Grayson Creek. This berm will prevent sediment from entering the channel during construction, and affecting water quality.

- b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

The Project will not require any withdrawals from an aquifer or groundwater table and will have a negligible effect on groundwater recharge, as the desilting will not change the nature of the Project site. Therefore, the Project will have **no impact**.

c) *Would the project substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

i) *Result in substantial erosion or siltation on- or off-site?*

The Project will not increase the impervious surface area within the Walnut Creek watershed. An increase in impervious area could result in additional runoff water thus increasing the flow volumes, rates, and peak durations from the loss of unpaved overland flow and native infiltration. However, the Project will not result in any changes to runoff patterns in the Walnut Creek or Grayson Creek watersheds, and therefore associated impacts will not occur. BMPs for erosion and sediment control as identified in **Mitigation Measures BIO-2** and **HYD-1**, and standard BMPs will be implemented during the Project. As noted above, the excavated material from Walnut Creek will be transported to the nearby Marathon Refinery, where it will be stockpiled in an upland location and handled in accordance with their approved plans and grading permit. Therefore, Project impacts will be **less than significant with mitigation incorporated**.

ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

As discussed in Subsection (i), above, the Project would not result in an increase in impervious surface as compared to existing conditions. Surface runoff would not increase. Following desilting activities, the risk of flooding on- and off-site will decrease substantially compared to the risk under current conditions. The Project will not increase exposure of people or property to flooding. In fact, the goal of the Project is to lessen the potential exposure of people and property to flooding by restoring capacity to the flood control channel. Therefore, Project impacts will be **less than significant**.

iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

As discussed in Subsection (i), above, the Project would not result in an increase in impervious surface as compared to existing conditions. Surface runoff would not increase. Following desilting activities, stormwater drainage systems adjacent to

the Project and pollutant discharges from existing impervious surfaces would be identical to those under current conditions. Therefore, the Project will have **no impact**.

*iv) Impede or redirect flood flows?*

As discussed in Subsection (a) above, the Project will improve the hydraulic capacity of the channels and reduce flood risk to adjacent properties by excavating sediment deposits from the channels which will facilitate movement of water during high flow events. Therefore, the Project will have **no impact**.

*d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?*

The confluence of Grayson Creek with Walnut Creek is located just north of the Project area. Approximately 1.5 miles north of this location, the channel merges with Pacheco Creek and then travels an additional 1.8 miles north to empty into Suisun Bay. Suisun Bay is drained by the Carquinez Strait, which feeds into San Pablo Bay, a northern extension of the San Francisco Bay, which connects to the open ocean. Waterfront areas along Suisun Bay and the Carquinez Strait could have possible risk of inundation from seiches or tsunamis. According to the Hazard Viewer Map on the Association of Bay Area Governments (ABAG) website, the Project area is outside the Tsunami Evacuation Zone (ABAG 2021). Furthermore, the Project will be limited to desilting activities and will not introduce new land uses that could be subject to inundation.

The Federal Emergency Management Agency (FEMA) produced Flood Insurance Rate Maps (FIRMs) which show Special Flood Hazard Areas (SFHAs). According to the associated FIRMs, the Project area along Walnut Creek is located within Zone A, which represent areas within the 100-year base floodplain where the base flood elevation has not been determined. Much of the land just west of the Walnut Creek segment of the Project is within Zone X, which represents areas subject to the 500-year flood event. Grayson Creek north of SR-4 is also within Zone A, while south of SR-4 the Project area is a regulatory floodway located in Zone AE, which has a base flood elevation ranging from 18 to 26 feet (FEMA 2009; 2017). Most of the commercial and residential areas immediately east of the Project area along Grayson Creek are also within Zone AE. The FEMA FIRMs show levees along both sides of Walnut Creek beginning north of Concord Avenue. Levees along the west side of Grayson Creek begin approximately 400 feet south of Pacheco Boulevard and continue along both sides of the channel north of Pacheco Boulevard to the confluence with Walnut Creek.

Although the Project site is located within flood hazard areas, the Project would have no adverse impacts to flood conditions. The Project will improve the hydraulic capacity of

the channels and reduce flood risk to adjacent properties by excavating sediment deposits from the channels, which will facilitate movement of water during high flow events. As described in Subsection (iii) above, the pollutant load would not be different from the existing conditions because there would be no additional impervious surfaces that the Project would construct and no new land uses are proposed that could increase potential for pollutants during flood conditions. Therefore, the Project would not risk release of pollutants due to inundation and Project impacts will be **less than significant**.

- e) *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

This Project is located in the cities of Concord and Pleasant Hill, and in the unincorporated areas of Pacheco and Vine Hill. These areas of Contra Costa County are within the limits of the San Francisco RWQCB, which established the Water Quality Control Plan (Basin Plan) for the California Regional Water Quality Control Board San Francisco Bay Region (SFRWQCB 2018).

The Basin Plan identifies general water quality objectives for inland surface waters. The Basin Plan lists the following beneficial uses for Walnut Creek: cold freshwater habitat, fish migration, preservation of rare and endangered species, fish spawning, warm freshwater habitat, wildlife habitat, and some types of recreation<sup>1</sup>. Beneficial uses identified for Grayson Creek are the same with the exception of fish spawning which is not identified for Grayson Creek. The Project is limited to selective desilting that is required to provide flood protection. The desilt areas were carefully chosen to avoid the most sensitive ESAs. Vegetation removal will be limited to only that which is necessary for the work and there will be no large tree removal or removal of overhanging riparian vegetation. There will be no work in the flowing channel and a 2-foot berm will buffer the work area from the flowing channel. Because there is vegetation on the silt bars that will be removed with the sediment, implementation could temporarily affect water temperature until the new vegetation grows in. Changes in temperature will be minimized by phasing the Project over two years. Work will occur on one side of the channels one year, the disturbed areas will be seeded, and then work will occur on the other side the next year. Working on one side of the channel each year will help minimize impacts to the channel in general. Other potential impacts during the desilting include suspended sediment, suspended materials, toxicity, temperature, and turbidity. These potential impacts will be minimized by working in the dry season, standard BMPs, and **Mitigation Measures BIO-1, BIO-2, and HYD-1**.

By avoiding the most sensitive ESAs, phasing the Project over two years, and implementation of mitigation measures, impacts to beneficial uses and the channels in

---

<sup>1</sup> Many areas of the channels are not publically accessible. All posted signs must be adhered to.



general will be minimized. As such, the Project would not conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, Project impacts will be **less than significant with mitigation incorporated**.

### **Sources of Information**

Association of Bay Area Governments (ABAG 2021). ABAG Hazard Viewer Map. Website: <https://abag.ca.gov/our-work/resilience/data-research/hazard-viewer>. Accessed: August 10, 2021

Federal Emergency Management Agency (FEMA 2009; 2017). June 2009; March 2017. Flood Insurance Rate Maps, Contra Costa County, California and Incorporated Areas, Panels 06013C0281F and 06013C0277F; Panel 06013C0089H

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>11. LAND USE AND PLANNING – Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

a) *Would the project physically divide an established community?*

The Project would not physically divide an established community; rather, it will improve the hydraulic capacity of the channels to reduce flood risk to adjacent properties. Therefore, the Project will have **no impact**.

b) *Would the project cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

The Project will not result in an alteration of the present or planned land use of the area and does not conflict with any applicable land use plan, policy or regulation. The Project is consistent with the following ordinances, programs, principles, and policies of the County's General Plan, the City of Pleasant Hill's General Plan, or the City of Concord's General Plan:

- County Floodplain Management Ordinance (County Ord. #82-28) (Contra Costa County 2021).
- Safety and Noise Policy 1B. Reduce flood damage potential in areas known to be prone to flooding (Pleasant Hill 2003).
- Safety and Noise Program 1.1. Continue to clear drainage systems regularly (inlets, culverts, swales, channels, and channels), both public and private, to remove debris buildup that can exacerbate flooding impacts (Pleasant Hill 2003).
- Goal S-4: Flood Risk Reduction, Principle S-4.1. Protect the community from risks to lives and property posed by flooding and stormwater runoff (Concord 2005).

- Goal S-4: Flood Risk Reduction, Policy S-4.14. Design storm drainage facilities to meet the Contra Costa County Flood Control and Water Conservation District standards and ensure adequate and safe flow to minimize flooding (Concord 2005).

CCCPWD has an adopted Habitat Conservation Plan/Natural Community Conservation Plan; however, the Project is not within the plan's inventory area. Based on the analysis above, the Project is consistent with environmental land use policies or plans. Therefore, the Project will have **no impact**.

### **Sources of Information**

Concord. 2005. *2030 General Plan*. Chapter 7. Safety and Noise. Planning Division, Concord, CA. (Concord 2005). Website: <https://www.cityofconcord.org/463/2030-General-Plan>. Accessed August 6, 2021.

Contra Costa County. (Contra Costa County 2021). Contra Costa County Public Works Department, Contra Costa County Floodplain Management Program. Martinez, CA. Website: <https://www.contracosta.ca.gov/332/FEMA-Floodplain-Program>. Accessed August 6, 2021.

Pleasant Hill. 2003. *General Plan 2003*. Safety and Noise Element. Planning Division, Pleasant Hill, CA. (Pleasant Hill 2003). Website: <https://www.pleasanthillca.org/132/Current-General-Plan>. Accessed August 6, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>12. MINERAL RESOURCES – Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

The Project will not involve quarrying, mining, or extraction of any known regionally or locally important mineral, oil, or gas resources on site, nor will it deplete any non-renewable natural resource. According to the Conservation Element chapter in the County General Plan (Contra Costa County 2005d), there are no mapped mineral resource areas near the Project. Therefore, the Project will have **no impact**.

- b) *Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

There are no mapped mineral resource areas near the Project. Therefore, the Project will have **no impact**.

**Sources of Information**

Contra Costa County. (Contra Costa County 2005d). 2005. *Contra Costa County General Plan 2005-2020*. Contra Costa County Community Development Department. Martinez, CA. Website: <https://www.contracosta.ca.gov/4732/General-Plan>. Accessed August 6, 2021. 2005d: Chapter 8: Conservation Element.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>13. NOISE – Would the project result in:</b>				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Noise is usually defined as unwanted sound. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound as heard by the human ear. Sound levels in dB are calculated on a logarithmic basis. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness though the noise is actually ten times more intense. An increase of 10 dB represents a 10-fold increase in acoustic energy, while 20 dB is 100 times more intense. Sound intensity is normally measured through the A-weighted sound level in decibels (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. As noise spreads from a source, it loses energy so that the farther away the noise receiver is from the noise source, the lower the perceived noise level.

Desilting of the flood control channels will not result in any long-term noise impacts due to the limited scope of the Project. However, noise will be generated by heavy equipment during desilting. Table 4 shows typical noise levels of construction equipment anticipated for the Project as measured at a distance of 50 feet from the operating equipment.

**Table 4.** Typical Construction Equipment Maximum Noise Levels

Type of Equipment	Impact Device? (Yes/No)	Typical Maximum Noise Levels (dBA at 50 feet)
Pickup Truck	No	55
Front-End Loaders	No	80
Dump Truck	No	84
Excavators	No	85

Source: FHWA 2006.

There is a variety of land uses in the Project vicinity, including commercial, industrial, and residential. These properties range from small shopping centers to large box stores, from a water treatment plant to an airport, and from a mobile home park to single- and multi-family residential housing. Interstate 680 and State Route 4, both major freeways, are located next to the Project.

The closest residential properties to the Project area are located on the west side of Grayson Creek between Pacheco Boulevard and Chilpancingo Parkway. Equipment and vehicles operating from the gravel access road within 50 feet of these properties would be limited to the removal of less than 10,000 cubic yards of sediment and would be spread out over nearly 1 mile along the channel. The anticipated amount of time to desilt this area is relatively short and is estimated to take approximately 3 weeks in total. As desilting activities progress along the channel and move to other Project locations, work at each sediment bar would last for a fraction of that time. Therefore, the amount of time spent within 50 feet of each property would be considerably shorter than 3 weeks. Furthermore, the presence of trees between these residential properties and the gravel access road will help attenuate equipment and vehicle noise.

Contra Costa County does not have a noise ordinance for construction noise. However, the Noise Element of the County's General Plan specifies that construction activities shall be concentrated during the hours of the day that are not noise-sensitive for adjacent land uses and should be commissioned to occur during normal work hours of the day to provide relative quiet during the more sensitive evening and early morning periods (Contra Costa County 2005e). The City of Pleasant Hill noise ordinance allows construction work within a residential land use district on Monday through Friday, 7:30 a.m. to 7:00 p.m. and weekends, 9:00 a.m. to 6:00 p.m. The City of Concord noise ordinance states that the Concord Municipal Code section 62-32(1)cc restricts the hours that construction work can take place to the following times: Monday through Friday, 7:30 a.m. to 6:00 p.m., and weekends, 8:00 a.m. to 5:00 p.m. Therefore, working hours will be limited to Monday through Friday 7:30 a.m. to 6:00 p.m. and if necessary, weekends 9:00 a.m. to 5:00 p.m. These working hours will be incorporated as part of the construction contract. Contract specifications will also require the use of properly tuned and muffled equipment to minimize noise due to construction activities.

Implementation of **Mitigation Measure NOI-1a**, as described below, complies with the County Noise Element and noise ordinances for both the City of Concord and the City of Pleasant Hill.

Consistent with the provisions outlined in the Noise Element of the Contra Costa General Plan, construction activities shall be concentrated during the hours of the day that are not noise-sensitive for adjacent land uses and will be required to occur during normal work hours of the day to provide relative quiet during the more sensitive evening and early morning periods. Therefore, compliance with restrictions on permissible hours of construction, as well as compliance with best management practices for construction noise reduction measures outlined in **Mitigation Measure NOI-1a**, would ensure that construction noise would not result in sleep disturbance of sensitive receptors or exposure of persons to noise levels in excess of established standards. Impacts would be less than significant with the implementation of mitigation.

There will be a limited number of additional vehicle trips during desilting activities resulting from worker vehicles accessing the site. The transport of workers and construction equipment and materials to the Project area would incrementally increase noise levels on adjacent roads. The average number of anticipated vehicle trips related to the Project would be approximately 100 per day. However, this will be a minor and temporary impact that would not significantly increase the ambient noise level at the Project area and therefore is deemed less than significant.

The Project will cause a temporary increase in ambient noise associated with desilting activities. This increase, however, would be short-term and temporary in nature. As shown in Table 4, noise from desilting activities for the Project will fall within a typical range of 55 to 85 dBA at 50 feet from nearby residences. According to the City of Pleasant Hill's General Plan, Pleasant Hill residents are frequently exposed to noise ranging from 35 to 80 decibels (Pleasant Hill 2003). See Table 5 below for examples of typical noise levels from existing noise sources and environments that may be found near the Project site. As a result, Project activities will temporarily increase noise levels by at least 5 decibels. A difference of 5 dBA is considered the minimum readily perceptible change to the human ear in outdoor environments. Therefore, construction noise is expected to be noticeable to residents. Implementation of **Mitigation Measures NOI-1a** and **NOI-1b** would reduce this short-term noise impact to a less-than-significant level. Therefore, Project impacts will be **less than significant with mitigation incorporated**.

**Table 5.** Typical Noise Levels

<b>Type of Noise or Environment</b>	<b>Decibels</b>
Soft Whisper; Quiet Bedroom	30
Busy Open-plan Office	55
Normal Conversation	60-65



Automobile at 20 mph 25 ft. away	65
Vacuum Cleaner at 10 ft. away	70
Dump Truck at 50 mph <sup>1</sup> 50 ft. away	90
Source: City of Pleasant Hill General Plan, 2003	

<sup>1</sup>Note that dump trucks driving on unpaved roads at the Project site will be limited to 15 mph

**IMPACT NOI-1:**

Project activities will result in a temporary increase in ambient noise levels.

**MITIGATION MEASURE NOI-1a:**

Construction activities shall be limited to non-sensitive hours for adjacent land uses (generally between 7:00 a.m. to 6:00 p.m. in unincorporated areas and 7:30 a.m. to 6:00 p.m. in neighboring cities) consistent with the Contra Costa County General Plan Noise Element and noise ordinances for the City of Concord and City of Pleasant Hill. If work is necessary outside of these hours, approvals from impacted jurisdictions will be obtained as needed to extend work hours.

**MITIGATION MEASURE NOI-1b:**

The Project Contractor shall employ the following noise-reducing practices during Project construction:

- Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive areas nearest the active Project site during all Project activities.
- A visible sign will be posted at the Project site with the hours of construction and the name and telephone number of the contact person to address any noise complaints.

*b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

Excessive ground-borne vibration from construction activities resulting from equipment such as pile drivers will not be used to for the Project. Some ground-borne vibration may result from desilting, but will not be excessive based on the types of construction equipment that will be used and will be short term in nature. Therefore, Project impacts will be **less than significant**.

*c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

The nearest airport to the Project site is Buchanan Field Airport, located approximately 0.2 miles from the Grayson Creek portion of the Project site and approximately 0.01 miles from the Walnut Creek portion of the Project site. The Federal Aviation Administration (FAA), through the Federal Aviation Regulations (FAR) Part 150 Noise Compatibility Plan prepared for the airport, has developed generalized guidelines for land use compatibility for planning purposes. According to the Buchanan Field Airport Master Plan (Buchanan Field Airport Master Planning Program 2008), the Project is not located within the 65 Community Noise Equivalent Level (CNEL) noise contour surrounding the airport, which is the threshold contour for land use analysis. Based on these guidelines, residential uses and schools are compatible with noise up to 65 CNEL. Therefore, construction workers would not be exposed to excessive noise levels from airport activities. Further, no new land uses are proposed that might expose people to excessive noise levels generated by airport activities. Therefore, Project impacts will be **less than significant**.

### **Sources of Information**

Contra Costa County. (Contra Costa County 2005e). 2005. *Contra Costa County General Plan 2005-2020*. Contra Costa County Community Development Department. Martinez, CA. Website: <https://www.contracosta.ca.gov/4732/General-Plan>. Accessed August 6, 2021. 2005e: Chapter 11. Noise Element

Buchanan Field Airport (Buchanan Field Airport Master Planning Program 2008). Contra Costa County Public Works Department, Buchanan Field Airport. Website: <https://www.contracosta.ca.gov/4016/Buchanan-Field-Master-Plan-RevOct-2008>. Accessed August 10, 2021.

Federal Highway Administration (FHWA 2006). *Highway Construction Noise Handbook*. Website: [https://www.fhwa.dot.gov/environment/noise/construction\\_noise/handbook/handbook09.cfm](https://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm). Accessed August 6, 2021.

Pleasant Hill. 2003. *General Plan 2003*. Safety and Noise Element. Planning Division, Pleasant Hill, CA. (Pleasant Hill 2003). Website: <https://www.pleasanthillca.org/132/Current-General-Plan>. Accessed August 6, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>14. POPULATION AND HOUSING – Would the project:</b>				
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?*

The goal of the Project is to provide flood control protection to the area. This goal will be achieved without creating additional infrastructure that could encourage population growth. Downstream of the proposed flood control improvements (the location the Project will benefit), the area is essentially built-out with industrial uses, and the improvements will not induce further population growth. The Project does not include new homes or businesses that could directly induce population growth. In addition, the Project does not conflict with with the Growth Management Element of the County's General Plan, including the 65/35 Land Preservation Standard and Urban Limit Line (Contra Costa County 2005f). Therefore, the Project will have **no impact**.

- b) *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The Project will not result in the displacement of any homes or residents, nor will it result in a change in the location, distribution, density or growth rate of human population in the area; as such, no replacement housing is necessary. Therefore, the Project will have **no impact**.

**Sources of Information**

Contra Costa County. (Contra Costa County 2005f). 2005. *Contra Costa County General Plan 2005-2020*. Contra Costa County Community Development Department. Martinez, CA. Website: <https://www.contracosta.ca.gov/4732/General-Plan>. Accessed August 6, 2021. 2005f: Chapter 4. Growth Management Element

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>15. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</b>				
a) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

*Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

a) *Fire Protection?*

The Project will not result in new development that could increase demand on public services and therefore will not necessitate the construction of new facilities or the alteration of facilities that could result in environmental impacts. Because the Project will not result in population growth or propose land uses that increase demand on police and fire services, there will be no impact on service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, or other public facilities. During Project work, residents and emergency service vehicles will be able to access the surrounding streets and all adjacent neighborhoods at all times. Furthermore, the Project does not conflict with the Public Facilities/Services Element of the County's General Plan (Contra Costa County 2005g). Therefore, the Project will have **no impact**.

b) *Police Protection?*

Please refer to the discussion and response in Subsection (a) above.

c) *Schools?*

Please refer to the discussion and response in Subsection (a) above.

d) *Parks?*

Please refer to the discussion and response in Subsection (a) above.

e) *Other public facilities?*

Please refer to the discussion and response in Subsection (a) above.

**Sources of Information**

Contra Costa County. (Contra Costa County 2005g). 2005. *Contra Costa County General Plan 2005-2020*. Contra Costa County Community Development Department. Martinez, CA.  
Website: <https://www.contracosta.ca.gov/4732/General-Plan> Accessed August 6, 2021.  
2005g: Chapter 7. Public Facilities/Services Element

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>16. RECREATION</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The Project is adjacent to one existing neighborhood park in the area. Shadowood Park is a 2.6-acre park with a lawn, playground and picnic area owned and maintained by the Pleasant Hill Recreation and Park District.

The Project is adjacent to two trails. Pacheco Creekside Park, located along Grayson Creek, and the Iron Horse Regional Trail, next to Walnut Creek. Pacheco Creekside Park features a gravel trail that runs along Aspen Drive between Center Avenue and Pacheco Boulevard. The Iron Horse Regional Trail is a multi-use hiking and bicycle trail that is managed and maintained by the East Bay Regional Park District (EBRPD). The Project does not include new land uses or other features that could increase the use of the existing park or recreational trails listed above. Therefore, no physical deterioration of the facilities would occur or be accelerated. Based on the information above, the Project will have **no impact**.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?*

The Project is limited to sediment removal along two creek channels and does not include recreational facilities or require the construction or expansion of recreational facilities. There would be no adverse physical effect on the environment related to new recreational facilities. Therefore, the Project will have **no impact**.

### **Sources of Information**

Pleasant Hill Recreation and Park District (Pleasant Hill Rec 2021). 2021. Website:  
<https://pleasanthillrec.com/facilities/facility/details/Shadowood-Park-7>. Accessed October 8, 2021.

East Bay Regional Park District (EBRPD 2021). 2021. Website:  
[https://www.ebparks.org/parks/trails/iron\\_horse/default.htm](https://www.ebparks.org/parks/trails/iron_horse/default.htm). Accessed October 8, 2021.



Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>17. TRANSPORTATION – <i>Would the project:</i></b>				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?*

The majority of the Project will take place in the flood control channels, which are paralleled by access roads that are not open to cars owned by the public. The local roads in the vicinity of the Project channels receive traffic from day use shoppers, due to the location of various box store and mini-mall locations, and local residents. The Project will not result in long-term impacts to circulation however, access to and from the Project site by workers and equipment will be necessary during the desilting work. Increase in traffic from construction workers will be negligible. A relatively small number of truck trips will be generated (approximately 100 per day) over a limited number of days. Work at the Project site is estimated to take approximately 192 days over the course of two years (96 days per year). Traffic on adjacent roadways may need to be temporarily stopped in order to allow dump trucks and other deliveries to enter and exit the access roads at the work site along various access points at the Project site. Traffic control flaggers will be used when necessary to adjust vehicle flow. Although traffic impacts are expected to be minimal, construction documents will require the contractor to submit a traffic control plan for approval by the CCCPWD.

All of Pacheco Creekside Trail along Grayson Creek and a portion of the Iron Horse Regional Trail that parallels Walnut Creek will be closed during the desilting activities. Pacheco Creekside Trail is a gravel trail that runs along Aspen Drive between Center Avenue and Pacheco Boulevard and is approximately 0.2 miles long. There is an existing sidewalk parallel to the trail on the west side of Aspen Drive that will be available as an alternate route for pedestrians. The Iron Horse Regional Trail is a multi-use hiking and bicycle trail that is managed and maintained by the EBRPD, who will be advised of the

Project, and will be advised of path closures. Pedestrians and bike riders using the recreational trail for alternative transportation will be temporarily affected by the Project; however, alternate street routes are available around the affected portion of the trail.

For the reasons stated above, the Project does not conflict with applicable plans. Furthermore, the Project does not conflict with the Transportation and Circulation Element of the County's General Plan (Contra Costa County 2005b). Therefore, Project impacts will be **less than significant**.

*b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?*

CEQA Guidelines Section 15064.3 (b) provides criteria for analyzing transportation impacts. As stated in Section 15064.3(b)(2), transportation projects that reduce, or have no impact on, vehicle miles traveled (VMT) should be presumed to cause a less than significant impact. The proposed Project is limited to sediment removal along two creek channels and is not considered a transportation project. The Project will have no impact on vehicle capacity, or create long-term changes to traffic patterns or VMT on adjacent roads. Therefore, the Project will have **no impact**.

*c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The Project will not increase hazards due to a design feature or incompatible use. The purpose of the Project is to remove sediment from creek channels and does not involve redesigning of roadways. Therefore, the Project will have **no impact**.

*d) Would the project result in inadequate emergency access?*

Emergency vehicles will have access to the roads adjacent to the Project site at all times. Roadway closures are not expected and traffic control measures, if needed, will comply with the industry standards allowing access for emergency vehicles. Therefore, Project impacts will be **less than significant**.

### **Sources of Information**

Contra Costa County. (Contra Costa County 2005b). 2005. *Contra Costa County General Plan 2005-2020*. Contra Costa County Community Development Department. Martinez, CA. Website: <https://www.contracosta.ca.gov/4732/General-Plan>. Accessed August 6, 2021. 2005b: Chapter 5. Transportation and Circulation Element

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>18. TRIBAL CULTURAL RESOURCES – <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i></b>				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

*Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

- a) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

As discussed in Section V (Cultural Resources), there are no tribal cultural resources listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources, present in the Project’s Area of Potential Effect (APE). Therefore, the Project impacts will be **less than significant with mitigation incorporated**.

- b) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?*

Subdivision (c) of Public Resources Code Section 5024.1 stipulates that a resource may be listed as an historical resource in the California Register of Historical Resources if it meets any of the following National Register of Historic Places criteria:

- (1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- (2) Is associated with the lives of persons important in our past.
- (3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- (4) Has yielded, or may be likely to yield, information important in prehistory or history.

The Wilton Rancheria Tribe has submitted a general request letter to be notified of projects within Contra Costa County under AB52. On February 18, 2020, an offer to consult was sent to the AB52 contact designated in the Wilton Rancheria general request letter. No responses were received from Wilton Rancheria in regards to AB52 consultation. Therefore, no request for consultation nor information about potential resources was received from the tribe.

Pacific Legacy completed a Native American Consultation and Sacred Land database search. The Native American Heritage Commission's (NAHC) review of the Sacred Land database was negative in the Project APE. The NAHC provided Pacific Legacy with a list of 10 Native American tribal contacts who might have information about cultural materials within the APE. Pacific Legacy sent letters requesting information from these tribal representatives on April 15, 2020. One response has been received to date. The response did not speak to resources in the area but requested that all work crews on the project receive sensitivity training, and that archaeologists be contacted in case unknown cultural resources are discovered (Pacific Legacy 2021).

**Mitigation Measures CUL-1 and CUL-2** will be implemented to minimize unanticipated impacts to previously undiscovered resources. Therefore, Project impacts will be **less than significant with mitigation incorporated**.

### Sources of Information

Pacific Legacy, Inc. (Pacific Legacy 2021). Phase I Archaeological Survey Report for the Walnut and Grayson Creeks Desilting Project, Contra Costa County, California. June 2021

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>19. UTILITIES AND SERVICE SYSTEMS – Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?*

The Project is limited to sediment removal and does not include nor will it require construction of new water or wastewater treatment facilities or expansion of existing facilities. Underground utilities within the Project area include high-risk, 8-inch-diameter Kinder-Morgan and 16-inch-diameter Phillips 66 petroleum pipelines that are bored under the channel on the southern side of the existing Highway 4 bridge that crosses Grayson Creek. There may also be a 30-inch-diameter water line owned by the Contra Costa Water District on the southern side. Next to the Walnut Creek channel, there may be an existing 21-inch-diameter Central Contra Costa Sanitary District line running north-south along the eastern levee. These utility lines will be marked in the field. The maximum

excavation depth will not go below the surfaces that were established when the channels were originally built, so all utilities should be beneath that level and not be disturbed by desilting activities and no relocation is necessary.

There are overhead utility lines at a few points along Grayson Creek and one underground marker on 2nd Avenue South. Overhead lines cross above Grayson Creek just north of the Target shopping center on Contra Costa Boulevard but no relocation is necessary. Accommodations will be made to provide space for desilting equipment. No utility or storm water drainage relocations are proposed or are necessary for Project implementation. Therefore, the Project will have **no impact**.

- b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?*

The Project will not require water service, and water trucks from off-site water sources would provide any water needed during desilting activities. Therefore, the Project will have **no impact**.

- c) *Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

The Project does not require wastewater treatment services. Therefore, the Project will have **no impact**.

- d) *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

The Project will not generate operational waste. However, a large amount of sediment and vegetative matter will be removed during excavation. The County has active solid waste facilities with capacity to accommodate any construction waste that may be generated (CalRecycle 2019). In addition, Project contract specifications will require that the Contractor dispose of solid waste, including sediment, in accordance with all federal, state and local regulations. Therefore, Project impacts will be **less than significant**.

- e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

As stated above, Project contract specifications will require that the Contractor dispose of solid waste in accordance with all federal, state and local regulations. Therefore, Project impacts will be **less than significant**.

**Sources of Information**

California Department of Resources Recycling and Recovery (CalRecycle 2019). 2019. Walnut  
Website: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Search>. Accessed August 25,  
2021.



Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>20. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUMMARY:**

*If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*

- a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

According to the California Department of Forestry and Fire Protection, the Project is not located in a Very High Fire Hazard Severity Zone (Cal Fire 2009). Further, the Project will not change the nature of the Project site or roadways. Emergency vehicles will have access at all times during desilting work. Therefore, the Project will have **no impact**.

- b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

According to the California Department of Forestry and Fire Protection, the Project is not located in a Very High Fire Hazard Severity Zone (Cal Fire 2009). Further, the Project will

not change the nature of the Project site. No improvements are proposed that would exacerbate a wildfire risk. However, use of equipment during the desilting activities have the potential to result in unanticipated fires.

**IMPACT FIRE-1:** Construction activities could result in the ignition of a wildfire.

**MITIGATION MEASURE FIRE-1:** Prior to construction, the contractor shall prepare a Fire Safety Plan for use during construction. The Fire Safety Plan shall contain notification procedures and emergency fire precautions including, but not limited to, the following:

- Dry grass shall be cut low or removed from construction equipment staging areas.
- Light trucks and cars with factory-installed (type) mufflers shall be used only on roads where the roadway is cleared of vegetation. Said vehicle types shall maintain their factory-installed (type) muffler in good condition.
- Equipment parking areas (staging areas) shall be cleared of all extraneous flammable materials.
- Smoking shall be limited to paved areas or areas cleared of all vegetation.

With implementation of **FIRE-1**, Project impacts will be **less than significant with mitigation incorporated**.

- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

According to the California Department of Forestry and Fire Protection, the Project is not located in a Very High Fire Hazard Severity Zone (Cal Fire 2009). Further, the Project will not change the nature of the Project site. No improvements are proposed that would exacerbate a wildfire risk. Therefore, Project impacts will be **less than significant**.

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

According to the California Department of Forestry and Fire Protection, the Project is not located in a Very High Fire Hazard Severity Zone (Cal Fire 2009). Further the sediment removal activities will not change the nature of the Project site. The existing amount of runoff, level of fire risk, and drainage patterns will remain unchanged post-construction. Therefore, the Project will have **no impact**.

**Sources of Information**

California Department of Forestry and Fire Protection (Cal Fire 2009). Very High Fire Hazard Severity Zones in Local Responsible Area, Contra Costa County. Website: <https://frap.fire.ca.gov/mapping/pdf-maps/>. Accessed August 10, 2021.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>21. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*

Non-wetland areas (uplands) will be excavated to lower elevations, where re-establishment of wetlands can occur and increase wetland habitat in the channels. The Project will temporarily impact wetlands in Walnut and Grayson Creeks, but will return the floodplain to elevations more conducive to the formation of wetlands. Seasonal wetlands in these channels are frequently inundated during winter flows. The low flow channels will be protected by 2-foot berms/buffers, separating them from construction activities. Vegetation in the excavated areas is expected to regenerate quickly following hydro-seeding at the start of the rainy season.

The Project has been designed as self-mitigating. Overall, removal of sediment bars from the channel is expected to improve and increase wetland habitat as many of the targeted sediment bars are currently occupied by ruderal, upland vegetation, which are expected to convert to wetland vegetation and hydrology following Project implementation and revegetation. This expectation is based on planned revegetation efforts and on the results of past desilting operations, which successfully re-established wetland communities using the same or similar practices. This results in a cyclical management strategy that balances habitat with flood protection. Wetlands created, and upland areas restored to wetland elevations on Walnut and Grayson Creeks, will mitigate for the impacts to wetlands. **BIO-1 through BIO-5**, and **HYD-1** will be implemented to minimize impacts to species and their habitats.

No cultural resources were identified in the Project area. **CUL-1** and **CUL-2** will be implemented to minimize impacts to unknown cultural resources. Therefore, impacts will be **less than significant with mitigation incorporated**.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

The District conducts desilting in the channels periodically to reestablish flood capacity. The last desilt occurred in 2006. The recurring desilts can have cumulative effects on habitat in the channels and, thus, species. However, without periodic desilting, flooding impacts could occur. The Project has been designed to have the least amount of impact to ESAs as possible. As noted above, periodic desilting results in a cyclical management strategy that balances habitat considerations with flood protection. **BIO-1 through BIO-5**, and **HYD-1** will be implemented to minimize temporary impacts and the disturbed areas will be reseeded with appropriate seed mix to reestablish native wetland vegetation.

The District has a levee remediation project that is slated to construct the same year along existing levees on the lower portion of Grayson and Walnut Creeks. Work would not occur in the flowing channel and BMPs will be implemented to reduce impacts. In addition, the District conducts routine maintenance on the Walnut and Grayson channels through its permitted Routine Maintenance Program. This work, along with the Project, are maintenance and rehabilitation activities on existing facilities that are necessary for flood protection. Without the work, flood risk and other risks would increase, such as accidental release of hazardous substances that can be mobilized during inundation of surrounding land uses. During all work, BMPs are implemented to reduce impacts to

habitats, species, air quality, noise, and transportation during work. Impacts would be **less than significant with mitigation incorporated.**

- c) *Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?*

The Project will not have any long term effect on humans. Temporary air quality and noise impacts would be mitigated to less than significant levels through implementation of **AQ-1, AQ-2, NOI-1a and NOI-1b, and FIRE-1.** Therefore, impacts would be **less than significant with mitigation incorporated.**

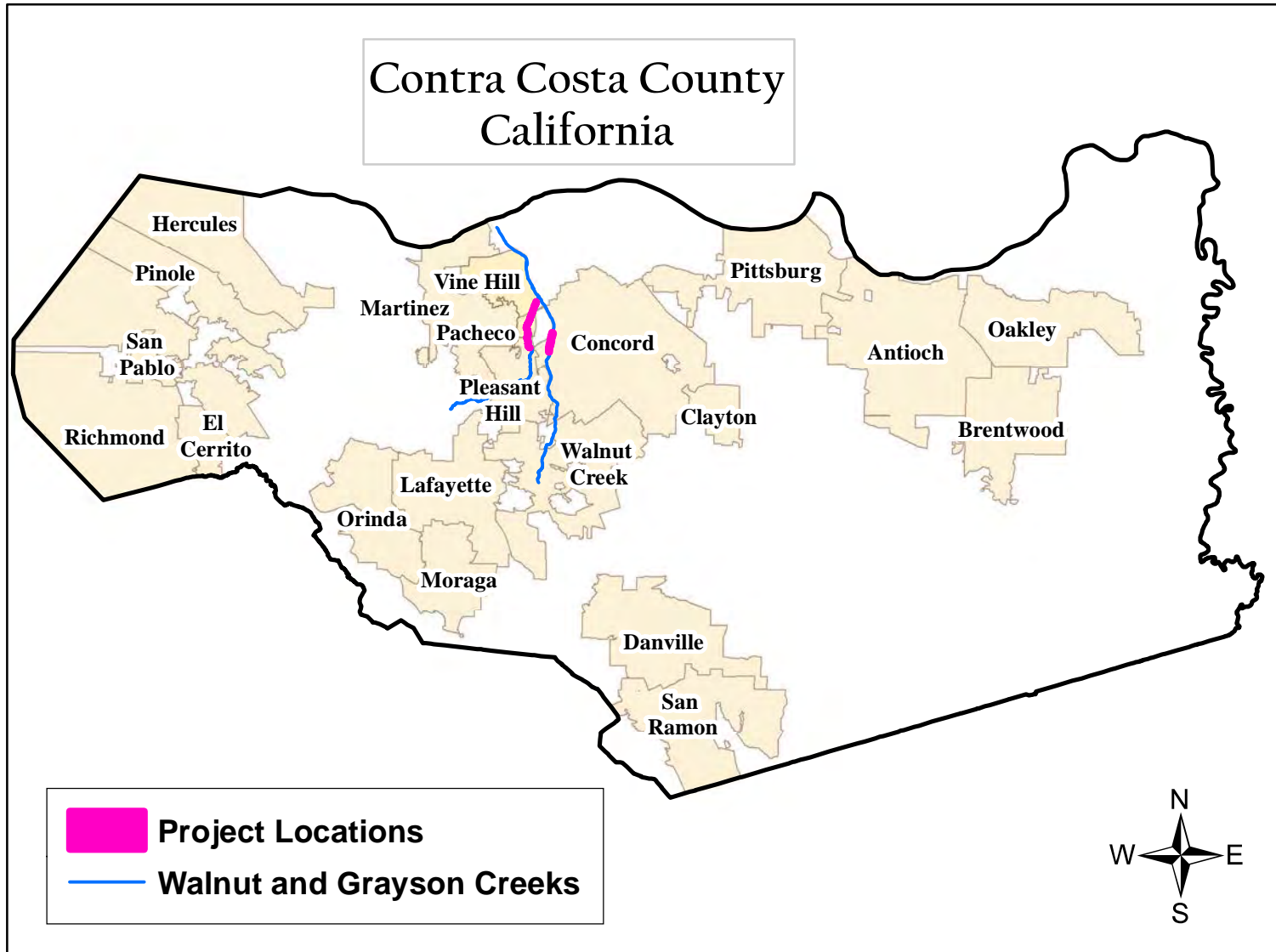
# Page Left Intentionally Blank



## ATTACHMENTS

1. Project Regional Location Map
2. Project Vicinity Maps
3. Desilt Profile

# Walnut and Grayson Creeks Desilting Project

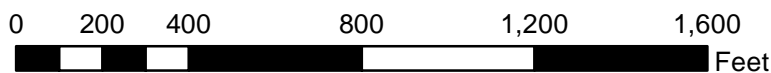


**Figure 1**









# Grayson 1

By Anthony DiSilvestre  
Date: 4/21/2021



## Legend

-  Points of Access
-  Haul Route (Existing)
-  Haul Route (Proposed)
-  Access Ramp
-  Rank 1 Bars
-  Rank 2 Bars

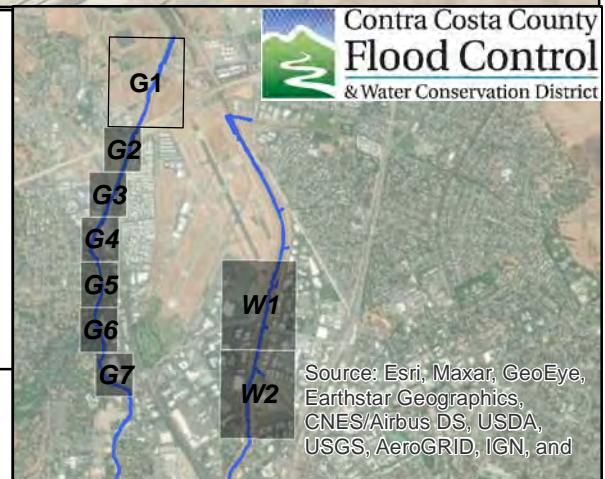


Figure 2











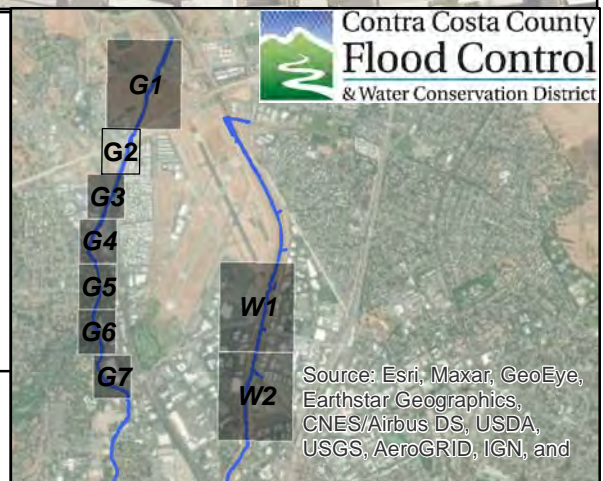
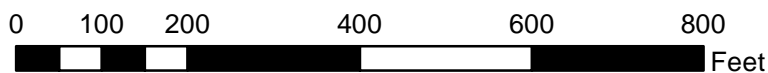
# Grayson 2



By Anthony DiSilvestre  
Date: 4/21/2021

## Legend

-  Points of Access
-  Haul Route (Existing)
-  Haul Route (Proposed)
-  Access Ramp
-  Rank 1 Bars
-  Rank 2 Bars



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and

Figure 2 (continued)











# Grayson 3

By Anthony DiSilvestre  
Date: 4/21/2021



## Legend

-  Points of Access
-  Haul Route (Existing)
-  Haul Route (Proposed)
-  Access Ramp
-  Rank 1 Bars
-  Rank 2 Bars

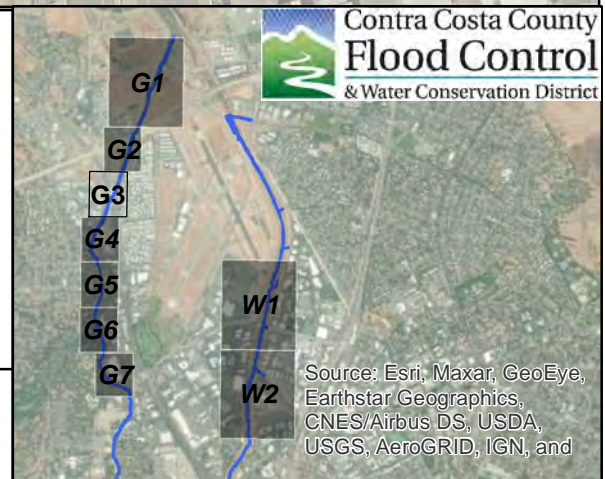
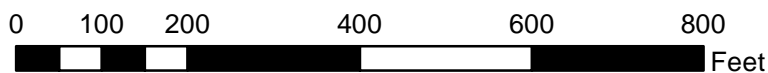


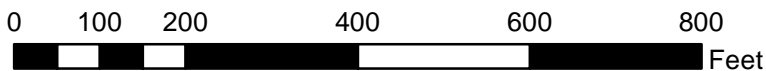
Figure 2 (continued)











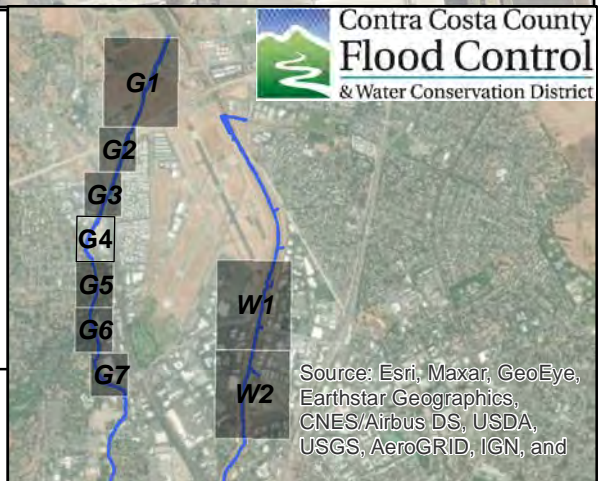
# Grayson 4

By Anthony DiSilvestre  
Date: 4/21/2021



## Legend

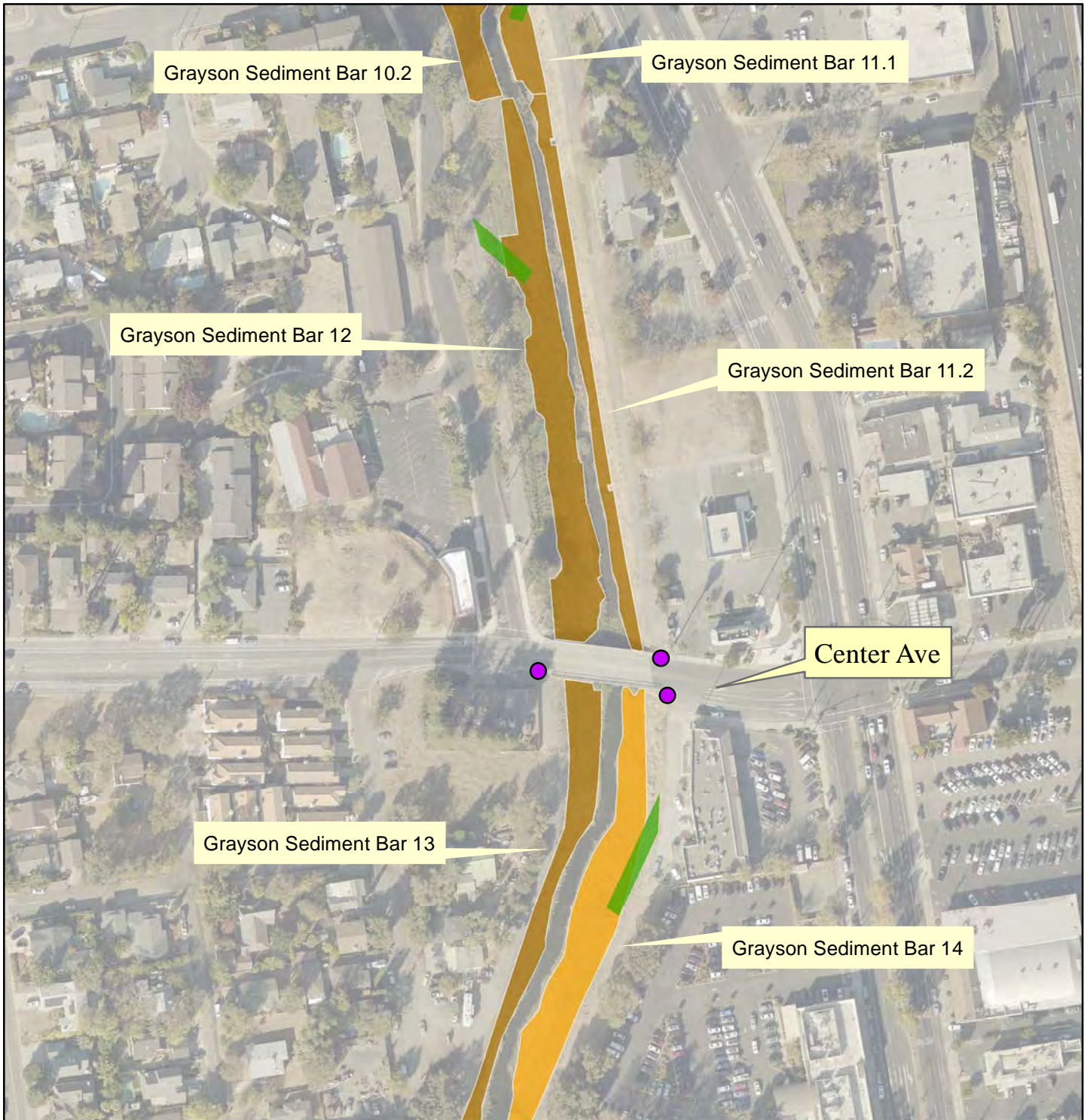
-  Points of Access
-  Haul Route (Existing)
-  Haul Route (Proposed)
-  Access Ramp
-  Rank 1 Bars
-  Rank 2 Bars



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and

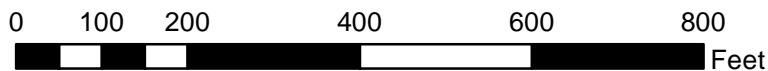
Figure 2 (continued)











# Grayson 5

By Anthony DiSilvestre  
Date: 4/21/2021



## Legend

-  Points of Access
-  Haul Route (Existing)
-  Haul Route (Proposed)
-  Access Ramp
-  Rank 1 Bars
-  Rank 2 Bars

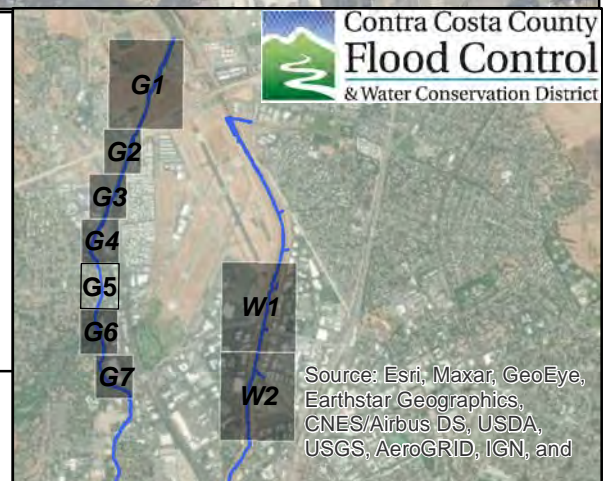


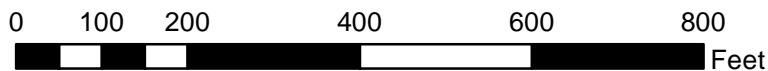
Figure 2 (continued)











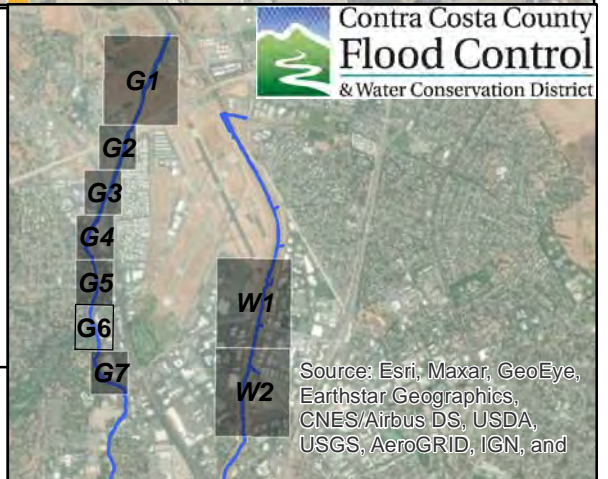
# Grayson 6

By Anthony DiSilvestre  
Date: 4/21/2021



## Legend

-  Points of Access
-  Haul Route (Existing)
-  Haul Route (Proposed)
-  Access Ramp
-  Rank 1 Bars
-  Rank 2 Bars



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and

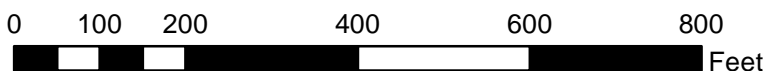
Figure 2 (continued)











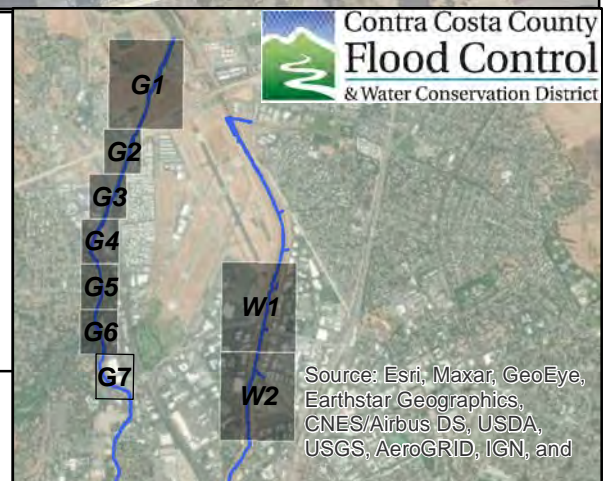
# Grayson 7

By Anthony DiSilvestre  
Date: 4/21/2021



## Legend

-  Points of Access
-  Haul Route (Existing)
-  Haul Route (Proposed)
-  Access Ramp
-  Rank 1 Bars
-  Rank 2 Bars



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and

Figure 2 (continued)











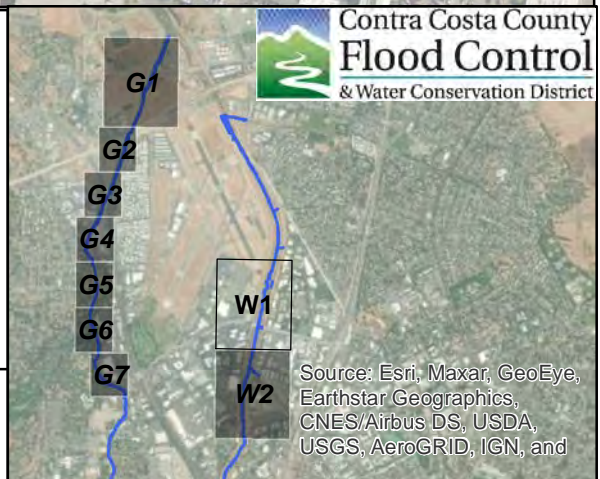
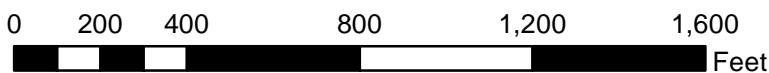
# Walnut 1



By Anthony DiSilvestre  
Date: 4/21/2021

## Legend

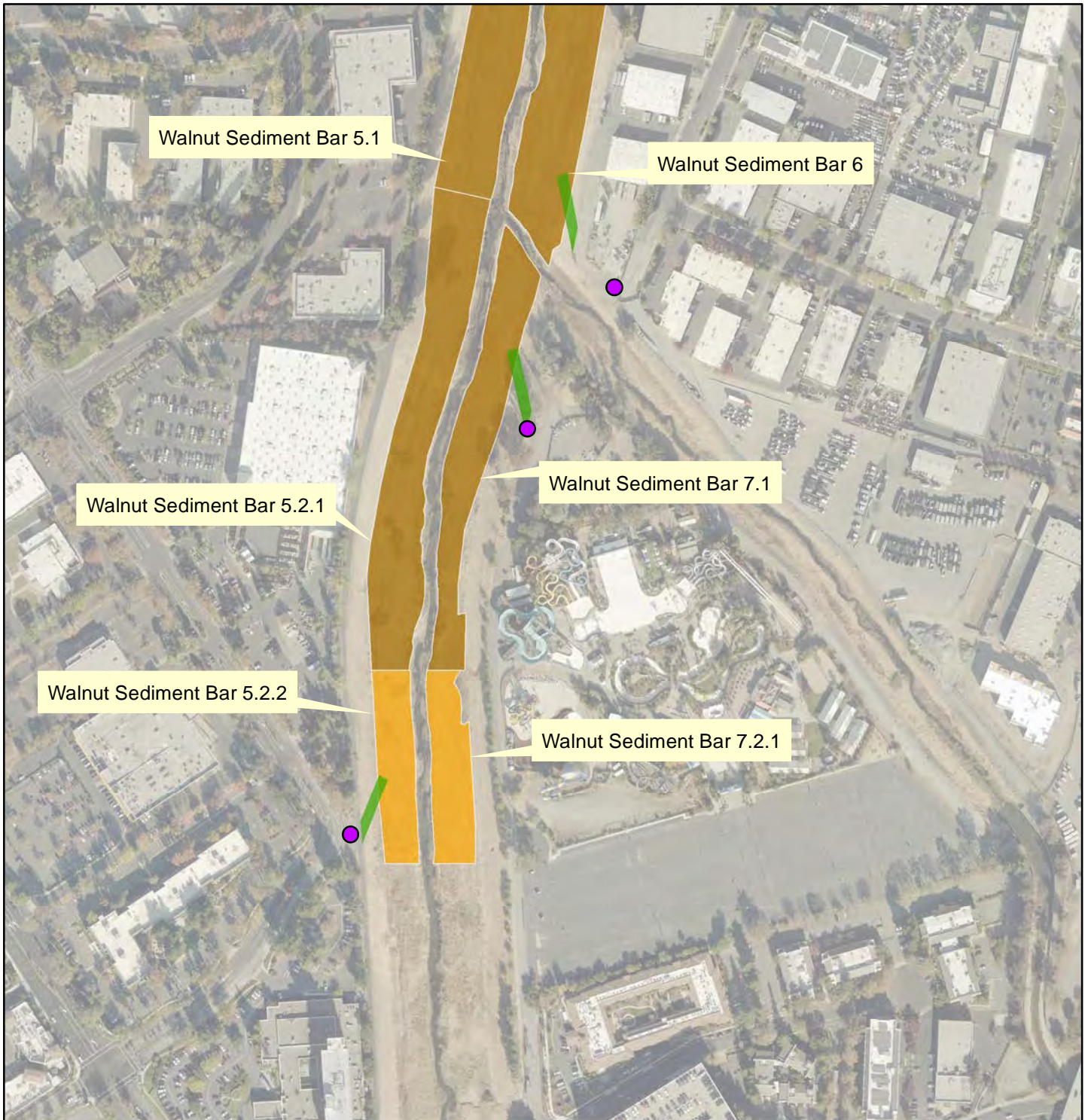
-  Points of Access
-  Haul Route (Existing)
-  Haul Route (Proposed)
-  Access Ramp
-  Rank 1 Bars
-  Rank 2 Bars



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and

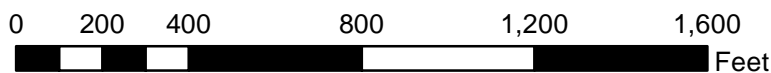
Figure 2 (continued)











# Walnut 2

By Anthony DiSilvestre  
Date: 4/21/2021



## Legend

-  Points of Access
-  Haul Route (Existing)
-  Haul Route (Proposed)
-  Access Ramp
-  Rank 1 Bars
-  Rank 2 Bars

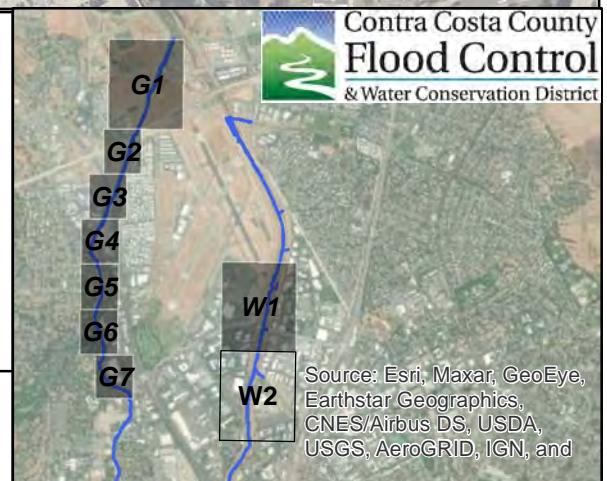
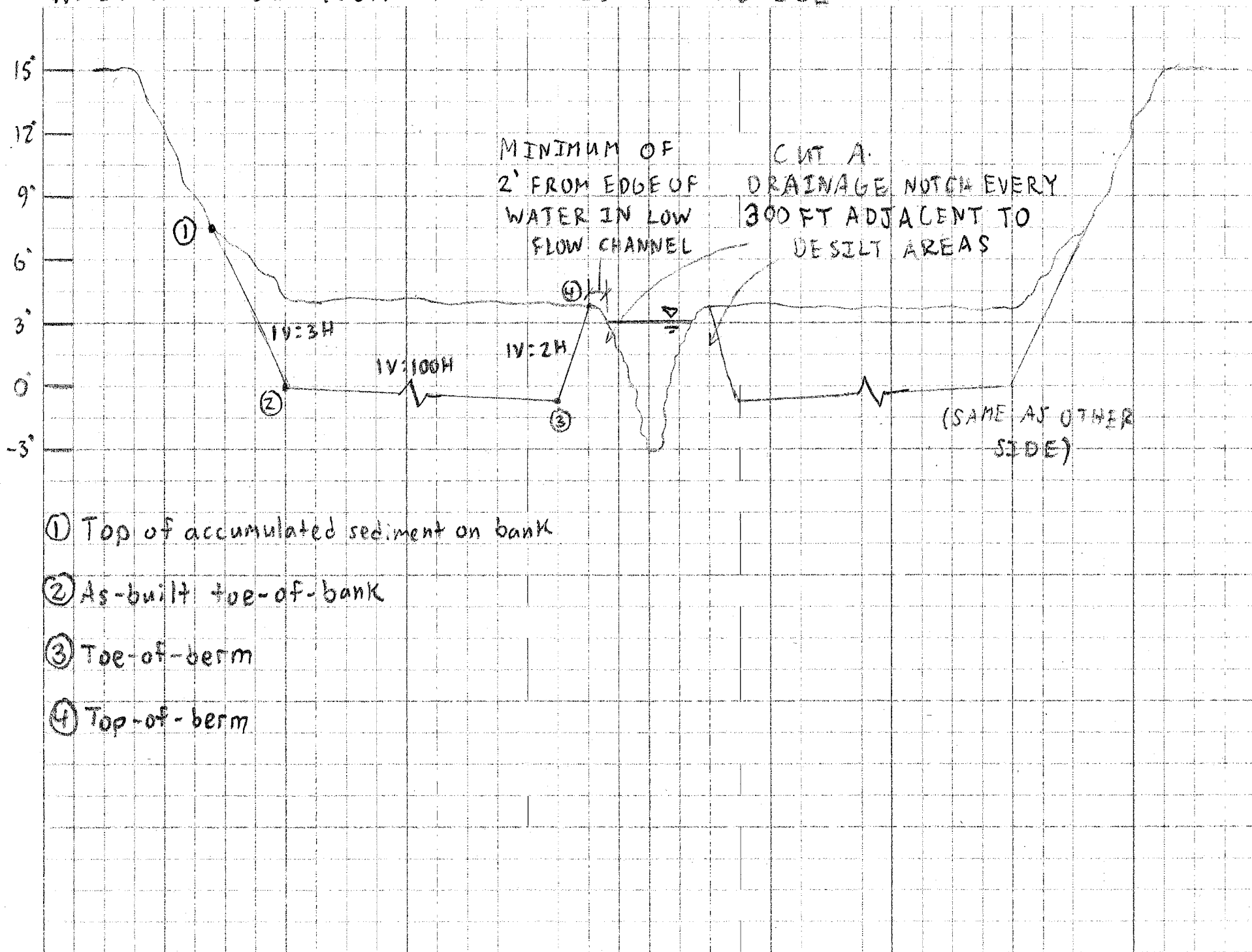


Figure 2 (continued)

# WALNUT & GRAYSON CREEKS DESILT PROFILE



- ① Top of accumulated sediment on bank
- ② As-built top-of-bank
- ③ Toe-of-berm
- ④ Top-of-berm

**Page Left Intentionally Blank**

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
<b>III. Air Quality</b>					
<p><b>BEST MANAGEMENT PRACTICE AQ-1:</b> To further reduce emissions, the Project will incorporate the recommended BAAQMD basic construction measures that apply to the Project.</p>	<p><b>BEST MANAGEMENT PRACTICE AQ-1</b> The following BAAQMD-recommended “Basic Construction Mitigation Measures” shall be implemented for the control of short-term emissions, including fugitive dust and off-road equipment emissions:</p> <ul style="list-style-type: none"> <li>• All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</li> <li>• All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</li> <li>• All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</li> </ul>	<p>During construction</p>	<p>Contractor and CCCPWD</p>	<p>Resident Engineer and CCCPWD</p>	<p style="background-color: #cccccc;"> </p>



## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<ul style="list-style-type: none"> <li>• All vehicle speeds on unpaved roads shall be limited to 15 mph.</li> <li>• All off-road equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</li> <li>• Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.</li> </ul>				

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
<p><b>IMPACT AQ-2:</b> Without use of construction equipment meeting Tier 3 emission standards, Project emissions may exceed BAAQMD thresholds of significance.</p>	<p><b>MITIGATION MEASURE AQ-2:</b> The following measures shall be implemented to reduce construction-generated emissions:</p> <ul style="list-style-type: none"> <li>•</li> <li>• Idling of diesel-powered off-road equipment shall be limited to a maximum of two minutes when not in use. When not in use, diesel-powered off-road equipment shall not be allowed to idle when located within 1,000 feet of sensitive land uses (e.g., residential dwellings, daycare facilities, schools). When not in use, idling of diesel-powered on-road haul trucks shall be prohibited. Signs shall be posted at the project site entrance to remind equipment operators of idling limitations.</li> </ul>	<p>During construction</p>	<p>Contractor and CCCPWD</p>	<p>Resident Engineer and CCCPWD</p>	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<ul style="list-style-type: none"> <li>The Project shall require off-road heavy-duty equipment (50 horsepower, or greater) to meet Tier 3 emission standards.</li> <li>To the extent locally available, use on-road heavy-duty trucks that meet year 2007, or cleaner, certification standards for on-road heavy-duty diesel engines.</li> </ul>				
<b>IV. Biological Resources</b>					
<b>BEST MANAGEMENT PRACTICE BIO-1:</b> The Project area contains habitat for special status species and other	<b>BEST MANAGEMENT PRACTICE BIO-1:</b> <ul style="list-style-type: none"> <li>A qualified biologist will conduct an education program covering all the sensitive resources with potential to occur in the Project area and the avoidance and minimization measures requiring implementation for all Project personnel prior to the start of construction activities.</li> </ul>	Prior to and during construction	Biologist and CCCPWD	Resident Engineer and CCCPWD	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
protected species that could be affected by Project implementation. The following general Best Management Practices (BMPs) will lessen the impact to all special status species.	<ul style="list-style-type: none"> <li>Preconstruction surveys for all special status and common wildlife species will be conducted within the Project area by a qualified biologist immediately prior to equipment or material staging, pruning/grubbing, or surface-disturbing activities. The qualified biologist will search aquatic vegetation, the water's surface, leaf litter, logs, snags, and other habitat features for special status and common wildlife species. If species are found, individuals will be relocated outside of the Project area if the qualified biologist is permitted to do so by all regulatory agencies and determines that relocation is warranted. Although not expected, this includes dewatering activities. If water diversion systems are implemented, a qualified biologist will be on site to relocate all</li> </ul>				

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<p>fish, turtles, invertebrates, and other wildlife observed outside of the work area.</p> <ul style="list-style-type: none"> <li>• A qualified biologist will conduct biological monitoring during initial ground disturbance and as appropriate based on the results of the preconstruction surveys or as required by regulatory agencies.</li> <li>• All work should be conducted during the dry season and when the water is at its lowest level. Therefore, work will occur between April 1 and October 31, or as approved by the regulatory agencies.</li> </ul>				
<b>BEST MANAGEMENT</b>	<p><b>BEST MANAGEMENT PRACTICE BIO-2:</b> A Storm Water Pollution Prevention Plan (SWPPP) will be prepared and implemented in accordance with the</p>	During and after construction	Contractor and CCCPWD	Resident Engineer	[REDACTED]

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
<p><b>PRACTICE BIO-2:</b> Special status fish and other species could be affected by sediment mobilization into the flowing channel.</p>	<p>National Pollution Discharge Elimination System (NPDES) Construction General Permit as required under Section 402 of the Clean Water Act. The SWPPP will identify water pollution control and construction-waste containment measures to be implemented during Project construction, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Trash generated by the Project will be promptly and properly removed from the site daily.</li> <li>• All refueling of construction and maintenance vehicles will occur in paved or gravel areas away from the top of bank of the Walnut Creek and Grayson Creek channels. Runoff from these paved or gravel areas will not be allowed to flow into the channels.</li> </ul>			<p>and CCCPWD</p>	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<ul style="list-style-type: none"> <li>• Hazardous material absorbent pads and similar materials will be available on site in the event of a spill that could potentially impact jurisdictional waters.</li> <li>• Stabilization methods for disturbed areas will be implemented.</li> <li>• No erodible materials will be deposited into watercourses. Brush, loose soils, or other debris material will not be stockpiled within stream channels or on adjacent banks.</li> <li>• Active construction areas will be watered regularly.</li> </ul>				



## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<ul style="list-style-type: none"> <li>Disturbed areas will be seeded with a native seed mix suitable for riparian and wetland habitats.</li> </ul>				
<p><b>IMPACT BIO-3:</b> Western pond turtles are known to occur in the Project area and may have nests in or near the Project site.</p>	<p><b>MITIGATION MEASURE BIO-3:</b> A qualified biologist will work with CCCPWD staff prior to the start of the Project to identify potential western pond turtle nesting habitat in the Project area and ensure all staging, access, and stockpile locations are located outside of potential nesting habitat, to the greatest extent possible. The work areas identified for use will be delineated with flagging, fencing, or other material as deemed necessary to ensure that work activities do not occur outside of these approved areas. In the event that any western pond turtle individuals are observed within a construction zone during the preconstruction surveys or construction monitoring, the</p>	During construction	Biologist and CCCPWD	Resident Engineer and CCCPWD	[REDACTED]

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	individual will be relocated out of harm's way according to permit conditions.				
<b>IMPACT BIO-4:</b> If migratory and other bird species (including Cooper's hawk, burrowing owl, and white-tailed kite) nest within the Project area, the Project could result in short-term impacts such as failure to breed, nest abandonment, reduced fecundity	<b>MITIGATION MEASURE BIO-4:</b> If work activities cannot be timed to avoid the breeding season, then preconstruction surveys for nesting bird species will be conducted as detailed below to minimize impacts to these species. Active nests will be avoided and a non-disturbance buffer zone will be established around them or monitored for disturbance. Therefore, the Project will not adversely affect migratory bird species (including Cooper's hawk and white-tailed kite). Preconstruction surveys for burrowing owl will be conducted as detailed below to minimize impacts to this species. Active burrows will be avoided and a non-disturbance buffer zone will be established around them. Therefore, the Project will not adversely affect burrowing owl.	Prior to and during construction	Biologist and CCCPWD	Resident Engineer and CCCPWD	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
and decreased survivorship from noise and movement of personnel and equipment that exceeds normal background conditions within the Project area. Disturbance may alter the birds' behavior in ways that result in injury, mortality and reduced foraging success, such as the	<ul style="list-style-type: none"> <li>• If tree or vegetation removal, pruning, or grubbing activities are necessary, such activities may be conducted during the non-nesting season (September 1 – January 31) to avoid impacts to nesting birds. If all Project work is conducted during this work window, preconstruction surveys would only be required for wintering burrowing owls and not nesting birds.</li> <li>• If Project work begins during the breeding season (February 1 – August 31), preconstruction surveys will be conducted by a qualified biologist within the Project area and adjacent habitats up to 300 feet from the Project boundary where access available, no more than one week prior to equipment or material staging, pruning/grubbing or surface-disturbing</li> </ul>				

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
temporary loss of habitat due to avoidance of areas with intolerable levels of disturbance, and altered activity patterns.	<p>activities. The surveys will entail a variety of search techniques, such as incidental flushing of an adult from the nest, watching parental behavior (e.g., carrying nest material or food), systematically searching nesting substrates, and use of call-broadcasts. If no active nests are found within the survey area, no further mitigation is necessary.</p> <ul style="list-style-type: none"> <li>If active nests, i.e. nests with eggs or young present, are found within the survey area, non-disturbance buffers should be established at a distance sufficient to minimize disturbance based on the nest location, topography, cover, the nesting pair's tolerance to disturbance and the type/duration of potential disturbance. No work should occur within the non-disturbance buffers until the young have fledged as determined by a</li> </ul>				

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<p>qualified biologist. If buffers are established and it is determined that Project activities are resulting in nest disturbance, work in the nearby vicinity of the nest would cease immediately and CDFW would be contacted for further guidance.</p> <ul style="list-style-type: none"> <li>Burrowing owl surveys will be conducted prior to any work activities, regardless of season. If active burrowing owl burrows are found (i.e. sign of use or individuals are observed), they will be monitored to ensure active status and a non-disturbance buffer will be implemented and monitored. The no-work buffer will be dependent on whether the owl is present during the nesting or wintering seasons. If buffers are established and it is determined that Project activities are resulting in burrowing owl disturbance, work</li> </ul>				

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	would cease in the nearby vicinity and CDFW would be contacted for further guidance.				
<p><b>IMPACT BIO-5:</b> If roosting bats are present in the bridges or trees in the Project area, they could be disturbed by staging or Project activities.</p>	<p><b>MITIGATION MEASURE BIO-5:</b> Roosting bat habitat assessments and preconstruction surveys will be conducted to ensure the absence of roosting bats before construction, as detailed below.</p> <ul style="list-style-type: none"> <li>Prior to the start of construction, a bat habitat assessment will be conducted to identify suitable bat roosting habitat including bridges, snags, rotten stumps, and trees with broken limbs, exfoliating bark, cavities, etc. Potential roosting habitat will be avoided to the maximum extent practicable. If no suitable roost sites are identified, no further minimization measures are necessary.</li> </ul>	Prior to and during construction	Biologist and CCCPWD	Resident Engineer and CCCPWD	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<ul style="list-style-type: none"> <li>• If suitable roosting habitat is identified and will be disturbed by presence and noise of equipment and workers for more than two hours (i.e. near bridges), a qualified biologist will be present to monitor the bat roosting habitat and will stop work if any disturbance to bats is detected and contact CDFW for further guidance.</li> <li>• Although not anticipated, if suitable roosting habitat is identified and will be removed by the Project, a qualified biologist will survey potential suitable roost sites immediately prior to the removal. If any sign of roosting bats or observation of individual bats is observed, the roost will be removed in coordination with CDFW or according to permit conditions. Typical removal methods include first removing</li> </ul>				



## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	non-habitat features such as limbs smaller than 3 inches in diameter. The tree is left overnight to allow any bats using the tree/snag to find another roost during their nocturnal activity period. A qualified biologist would survey the trees/snags a second time the following morning prior to felling and removal.				
<b>IMPACT BIO-6:</b> The Project could have negative impacts on sensitive natural communities.	<b>MITIGATION MEASURE BIO-6:</b> <ul style="list-style-type: none"> <li>Prior to the start of desilting activities, areas containing freshwater marsh and seasonal wetlands, that are near but outside of the work area will be delineated and conspicuously flagged or fenced to minimize impacts to these resources.</li> </ul>	Prior to, during, and after construction	Biologist and CCCPWD	Resident Engineer and CCCPWD	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<ul style="list-style-type: none"> <li>• A qualified restoration biologist or botanist will create a seed and plant palate appropriate for reestablishing impacted vegetation.</li> <li>• The seed and plant palate will include creeping ryegrass in appropriate locations.</li> </ul>				
<b>V. Cultural Resources</b>					
<b>IMPACT CUL-1:</b> Project activities could impact previously unidentified historical resources during ground-disturbing activities.	<b>MITIGATION MEASURE CUL-1:</b> The following will be implemented during Project activities if unanticipated potential historic or prehistoric archaeological resources are encountered. <ul style="list-style-type: none"> <li>• Prior to the start of Project activities, cultural resource sensitivity training regarding identification of archaeological and historical resources in the field will be provided for construction personnel in the unexpected event</li> </ul>	Prior to and during construction	Archeological Monitor and CCCPWD	Resident Engineer and CCCPWD	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<p>that inadvertent discoveries are made during sediment removal.</p> <ul style="list-style-type: none"> <li>• If any suspected cultural or historic resources are located during Project activities, specifications will require all work to be halted within 100 feet of the discovery and the location of the discovery will be secured.</li> <li>• The Contractor will immediately notify the CCCPWD Resident Engineer, who will then request a qualified archaeologist to evaluate the finding(s) before advising the Resident Engineer to either continue work or recommend further review of the discovery.</li> </ul>				
<b>IMPACT CUL-2:</b> The Project could impact previously	<b>MITIGATION MEASURE CUL-2:</b> If human remains are encountered (or are suspected) during any Project-related activities, construction	During construction	Contractor and CCCPWD	Resident Engineer	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
undiscovered human remains.	<p>personnel will be advised to stop all work within 100-feet of the discovery and immediately contact the CCCPWD Resident Engineer, who will contact the Contra Costa County Coroner. At the same time, the Resident Engineer will contact an archaeologist to assess the situation. The discovery location will be secured without touching or removing the remains or any associated artifacts. In addition, any associated spoils will be secured and left undisturbed so that they can be examined. The Resident Engineer will record the location of the find and keep notes of all calls and events. The find will be treated as confidential and the location will not be publicly disclosed.</p> <p>If the Coroner determines that the human remains are of Native American origin, the Coroner must notify the NAHC within 24 hours of this identification. The NAHC will identify a Most Likely Descendant (MLD) to inspect</p>			and CCCPWD	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	the site and provide recommendations for the proper treatment of the remains. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the CCCPWD and the NWIC.				
<b>X. Hydrology / Water Quality</b>					
<b>IMPACT HYD-1:</b> Project activities could cause sediment to enter the channels and	<b>MITIGATION MEASURE HYD-1:</b> A two-foot berm/barrier will be left between the low flow channel and construction areas in both Walnut Creek and Grayson Creek. This berm will prevent sediment from entering the channel during construction, and affecting water quality.	During construction	Contractor and CCCPWD	Resident Engineer and CCCPWD	[REDACTED]

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
affect water quality.					
<b>XIII. Noise</b>					
<b>IMPACT NOI-1:</b> Project activities will result in a temporary increase in ambient noise levels.	<p><b>MITIGATION MEASURE NOI-1a:</b> Construction activities shall be limited to non-sensitive hours for adjacent land uses (generally between 7:00 a.m. to 6:00 p.m. in unincorporated areas and 7:30 a.m. to 6:00 p.m. in neighboring cities) consistent with the Contra Costa County General Plan Noise Element and noise ordinances for the City of Concord and City of Pleasant Hill. If work is necessary outside of these hours, approvals from impacted jurisdictions will be obtained as needed to extend work hours.</p> <p><b>MITIGATION MEASURE NOI-1b:</b> The Project Contractor shall employ the following noise-reducing practices during Project construction:</p>	During construction	Contractor and CCCPWD	Resident Engineer and CCCPWD	

## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
	<ul style="list-style-type: none"> <li>• Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.</li> <li>• Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive areas nearest the active Project site during all Project activities.</li> <li>• A visible sign will be posted at the Project site with the hours of construction and the name and telephone number of the contact person to address any noise complaints.</li> </ul>				
<b>XX. Wildfire</b>					
<b>IMPACT FIRE-1:</b> Construction activities could result in the	<b>MITIGATION MEASURE FIRE-1:</b> Prior to construction, the contractor shall prepare a Fire Safety Plan for use during construction. The Fire Safety Plan	Prior to and during construction	Contractor and CCCPWD	Resident Engineer and CCCPWD	



## APPENDIX A: MITIGATION MONITORING REPORTING PLAN

The following Mitigation Measures will be implemented according to Section 15097 of the CEQA guidelines. Contra Costa County Public Works (PWD) is responsible for ensuring these measures are implemented by PWD staff and by Contractors working on behalf of PWD.

### Mitigation, Avoidance, and Minimization Measures

Impact	Mitigation Measure:	Implementation Timing	Implementati on Entity	Verificati on Entity	Compliance Verification Date
ignition of a wildfire.	shall contain notification procedures and emergency fire precautions including, but not limited to, the following: <ul style="list-style-type: none"> <li>• Dry grass shall be cut low or removed from construction equipment staging areas.</li> <li>• Light trucks and cars with factory-installed (type) mufflers shall be used only on roads where the roadway is cleared of vegetation. Said vehicle types shall maintain their factory-installed (type) muffler in good condition.</li> <li>• Equipment parking areas (staging areas) shall be cleared of all extraneous flammable materials.</li> <li>• Smoking shall be limited to paved areas or areas cleared of all vegetation.</li> </ul>				

**Page Left Intentionally Blank**

**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone:1-855-323-2626

**Contra  
Costa  
County**



**John Kopchik**  
Director

**Aruna Bhat**  
Deputy Director

**Jason Crapo**  
Deputy Director

**Maureen Toms**  
Deputy Director

**Amalia Cunningham**  
Assistant Deputy Director

**CALIFORNIA ENVIRONMENTAL QUALITY ACT  
NOTICE OF DETERMINATION**

**To:**

**Office of Planning and Research**  
*U.S. Mail:* P.O. Box 3044  
Sacramento, CA 95812-3044  
*Street Address:* 1400 Tenth St., Rm 113  
Sacramento, CA 95814

**From:**

Contra Costa County  
Dept. of Conservation & Development  
30 Muir Road  
Martinez, CA 94553  
(925) 655-2774

County Clerk  
County of: Contra Costa  
555 Escobar Street  
Martinez, CA 94553

**State Clearinghouse Number:** 2021100347

**Project Title:** Walnut and Grayson Creeks Desilting Project; WO#8334, CP# 21-29

**Project Applicant:** Contra Costa County Flood Control and Water Conservation District, 255 Glacier Drive, Martinez, CA 94553; Alex Nattkemper (925) 313-2364

**Project Location:** Unincorporated Contra Costa County, City of Concord, and City of Pleasant Hill

**Lead Agency:** Contra Costa County Department of Conservation and Development – Syd Sotoodeh (925) 655-2877

**Project Description:** Contra Costa County Flood Control and Water Conservation District (District), in cooperation with the Contra Costa County Public Works Department (CCCPWD), proposes to remove sediment from Walnut and Grayson Creeks that has accumulated since the last desilt operation in 2006 (Project). This work is part of periodic maintenance of these channels as required by the U.S. Army Corps of Engineers. In their current state, the hydraulic capacity of both channels is reduced from the design capacity due to siltation. The hydraulic function of these channels is critical to the operations of the District facilities in the area, and this Project will help regain the hydraulic capacity of both channels.

The proposed desilt locations are as follows: Grayson Creek from Chilpancingo Parkway to Imhoff Drive; and Walnut Creek from approximately 1,200 feet downstream of Diamond Boulevard to approximately 1,300 feet downstream of Concord Avenue. These reaches were chosen due to their cost-effectiveness and ability to provide the most flood risk reduction in high-priority areas of Concord, Pleasant Hill, Pacheco, and Vine Hill while minimizing impacts to Environmentally Sensitive Areas (ESAs) such as wetlands and marshes. The vertical limit of sediment removal (2 to 7 feet) will be to the original designed geometry of the channels, derived from the as-built plans. A total of about 172,300 cubic yards (cy) of sediment will be removed; 129,800 cy from Walnut Creek and 42,500 cy from Grayson Creek. All ESAs in the vicinity will be separated from the work by a temporary fence or flagging, with an additional 2-foot berm buffering the

creek channel from excavation. After desilting, the disturbed areas at all Project sites will be reseeded with a mixture of native plants. Work is proposed to occur from April to October of two consecutive years expected to start in 2023.

The project was approved on: May 17, 2022 by the Board of Supervisors

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 Mitigated 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.
- Notice of Determination sent to Office of Planning and Research.\*

This is to certify that the final Mitigated Negative Declaration with comments and responses and record of project approval, is available at the Contra Costa County Public Works Department, 255 Glacier Drive, Martinez, CA.

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

Print Name: \_\_\_\_\_

**Contra Costa County Department of Conservation and Development**

Date: \_\_\_\_\_ Date Received for filing at OPR: \_\_\_\_\_

**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 \_\_\_\_\_

**Department of Fish and Wildlife Fees Due:**

Applicant's Name:	Contra Costa County Flood Control and Water Conservation District	<input type="checkbox"/>	EIR - \$3,539.25	Total Due: \$2,623
Address:	255 Glacier Drive Martinez, CA 94553	<input checked="" type="checkbox"/>	Neg. Dec. - \$2,548.00	Total Paid: \$2,623
		<input checked="" type="checkbox"/>	County Clerk - \$50	Receipt #
		<input checked="" type="checkbox"/>	DCD- \$25	
Phone	(925) 313-2364	<input type="checkbox"/>		

\*Notice of Determination may be sent by fax to (916) 323-3018, if followed up with a duplicate mailed copy.

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



Contra  
Costa  
County

To: Board of Supervisors  
From: Monica Nino, County Administrator  
Date: May 17, 2022

Subject: Claims

---

**RECOMMENDATION(S):**

DENY claims filed by William Portillo, Robson Family Trust by James Robson, Joel Tolbert III, and Richard Wayne Williamson.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

William Portillo: Property claim for damage to vehicle in the amount of \$4,880.  
Robson Family Trust by James Robson: Property claim for damage to office building in the amount of \$15,897.  
Joel Tolbert III: Personal injury claim for injuries sustained in the Martinez Detention Facility in the amount of \$4,975,000.  
Richard Wayne Williamson: Personal injury claim resulting from automobile accident in an amount to exceed \$25,000.

**CONSEQUENCE OF NEGATIVE ACTION:**

Not acting on the claims could extend the claimants' time limits to file actions against the County.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Risk Management

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: Monica Nino, County Administrator  
Date: May 17, 2022

Subject: ACCEPT Board members meeting reports for April 2022

---

**RECOMMENDATION(S):**

ACCEPT Board members meeting reports for April 2022.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

Government Code section 53232.3(d) requires that members of legislative bodies report on meetings attended for which there has been expense reimbursement (mileage, meals, lodging ex cetera). The attached reports were submitted by the Board of Supervisors members in satisfaction of this requirement. District V has nothing to report. District I March 2022 report is also attached.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Board of Supervisors will not be in compliance with Government Code 53232.3(d).

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022  
, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Joellen Bergamini 925.655.2000

cc:

ATTACHMENTS

District I March 2022  
Report

District IV April 2022  
Report

District III April 2022  
Report



## **Supervisor John Gioia**

### **March - 2022 Monthly Meeting Statement**

Government Code section 53232.3(d) requires that members of legislative bodies report on meetings attended for which there has been expense reimbursement (mileage, meals, lodging, etc.).

1. Meeting Date: March 28, 2022

Meeting: Tour with Supervisor Nate Miley of East Oakland

Location: East Oakland, CA

Supervisor Gioia sought reimbursement from the County only for meetings that he attended in his capacity as a County Supervisor during the month of March 2022 located **outside** Contra Costa County.

**Supervisor Karen Mitchoff  
April 2022**

<b>DATE</b>	<b>MEETING NAME</b>	<b>LOCATION</b>	<b>PURPOSE</b>
04/12/22	Board of Supervisors Meeting	Martinez	Action on Agenda Items
4/20-4/21	CSAC Legislative Conference	Sacramento	Regional Governance
04/26/22	Board of Supervisors Meeting	Martinez	Action on Agenda Items

**Supervisor Diane Burgis - April 2022 AB1234 Re**

(Government Code Section 53232.3(d) requires that members legislative attended for which there has been expense reimbursement (mileage,

<b>Date</b>	<b>Meeting Name</b>	<b>Location</b>
5-Apr	Annual Redefining Mobility Summit	San Ramon
6-Apr	Tour of the Delta with Delta Counties Coalition and Senator Alex Padilla's Office	Rio Vista
7-Apr	Meeting with Members of Budget Justice Coalition	Web Meeting
7-Apr	Meeting with County Administrator, Monica Nino	Web Meeting
7-Apr	Phone Meeting with Public Defender, Ellen McDonnell	Web Meeting
7-Apr	Phone Meeting with Fire Chief, Lewis Broschard	Web Meeting
11-Apr	Internal Operations Committee	Web Meeting
11-Apr	Legislation Committee Meeting	Web Meeting
11-Apr	First 5 Commission Meeting	Web Meeting
13-Apr	LAFCO Meeting	Martinez
14-Apr	Antioch Community Foundation Nonprofit Service Providers Summit	Web Meeting
19-Apr	CSAC 2022 Legislative Conference	Sacramento
20-Apr	CSAC 2022 Legislative Conference	Sacramento
20-Apr	Meeting with County Librarian	Web Meeting
22-Apr	Delta Counties Coalition Meeting	Web Meeting
25-Apr	Meeting with Veterans Services Officer, Nathan Johnson	Web Meeting
25-Apr	East Contra Costa County Habitat Conservancy Meeting	Web Meeting
26-Apr	Board of Supervisors Meeting	Martinez
26-Apr	Contra Costa County Fire Protection District Meeting	Martinez
27-Apr	Regional Impact Council Steering Committee Meeting	Web Meeting
27-Apr	Tri Delta Transit Board of Directors Meeting	Web Meeting
28-Apr	Meeting with Assemblymember Tim Grayson	Concord
29-Apr	Meeting with County Administrator, Monica Nino	Web Meeting

\* Reimbursement may come from an agency other than Contra Costa County

**Report**  
bodies report on meetings  
(meals, lodging, etc).

**Purpose**

Community Outreach

Community Outreach

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting

Meeting





Contra  
Costa  
County

To: Board of Supervisors  
From: Marla Stuart, Employment and Human Services Director  
Date: May 17, 2022

Subject: Community Action Month Presentation

---

**RECOMMENDATION(S):**

DECLARE May 2022 as Community Action Month

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Antonia Welty, Deputy

Contact: Elaine Burres 608-4960

cc:



AGENDA ATTACHMENTS

Resolution 2022/171

MINUTES ATTACHMENTS

Signed Resolution No.

2022/171

*The Board of Supervisors of  
Contra Costa County, California*

**In the matter of:  
Proclaiming May 2022 as Community Action Month**

**Resolution No. 2022/171**

**WHEREAS**, Community Action Agencies were created when the Economic Opportunity Act of 1964 was signed into law; and  
**WHEREAS**, Community Action Agencies have a 58-year history of promoting self-sufficiency for those with limited income; and  
**WHEREAS**, the Contra Costa County Employment and Human Services Department, Community Services Bureau is the Community Action Agency for Contra Costa County; and  
**WHEREAS**, the Contra Costa County Employment and Human Services Department, Community Services Bureau with all its community partnerships has made an essential contribution to individuals and families in Contra Costa County, by providing them with innovative and cost-effective programs; and  
**WHEREAS**, the Community Services Bureau has provided essential services in 2021 to more than 3,400 children in early care and education; 4,100 households for energy assistance and weatherization; and 10,900 individuals with safety net services in the areas of housing, employment, nutrition, and health services; and  
**WHEREAS**, the Economic Opportunity Council has served as the Advisory Body to the Contra Costa County Employment and Human Services Department, Community Services Bureau and the Contra Costa County Board of Supervisors; and  
**WHEREAS**, low income residents of Contra Costa County continue to need opportunities to improve their lives and their living conditions, thus ensuring that all residents are able to live in dignity; and  
**WHEREAS**, Community Services Block Grant funding, administered by the Community Action Program in collaboration with the Economic Opportunity Council continues to support safety net services that alleviate poverty in Contra Costa County; and  
**WHEREAS**, Contra Costa County and the entire United States must continue to promote economic security by providing support and opportunities for all citizens in need of assistance; and  
**WHEREAS**, every year in May, the Community Action Agencies and Economic Opportunity Councils across the country celebrate National Community Action Month.

**NOW, THEREFORE, BE IT RESOLVED:** that the Board of Supervisors of Contra Costa County hereby declares May 2022 as COMMUNITY ACTION MONTH in Contra Costa County.

\_\_\_\_\_  
**KAREN MITCHOFF**  
Chair, District IV Supervisor

\_\_\_\_\_  
**JOHN GIOIA**  
District I Supervisor

\_\_\_\_\_  
**CANDACE ANDERSEN**  
District II Supervisor

\_\_\_\_\_  
**DIANE BURGIS**  
District III Supervisor

\_\_\_\_\_  
**FEDERAL D. GLOVER**  
District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator

By: \_\_\_\_\_, Deputy



# The Board of Supervisors of Contra Costa County, California

In the matter of proclaiming May 2022 as "Community Action Month."

Resolution No. 2022/171

**WHEREAS**, Community Action Agencies were created when the Economic Opportunity Act of 1964 was signed into law; and

**WHEREAS**, Community Action Agencies have a 58-year history of promoting self-sufficiency, for those with limited income; and

**WHEREAS**, the Contra Costa County Employment and Human Services Department, Community Services Bureau is the Community Action Agency for Contra Costa County; and

**WHEREAS**, the Contra Costa County Employment and Human Services Department, Community Services Bureau, with all of its community partnerships, has made an essential contribution to individuals and families, within Contra Costa County, by providing them with innovative and cost-effective programs; and

**WHEREAS**, the Community Services Bureau has provided essential resources, in 2021, to more than 3,400 children in early care and education; 4,100 households for energy assistance and weatherization; and 10,900 individuals with safety net amenities in the areas of housing, employment, nutrition, and health services; and

**WHEREAS**, the Economic Opportunity Council has served as the Advisory Body to the Contra Costa County Employment and Human Services Department, Community Services Bureau and the Contra Costa County Board of Supervisors; and

**WHEREAS**, low-income residents of Contra Costa County continue to need opportunities to improve their lives and living conditions, thus ensuring that all residents are able to reside in dignity; and

**WHEREAS**, Community Services Block Grant funding, administered by the Community Action Program, in collaboration with the Economic Opportunity Council, continues to support safety net services that alleviate poverty, throughout Contra Costa County; and

**WHEREAS**, Contra Costa County and the entire United States must continue to promote economic security by providing options and support for all citizens in need of assistance; and

**WHEREAS**, every year in May, the Community Action Agencies and Economic Opportunity Councils, across the country, celebrate National Community Action Month; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Contra Costa County does hereby declares May 2022 as **COMMUNITY ACTION MONTH** within Contra Costa County.

*PASSED by a unanimous vote of the Board of Supervisors members present this 17<sup>th</sup> day of May 2022.*

*Karen Mitchoff*

**KAREN MITCHOFF**  
Chair,  
District IV Supervisor

*John Gioia*

**JOHN GIOIA**  
District I Supervisor

*Candace Andersen*

**CANDACE ANDERSEN**  
District II Supervisor

*Diane Burgis*

**DIANE BURGIS**  
District III Supervisor

*Federal D. Glover*

**FEDERAL D. GLOVER**  
District V Supervisor



I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown:

ATTESTED: May 17, 2022

MONICA NINO, Clerk of the Board of Supervisors and County Administrator

By *Monica Nino*, Deputy





Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 17, 2022

**Subject:** PROCLAIM the Week of May 15-21, 2022, as “National Public Works Week” in Contra Costa County

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2022/483 proclaiming the week of May 15-21, 2022, as "National Public Works Week" in Contra Costa County, as recommended by the Public Works Director, Countywide.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

National Public Works Week (NPWW) is observed each year during the third full week of May. NPWW is a celebration of the tens of thousands of men and women in North America who provide and maintain the infrastructure and services collectively known as public works. This year’s theme is “Ready & Resilient.”

Instituted as a public education campaign by the American Public Works Association (APWA) in 1960, NPWW calls attention to the importance of public works in community life. Public Works agencies across the nation seek to enhance the prestige of the often-unsung heroes of our society—the professionals who serve the public every day with quiet dedication. That quiet dedication includes emergency response at all hours of the day and night. The Public Works Maintenance and Facilities Divisions receive emergency call outs every week, not including calls during normal work hours. During wet winter months, they respond to numerous calls on a daily basis. County

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Antonia Welty, Deputy

Contact: Kelly Kalfsbeek (925) 313-2115

cc:

BACKGROUND: (CONT'D)

Public Works crews are well trained to perform a necessary duty to protect life and property in our communities. They respond to everything from flooding in our roadways and County buildings to large landslides, most of the time by Monday morning no one is aware that there was an issue, which is the way it should be.

Contra Costa County Public Works is proud to announce the creation of their new television series called "Inside Public Works." This show will give the Contra Costa County viewers the opportunity to learn about the quality programs, projects and services we offer from the dedicated staff who deliver them to our customers and communities. The premier episode will air on Contra Costa Television (CCTV) on Tuesday, May 17, 2022, at 7:00 p.m.

CONSEQUENCE OF NEGATIVE ACTION:

Contra Costa County will not be able to participate in the nationwide Public Works Week.

AGENDA ATTACHMENTS

Resolution No. 2100/483

MINUTES ATTACHMENTS

Signed Resolution No. 2022/483

*The Board of Supervisors of  
Contra Costa County, California*

In the matter of:

**Resolution No. 2100/483**

**Recognizing National Public Works Week May 15-21, 2022**

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Contra Costa County; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, maintenance workers, technicians, tradespeople, and many other managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, flood control, public buildings, parks, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens and civic leaders in Contra Costa County to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, it has been Public Works' commitment to provide essential services in support of our community and colleagues throughout the county in the fight against COVID-19. By improving safety for employees and customers through increased cleaning protocols and installing countermeasures in our county buildings and providing personnel to staff the Emergency Operations Center and the Department Operations Center, locating, leasing, preparing and maintaining locations throughout the county to be used for testing sites and vaccination clinics, as well as other duties required in response to the pandemic; and,

WHEREAS, the year 2022 marks the 62nd annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association.

NOW, THEREFORE, IT IS RESOLVED, that the Board of Supervisors of Contra Costa County does hereby recognize the week May 15-21, 2022, as National Public Works Week in Contra Costa County. We call upon all citizens and civic organizations to acquaint themselves with the challenges involved in providing public works services, and to recognize the contributions that public works personnel make every day to improve and maintain our health, safety and comfort. *PASSED by unanimous vote of the Board of Supervisors members present this 17th day of May 2022.*

\_\_\_\_\_  
**KAREN MITCHOFF**

Chair, District IV Supervisor

\_\_\_\_\_  
**JOHN GIOIA**

District I Supervisor

\_\_\_\_\_  
**CANDACE ANDERSEN**

District II Supervisor

\_\_\_\_\_  
**DIANE BURGIS**

District III Supervisor

\_\_\_\_\_  
**FEDERAL D. GLOVER**

District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator

By: \_\_\_\_\_, Deputy



# The Board of Supervisors of Contra Costa County, California

In the matter of recognizing May 15-21, 2022, as "National Public Works Week."

Resolution No. 2022/483

**WHEREAS**, Public Works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of Contra Costa County; and,

**WHEREAS**, these infrastructures, facilities, and services could not be provided without the dedicated efforts of Public Works professionals who are engineers, maintenance workers, technicians, trades people, and many other managers and employees, at all levels of government and the private sector. These unique and dedicated individuals are responsible for rebuilding, improving, and protecting our nation's transportation, flood control, public buildings, parks, and other structures and facilities essential for our citizens; and,

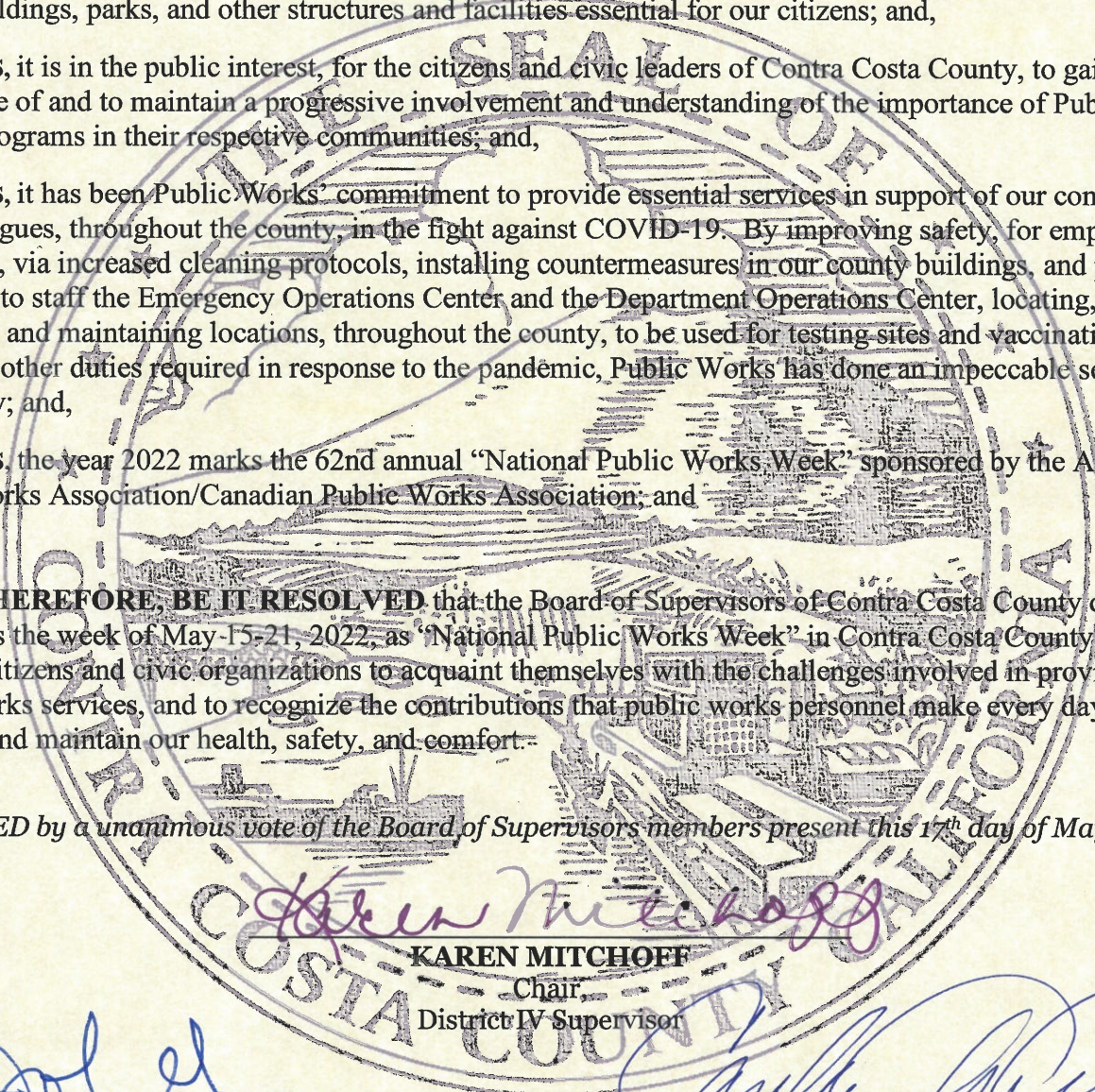
**WHEREAS**, it is in the public interest, for the citizens and civic leaders of Contra Costa County, to gain knowledge of and to maintain a progressive involvement and understanding of the importance of Public Works and the programs in their respective communities; and,

**WHEREAS**, it has been Public Works' commitment to provide essential services in support of our community and colleagues, throughout the county, in the fight against COVID-19. By improving safety, for employees and customers, via increased cleaning protocols, installing countermeasures in our county buildings, and providing personnel to staff the Emergency Operations Center and the Department Operations Center, locating, leasing, preparing, and maintaining locations, throughout the county, to be used for testing sites and vaccination clinics, as well as other duties required in response to the pandemic, Public Works has done an impeccable service for our county; and,

**WHEREAS**, the year 2022 marks the 62nd annual "National Public Works Week" sponsored by the American Public Works Association/Canadian Public Works Association; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Contra Costa County does hereby recognize the week of May 15-21, 2022, as "National Public Works Week" in Contra Costa County. We call upon all citizens and civic organizations to acquaint themselves with the challenges involved in providing public works services, and to recognize the contributions that public works personnel make every day to improve and maintain our health, safety, and comfort.

*PASSED by a unanimous vote of the Board of Supervisors members present this 17<sup>th</sup> day of May 2022.*



*Karen Mitchoff*  
**KAREN MITCHOFF**

Chair,  
District IV Supervisor

*John Gioia*  
**JOHN GIOIA**

District I Supervisor

*Candace Andersen*  
**CANDACE ANDERSEN**

District II Supervisor

*Diane Burgis*  
**DIANE BURGIS**

District III Supervisor

*Federal D. Glover*  
**FEDERAL D. GLOVER**

District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown:

ATTESTED: May 17, 2022

MONICA NINO, Clerk of the Board of Supervisors and County Administrator

By *Monica Nino*, Deputy







Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

**Subject:** Recognizing May 18, 2022 as Emergency Medical Services for Children (EMSC) Day

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2022/165 designating May 18, 2022 as Emergency Medical Services for Children Day.

**FISCAL IMPACT:**

This action has no fiscal impact.

**BACKGROUND:**

May 18, 2022 is Emergency Medical Services (EMS) for Children Day. This resolution recognizes the value and accomplishments of our emergency care providers caring for the children in need using the County's EMS system.

**CONSEQUENCE OF NEGATIVE ACTION:**

The important work of those providing Emergency Medical Services to the children of Contra Costa County would not be recognized.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Antonia Welty, Deputy

Contact: Marshall Bennet, 925-608-5454

cc:

AGENDA ATTACHMENTS

Resolution 2022/165

MINUTES ATTACHMENTS

Signed Resolution No.

2022/165

*The Board of Supervisors of  
Contra Costa County, California*

In the matter of:

**Resolution No. 2022/165**

**Recognizing May 18, 2022 as Emergency Medical Services for Children (EMSC) Day**

WHEREAS, Emergency Medical Services for Children supports EMS, the community-based public service whose presence is vital to children in need; and  
WHEREAS, the needs of children are different than the needs of adults in medical emergencies; and  
WHEREAS, Emergency Medical Services for Children promotes the high-level emergency care given by EMS providers with pediatric emergency skills; and  
WHEREAS, Emergency Medical Services for Children assists in the implementation of training for use of advanced technical equipment and services in preparation to save the life of a child; and  
WHEREAS, EMS providers are prepared to respond to children who access the EMS system; and  
WHEREAS, Emergency Medical Services for Children works with physicians, nurses, social workers, psychologists, emergency medical technicians, paramedics, firefighters, educators, administrators and others to identify and address the issues surrounding the provision of optimal pediatric care; and  
WHEREAS, Emergency Medical Services for Children assists in the development of training programs and guidelines for emergency care providers so that children with special health care needs receive timely, appropriate care; and  
WHEREAS, it is proper and timely to bring recognition to the value and accomplishments of such dedicated men and women by designating Emergency Medical Services for Children Day.  
Now, Therefore, Be It Resolved that the Contra Costa County Board of Supervisors does hereby recognize this event and proclaim the date of May 18, 2022, as Emergency Medical Services for Children (EMSC) Day, and encourages the community to observe this day with appropriate programs, ceremonies and activities.

\_\_\_\_\_  
**KAREN MITCHOFF**

Chair, District IV Supervisor

\_\_\_\_\_  
**JOHN GIOIA**

District I Supervisor

\_\_\_\_\_  
**CANDACE ANDERSEN**

District II Supervisor

\_\_\_\_\_  
**DIANE BURGIS**

District III Supervisor

\_\_\_\_\_  
**FEDERAL D. GLOVER**

District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator

By: \_\_\_\_\_, Deputy



# The Board of Supervisors of Contra Costa County, California

In the matter of recognizing May 18, 2022, as "Emergency Medical Services for Children (EMSC) Day."

Resolution No. 2022/165

**WHEREAS**, Emergency Medical Services for Children supports EMS, the community-based public service whose presence is vital to children in need; and

**WHEREAS**, the necessities of children are different than those of adults in medical emergencies; and

**WHEREAS**, Emergency Medical Services for Children promotes the high-level emergency care supplied by EMS providers with pediatric emergency skills; and

**WHEREAS**, Emergency Medical Services for Children assists in the implementation of training for use of advanced technical equipment and services in preparation to save the life of a child; and

**WHEREAS**, EMS providers are prepared to respond to children who access the EMS system; and

**WHEREAS**, Emergency Medical Services for Children works with physicians, nurses, social workers, psychologists, emergency medical technicians, paramedics, firefighters, educators, administrators, and others to identify and address the issues surrounding the provision of optimal pediatric care; and

**WHEREAS**, Emergency Medical Services for Children assists in the development of training programs and guidelines, for emergency care providers, so that children with special health care needs receive timely, appropriate care; and

**WHEREAS**, it is proper and fitting to bring recognition toward the value and accomplishments of such dedicated men and women by designating "Emergency Medical Services for Children Day;" and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Contra Costa County does hereby recognize this event and proclaims the date of May 18, 2022, as "Emergency Medical Services for Children (EMSC) Day," and encourages the community to observe this day with appropriate programs, ceremonies, and activities.

*PASSED by a unanimous vote of the Board of Supervisors members present this 17<sup>th</sup> day of May 2022.*

**KAREN MITCHOFF**  
Chair,  
District IV Supervisor

**JOHN GIOIA**  
District I Supervisor

**CANDACE ANDERSEN**  
District II Supervisor

**DIANE BURGIS**  
District III Supervisor

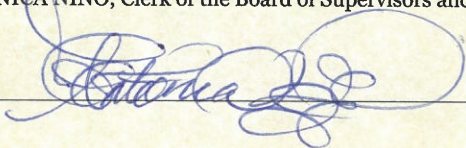
**FEDERAL D. GLOVER**  
District V Supervisor



I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown:

ATTESTED: May 17, 2022

MONICA NINO, Clerk of the Board of Supervisors and County Administrator

By , Deputy





Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Designating the Week of May 15 - 21, 2022, as National Emergency Medical Services Week

---

**RECOMMENDATION(S):**

Adopt Resolution No. 2022/164 designating the week of May 15-21, 2022 as National Emergency Medical Services (EMS) Week, with the theme of "Rising to the Challenge."

**FISCAL IMPACT:**

There is no fiscal impact for this action.

**BACKGROUND:**

May 15-21, 2022 is National Emergency Medical Services Week. This resolution honors local EMS responders (emergency medical technicians, paramedics, police, firefighters, emergency nurses, emergency physicians, emergency medical dispatchers, EMS educators, EMS administrators, and others) for the critical role they play in our EMS system.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Antonia Welty, Deputy

Contact: Marshall Bennett, 925-608-5454

cc:

AGENDA ATTACHMENTS

Resolution 2022/164

MINUTES ATTACHMENTS

Signed Resolution No.

2022/164

*The Board of Supervisors of  
Contra Costa County, California*

In the matter of:

**Resolution No. 2022/164**

**Recognizing May 15-21, 2022 as Emergency Medical Services (EMS) Week**

WHEREAS, emergency medical services (EMS) is a vital public service; and  
WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and  
WHEREAS, the members of emergency medical services teams are ready to provide compassionate, lifesaving care to those in need twenty-four (24) hours a day, seven (7) days a week; and  
WHEREAS, the emergency medical services system consists of emergency medical dispatchers, law enforcement officers, emergency medical technicians, paramedics, firefighters, emergency nurses, emergency physicians, first responders, educators, and administrators; and  
WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and  
WHEREAS, EMS plays a critical role in public outreach and injury prevention, and is evolving in its role as an important member of the healthcare community; and  
WHEREAS, the year 2022 marks the 45th anniversary of the implementation of a paramedic program enhanced EMS System within Contra Costa County; and  
WHEREAS, Contra Costa EMS System is recognized in the State as a leader in exceptional EMS system performance improvement practices focused on improving patient care outcomes; and  
WHEREAS, in the last 15 years the EMS System within Contra Costa County has sustained an exceptional Trauma System and implemented a High Risk Heart Attack (STEMI) System, Stroke System and a Cardiac Arrest System of Care; and  
WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week;  
NOW, THEREFORE, BE IT RESOLVED, Contra Costa County in recognition of this event does hereby proclaim the week of May 15 – 21, 2022 as Emergency Medical Services (EMS) Week. With the theme “Rising to the Challenge” we encourage the community to observe this week with appropriate programs, ceremonies, and activities.

\_\_\_\_\_  
**KAREN MITCHOFF**

Chair, District IV Supervisor

\_\_\_\_\_  
**JOHN GIOIA**

District I Supervisor

\_\_\_\_\_  
**CANDACE ANDERSEN**

District II Supervisor

\_\_\_\_\_  
**DIANE BURGIS**

District III Supervisor

\_\_\_\_\_  
**FEDERAL D. GLOVER**

District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator

By: \_\_\_\_\_, Deputy



# The Board of Supervisors of Contra Costa County, California

In the matter of recognizing May 15-21, 2022, as "Emergency Medical Services (EMS) Week."

Resolution No. 2022/164

**WHEREAS**, emergency medical services (EMS) is a vital public service; and

**WHEREAS**, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

**WHEREAS**, the members of emergency medical services teams are ready to provide compassionate, lifesaving care to those in need, twenty-four (24) hours a day, seven (7) days a week; and

**WHEREAS**, the emergency medical services system consists of emergency medical dispatchers, law enforcement officers, emergency medical technicians, paramedics, firefighters, emergency nurses, emergency physicians, first responders, educators, and administrators; and

**WHEREAS**, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

**WHEREAS**, EMS plays a critical role in public outreach and injury prevention. It continues to evolve in its role as an important member of the healthcare community; and

**WHEREAS**, the year 2022 marks the 45th anniversary of the implementation of a paramedic program enhanced EMS System, within Contra Costa County; and

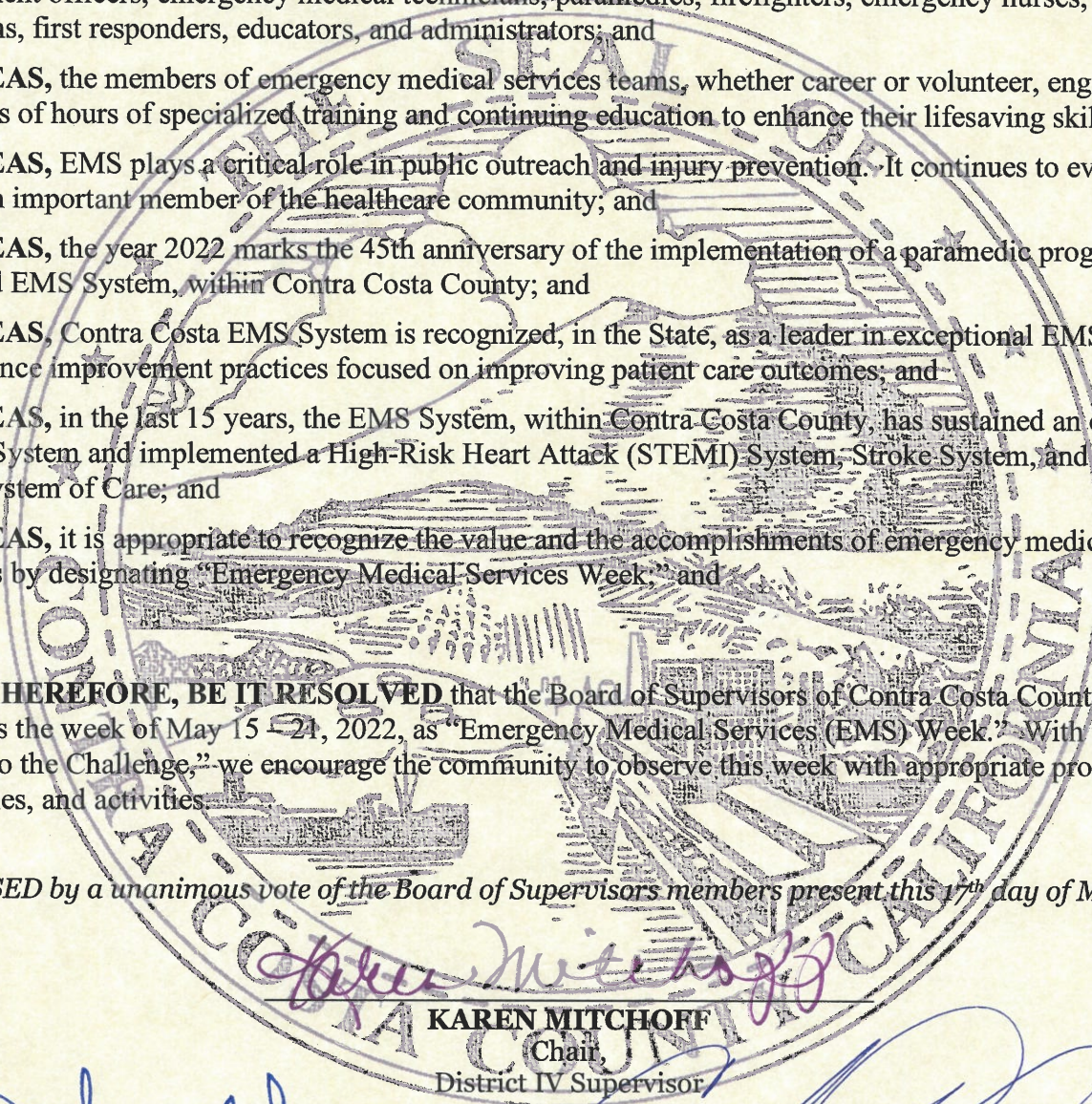
**WHEREAS**, Contra Costa EMS System is recognized, in the State, as a leader in exceptional EMS system performance improvement practices focused on improving patient care outcomes; and

**WHEREAS**, in the last 15 years, the EMS System, within Contra Costa County, has sustained an exceptional Trauma System and implemented a High-Risk Heart Attack (STEMI) System, Stroke System, and a Cardiac Arrest System of Care; and

**WHEREAS**, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating "Emergency Medical Services Week," and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Contra Costa County does hereby proclaims the week of May 15 - 21, 2022, as "Emergency Medical Services (EMS) Week." With the theme, "Rising to the Challenge," we encourage the community to observe this week with appropriate programs, ceremonies, and activities.

*PASSED by a unanimous vote of the Board of Supervisors members present this 17<sup>th</sup> day of May 2022.*



*[Signature]*

**KAREN MITCHOFF**  
Chair,  
District IV Supervisor

*[Signature]*

**JOHN GIOIA**  
District I Supervisor

*[Signature]*

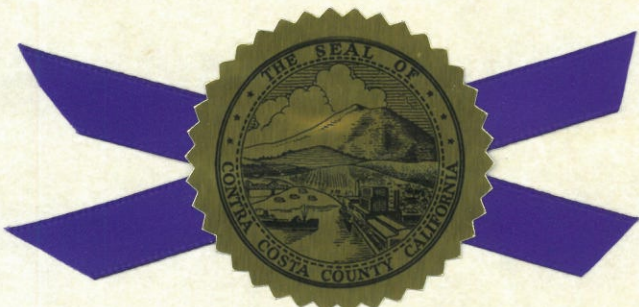
**CANDACE ANDERSEN**  
District II Supervisor

*[Signature]*

**DIANE BURGIS**  
District III Supervisor

*[Signature]*

**FEDERAL D. GLOVER**  
District V Supervisor



I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown:

ATTESTED: May 17, 2022

MONICA NINO, Clerk of the Board of Supervisors and County Administrator

By *[Signature]* Deputy





Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Recognizing May 2022 as Mental Health Awareness Month

---

**RECOMMENDATION(S):**

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022  
Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Jennifer Bruggeman, (925) 957 2611

By: Antonia Welty, Deputy

cc:

AGENDA ATTACHMENTS

Resolution 2022/163

MINUTES ATTACHMENTS

Signed Resolution No.

2022/163

*The Board of Supervisors of  
Contra Costa County, California*

In the matter of:

**Resolution No. 2022/163**

**Acknowledgment of the Month of May 2022 as Mental Health Awareness Month and May 10-16, 2022 as Asian American Pacific Islanders (AAPI) Mental Health Awareness Week**

**WHEREAS**, nationally, 1 in 5 Americans experiences a mental health challenge in their lifetime, and faces obstacles to effective treatment, such as stigma and language barriers; and

**WHEREAS**, during May and throughout the year, our society promotes the understanding that those with mental health challenges have treatable conditions and can lead productive lives, and commits to increasing awareness and educating the public to promote understanding that those who live with these conditions deserve to be helped and not stigmatized or discriminated against; and

**WHEREAS**, in an effort to better reflect and celebrate the diverse populations that we serve, and in alignment with our diversity and inclusion efforts, we commit to advancing our goal of creating an environment where all residents of Contra Costa County feel a sense of belonging and may access safe spaces where mental health concerns can be addressed and where mental health services can be accessed in a fair and equitable manner; and

**WHEREAS**, lack of awareness of the resources and services that are available, as well as the stigma surrounding mental health issues, are the biggest deterrents in seeking professional help.

**NOW THEREFORE BE IT RESOLVED**, that the Contra Costa County Board of Supervisors hereby proclaim May 2022 as Mental Health Awareness Month and May 10-16, 2022 as Asian Pacific Islander (AAPI) Mental Health Awareness Week in Contra Costa County.

\_\_\_\_\_  
**KAREN MITCHOFF**

Chair, District IV Supervisor

\_\_\_\_\_  
**JOHN GIOIA**

District I Supervisor

\_\_\_\_\_  
**CANDACE ANDERSEN**

District II Supervisor

\_\_\_\_\_  
**DIANE BURGIS**

District III Supervisor

\_\_\_\_\_  
**FEDERAL D. GLOVER**

District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator

By: \_\_\_\_\_, Deputy



# The Board of Supervisors of Contra Costa County, California

In the matter of acknowledging the month of May 2022 as "Mental Health Awareness Month" and May 10-16, 2022, as "Asian American Pacific Islanders (AAPI) Mental Health Awareness Week."

Resolution No. 2022/163

**WHEREAS**, nationally, 1 in 5 Americans experiences a mental health challenge in their lifetime, and faces obstacles toward effective treatment, such as stigma and language barriers; and

**WHEREAS**, during May and throughout the year, our society promotes the understanding that those with mental health challenges have treatable conditions and can lead productive lives, and commits to increasing awareness and educating the public to foster understanding about those who live with these conditions deserve to be helped and not stigmatized or discriminated against; and

**WHEREAS**, to better reflect and celebrate the diverse populations that we serve, and in alignment with our diversity and inclusion efforts, we commit to advancing our goal of creating an environment where all residents of Contra Costa County feel a sense of belonging. Additionally, so they may access safe spaces where mental health concerns can be addressed and mental health resources can be accessed, in a fair and equitable manner; and

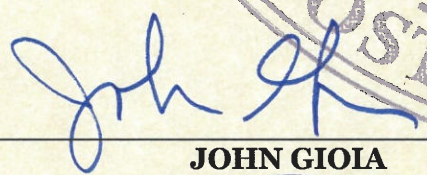
**WHEREAS**, lack of awareness of the offerings available, as well as the stigma surrounding mental health issues, is the biggest deterrent toward seeking professional help; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Contra Costa County does hereby proclaims May 2022 as "Mental Health Awareness Month" and May 10-16, 2022 as "Asian Pacific Islander (AAPI) Mental Health Awareness Week," in Contra Costa County.

*PASSED by a unanimous vote of the Board of Supervisors members present this 17<sup>th</sup> day of May 2022.*



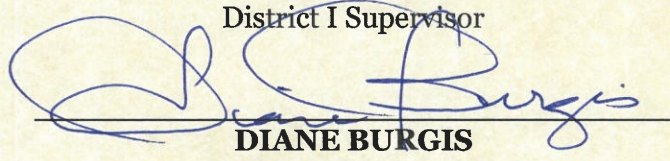
**KAREN MITCHOFF**  
Chair,  
District IV Supervisor



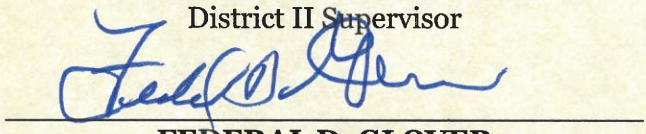
**JOHN GIOIA**  
District I Supervisor



**CANDACE ANDERSEN**  
District II Supervisor



**DIANE BURGIS**  
District III Supervisor



**FEDERAL D. GLOVER**  
District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown:

ATTESTED: May 17, 2022

MONICA NINO, Clerk of the Board of Supervisors and County Administrator

By , Deputy







Contra  
Costa  
County

To: Board of Supervisors  
From: Diane Burgis, District III Supervisor  
Date: May 17, 2022

Subject: APPOINTMENT TO THE LIBRARY COMMISSION

---

**RECOMMENDATION(S):**

APPOINT Claire Alaura to the District 3 seat on the Library Commission to a term expiring June 30, 2026, as recommended by Supervisor Burgis.

**FISCAL IMPACT:**

N/A

**BACKGROUND:**

The Commission serves in an advisory capacity to the Board of Supervisors and the County Librarian; provides a forum for the community to provide input concerning the Library operations, and recommends proposals to the Board of Supervisors and the County Librarians which may improve the library.

**CONSEQUENCE OF NEGATIVE ACTION:**

The District 3 Library Commission seat would remain vacant.

**CHILDREN'S IMPACT STATEMENT:**

N/A

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Alicia Nuchols, 925-655-2330

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: Diane Burgis, District III Supervisor  
Date: May 17, 2022

**Subject:** APPOINTMENT TO THE BYRON-BRENTWOOD-KNIGHTSEN UNION CEMETERY DISTRICT

---

**RECOMMENDATION(S):**

APPOINT Michael Walko to the Trustee 1 seat on the Byron-Brentwood-Knightsen Union Cemetery District for a term ending December 31, 2022, as recommended by Supervisor Burgis.

**FISCAL IMPACT:**

NONE

**BACKGROUND:**

The Trustee 1 seat was declared vacant by the Board of Supervisors on April 26, 2022. Applications were accepted and the recommendation to appoint the above individual was then determined.

**CONSEQUENCE OF NEGATIVE ACTION:**

NONE

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Alicia Nuchols, 925-655-2330

cc:





Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 17, 2022

**Subject:** Reappoint Lesley Hunt on the Iron Horse Corridor Management Program Advisory Committee. (District IV)

---

**RECOMMENDATION(S):**

REAPPOINT the following individual to the Walnut Creek Area Seat on the Iron Horse Corridor Management Program Advisory Committee for a four-year term with an expiration date of March 2, 2026, as recommended by the Walnut Creek City Council. (District IV)

Lesley Hunt  
Pleasant Hill, CA 94598

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Iron Horse Corridor Management Program Advisory Committee was authorized by the Board of Supervisors on July 22, 1997. It was established to assist Contra Costa County in developing a management program for the Iron Horse Corridor. In October of 2000 the Board expanded the Advisory Committee’s role to continue implementation and monitoring of the Landscape Element of the Management Program and to assist in the completion of the Joint Use Criteria and Standards, Public Information, and Finance elements of the Management Program.

Advisory Committee seats include one representative from each jurisdiction or unincorporated community along the corridor, a District II seat, a District IV seat, and a seat for the East Bay Regional Park District.

**CONSEQUENCE OF NEGATIVE ACTION:**

The seat will become vacant.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Carl Roner, 925-313-2213

cc: Carrie Ricci- Deputy, Carl Roner- Special Districts, Suzie Martinez- City of Walnut Creek



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: May 17, 2022

**Subject:** RESIGNATION FROM THE ALAMO POLICE SERVICES ADVISORY COMMITTEE

---

**RECOMMENDATION(S):**

ACCEPT the resignation of William Nelson, DECLARE a vacancy in the Appointee 4 Seat on the Alamo Police Services Advisory Committee, and DIRECT the Clerk of the Board to post the vacancy, for a term with an expiration date of December 31, 2022, as recommended by Supervisor Candace Andersen.

**FISCAL IMPACT:**

NONE

**BACKGROUND:**

Established on November 18, 1969, by Board Resolution 69/765, the purpose of the County Service Area P-2B Citizens Advisory Committee is to advise the Board of Supervisors and the Sheriff's Department on the needs of the Alamo community for extended police services which shall include, but not be limited to, enforcement of the State Vehicle Code, crime prevention, and litter control. On March 19, 2013, the Board of Supervisors approved a Board Order that retitled the County Service Area P-2B Citizens Advisory Committee to the "Alamo Police Services Advisory Committee".

Alamo Police Services Advisory Committee is comprised of nine regular members and two alternate members who each serve a two year term.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Jill Ray, 925-957-8860

cc: District 2 Supervisor, Maddy Book, APSAC, Appointee

CONSEQUENCE OF NEGATIVE ACTION:

The seat will remain filled, without the benefit of a member in attendance.

CHILDREN'S IMPACT STATEMENT:

NONE

AGENDA ATTACHMENTS

MINUTES ATTACHMENTS

Vacancy Notice

**Contra  
Costa  
County**



**NOTICE**

The Board of Supervisors will make appointments to fill existing advisory body vacancies. Interested citizens may submit written applications for vacancies to the following address:

Clerk of the Board of Supervisors  
1025 Escobar Street, 1<sup>st</sup> Floor  
Martinez, CA 9455

**Board, Commission, or Committee**

**Appointments will be made after**

Alamo Police Services Advisory  
Committee  
*Seat: Appointee 4*

May 31, 2022

I, Monica Nino, Clerk of the Board of Supervisors and the County Administrator, hereby certify that, in accordance with Section 54974 of the Government Code, the above notice of vacancy (vacancies) will be posted on May 17, 2022.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Attested: May 17, 2022

Monica Nino, Clerk of the Board of Supervisors  
And County Administrator

By: 

Deputy Clerk

cc: Hard Copy to Clerk of the Board Lobby  
Hard Copy to Minutes File  
Soft Copy .DOCX to M:\5-Notices and Postings  
Soft Copy .PDF to S:\Minutes Attachments\Minutes 2020  
Soft Copy .PDF to M:\1- Committee Files and Applications



Contra  
Costa  
County

To: Board of Supervisors  
From: John Gioia, District I Supervisor  
Date: May 17, 2022

**Subject:** APPOINT Hari Lamba to Alternate 1 seat of the East Richmond Heights Municipal Advisory Council

---

**RECOMMENDATION(S):**

APPOINT Hari Lamba to the Alternate Seat 1 on the East Richmond Heights Municipal Advisory Council for a term ending on December 31, 2022, as recommended by Supervisor Gioia.

**FISCAL IMPACT:**

None

**BACKGROUND:**

The East Richmond Heights Municipal Advisory Council shall advise the Board of Supervisors on 1) Services which are or may be provided to unincorporated East Richmond Heights by the County or other local governmental agencies. Such services include, but are not limited to, public health, safety, welfare, public works, and planning, 2) the feasibility of organizing the existing special districts serving unincorporated East Richmond Heights in order to more efficiently provide public services such as, but not limited to, water, sewer, fire, and parks and recreation, 3) representing unincorporated East Richmond Heights before the Local Agency Formation Commission on proposed boundary changes affecting the community, 4) representing unincorporated East Richmond Heights before the County Planning Commission(s) and the Zoning Administrator on land use and other planning matters affecting the community. In this regard, the Council shall cooperate with any other planning advisory bodies in unincorporated East Richmond Heights in order to avoid duplication and delay in the planning process, 5) Provide input and reports to the Board of Supervisors, County staff, or any other County hearing body on issues of concern to unincorporated East Richmond Heights, and 6) representing unincorporated East Richmond Heights before other public entities and agencies. It is understood that the Board of Supervisors is the final decision making authority with respect to issues concerning unincorporated East Richmond Heights and that the Council shall solely in an advisory capacity.

Hari Lamba  
Richmond, Ca

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: James Lyons, 510-942-2222

cc:

BACKGROUND: (CONT'D)

Supervisor Gioia advertises his open advisory body seats in numerous ways including through his website, eblasts, and newsletters, as well as with the traditional media.

CONSEQUENCE OF NEGATIVE ACTION:

The seat will remain vacant and could prohibit the council from having a quorum at their meetings.

ATTACHMENTS

Hari\_Lamba\_Application



## Application Form

---

### Profile

Hari \_\_\_\_\_ S \_\_\_\_\_ Lamba \_\_\_\_\_  
First Name Middle Initial Last Name

\_\_\_\_\_ Suite or Apt  
Home Address

Richmond \_\_\_\_\_ CA \_\_\_\_\_ 94805 \_\_\_\_\_  
City State Postal Code

\_\_\_\_\_ Primary Phone

\_\_\_\_\_ Email Address

### [District Locator Tool](#)

#### Resident of Supervisorial District:

District 1

\_\_\_\_\_ Job Title  
Employer

#### Length of Employment

#### Do you work in Contra Costa County?

Yes  No

#### If Yes, in which District do you work?

#### How long have you lived or worked in Contra Costa County?

5

#### Are you a veteran of the U.S. Armed Forces?

Yes  No

---

### Board and Interest

#### Which Boards would you like to apply for?

East Richmond Heights Municipal Advisory Council: Submitted

**Seat Name**

First Alternate

**Have you ever attended a meeting of the advisory board for which you are applying?**

Yes  No

**If Yes, how many meetings have you attended?**

2

---

**Education**

**Select the option that applies to your high school education \***

High School Diploma

**College/ University A**

**Name of College Attended**

University of Illinois at Urbana Champaign

**Degree Type / Course of Study / Major**

Ph. D.

**Degree Awarded?**

Yes  No

**College/ University B**

**Name of College Attended**

**Degree Type / Course of Study / Major**

**Degree Awarded?**

Yes  No

---

**College/ University C**

**Name of College Attended**

**Degree Type / Course of Study / Major**

**Degree Awarded?**

Yes  No

---

**Other Trainings & Occupational Licenses**

**Other Training A**

CERT

**Certificate Awarded for Training?**

Yes  No

**Other Training B**

**Certificate Awarded for Training?**

Yes  No

**Occupational Licenses Completed:**

---

---

**Qualifications and Volunteer Experience**

**Please explain why you would like to serve on this particular board, committee, or commission.**

Like to help with emergency responses, solar energy and water issues.

**Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)**

Graduate degree

---

Upload a Resume

**Would you like to be considered for appointment to other advisory bodies for which you may be qualified?**

Yes  No

**Do you have any obligations that might affect your attendance at scheduled meetings?**

Yes  No

**If Yes, please explain:**

---

Are you currently or have you ever been appointed to a Contra Costa County advisory board?

Yes  No

If Yes, please list the Contra Costa County advisory board(s) on which you are currently serving:

If Yes, please also list the Contra Costa County advisory board(s) on which you have previously served:

List any volunteer or community experience, including any advisory boards on which you have served.

I am serving on the West Contra Costa group of the Sierra Club. I also help the 350 Bay Area organization on energy and transportation issues.

---

### Conflict of Interest and Certification

Do you have a familial or financial relationship with a member of the Board of Supervisors? (Please refer to the relationships listed under the "Important Information" section below or Resolution No. 2021/234)

Yes  No

If Yes, please identify the nature of the relationship:

Do you have any financial relationships with the County such as grants, contracts, or other economic relationships?

Yes  No

If Yes, please identify the nature of the relationship:

### Please Agree with the Following Statement

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publicly accessible. I understand that misstatements and/or omissions of material fact may cause forfeiture of my rights to serve on a board, committee, or commission in Contra Costa County.

I Agree

---

Important Information

1. This application and any attachments you provide to it is a public document and is subject to the California Public Records Act (CA Government Code §6250-6270).
2. All members of appointed bodies are required to take the advisory body training provided by Contra Costa County.
3. Members of certain boards, commissions, and committees may be required to: (1) file a Statement of Economic Interest Form also known as a Form 700, and (2) complete the State Ethics Training Course as required by AB 1234.
4. Meetings may be held in various locations and some locations may not be accessible by public transportation.
5. Meeting dates and times are subject to change and may occur up to two (2) days per month.
6. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.
7. As indicated in Board Resolution 2021/234, a person will not be eligible for appointment if he/she is related to a Board of Supervisors' member in any of the following relationships:
  - (1) Mother, father, son, and daughter;
  - (2) Brother, sister, grandmother, grandfather, grandson, and granddaughter;
  - (3) Husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, and stepdaughter;
  - (4) Registered domestic partner, pursuant to California Family Code section 297;
  - (5) The relatives, as defined in 1 and 2 above, for a registered domestic partner;
  - (6) Any person with whom a Board Member shares a financial interest as defined in the Political Reform Act (Gov't Code §87103, Financial Interest), such as a business partner or business associate.



Contra  
Costa  
County

To: Board of Supervisors  
From: INTERNAL OPERATIONS COMMITTEE  
Date: May 17, 2022

**Subject:** RECOMMENDATION FOR APPOINTMENT TO THE RETIREMENT BOARD OF TRUSTEES

---

**RECOMMENDATION(S):**

REAPPOINT Scott Gordon to the Board of Supervisors Appointee #4 Seat on the Contra Costa County Employees' Retirement Association Board of Trustees to a new three-year term of July 1, 2022 through June 30, 2025.

**FISCAL IMPACT:**

None to the County. Retirement Board Trustees receive a stipend of \$100 per meeting, plus mileage reimbursement, paid by CCCERA.

**BACKGROUND:**

The Contra Costa County Employees' Retirement Association (CCCERA) is administered by the Board of Retirement, an independent public entity responsible for general management of the association. With assistance from qualified professionals in the pension industry, the Board adopts regulations, policies and procedures that are relevant to CCCERA, for the purpose of benefiting the members. CCCERA is also governed by the California Constitution and the regulations, procedures and policies adopted by CCCERA's Board. The Contra Costa County Board of Supervisors may also adopt resolutions which affect member benefits, as permitted by the County Employees' Retirement Law of 1937.

On June 30, 2022, the term for seat #4 on the County Retirement Board will expire, creating a vacancy. At the direction of the Internal Operations Committee, staff initiated a four-week recruitment by issuing a press release (attached) on March 28th advertising the vacancy, with an application deadline of April 22nd. One application (attached) was received, from incumbent Scott Gordon of Martinez.

The Internal Operations Committee, at its regular meeting on May 9, 2022, met with Mr. Gordon and considered his application for reappointment. The IOC unanimously recommends Mr. Gordon's appointment to a new three-year term through June 30, 2025.

**CONSEQUENCE OF NEGATIVE ACTION:**

If the recommendation is not approved, the County will not have full representation on the Retirement Board until a new recruitment can be completed.

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022  
Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Julie DiMaggio Enea (925)  
655-2056

By: Stacey M. Boyd, Deputy

cc: CAO (Enea), Retirement Administrator, Scott Gordon



ATTACHMENTS

Application\_Scott Gordon\_CCCERA

Media Release\_CCCERA Board of  
Trustees

# Application Form

## Profile

Scott \_\_\_\_\_ W \_\_\_\_\_ Gordon \_\_\_\_\_  
First Name Middle Initial Last Name

\_\_\_\_\_ Suite or Apt \_\_\_\_\_  
Home Address

Martinez \_\_\_\_\_ CA \_\_\_\_\_ 94553 \_\_\_\_\_  
City State Postal Code

\_\_\_\_\_  
Primary Phone

\_\_\_\_\_  
Email Address

### [District Locator Tool](#)

#### Resident of Supervisorial District:

District 5

Law Office of Scott W. Gordon, \_\_\_\_\_ Principal \_\_\_\_\_  
Employer Job Title

#### Length of Employment

21 Years

#### Do you work in Contra Costa County?

Yes  No

#### If Yes, in which District do you work?

District 2

#### How long have you lived or worked in Contra Costa County?

60 + years

#### Are you a veteran of the U.S. Armed Forces?

Yes  No

## Board and Interest

#### Which Boards would you like to apply for?

Contra Costa County Employees Retirement Association (CCCERA): Submitted

**Seat Name**

BOS Appointee 4

**Have you ever attended a meeting of the advisory board for which you are applying?**

Yes  No

**If Yes, how many meetings have you attended?**

120 + Meetings attended

---

**Education**

**Select the option that applies to your high school education \***

High School Diploma

**College/ University A**

**Name of College Attended**

UC Santa Barbara

**Degree Type / Course of Study / Major**

B.A., Economics

**Degree Awarded?**

Yes  No

**College/ University B**

**Name of College Attended**

UC Hastings College of the Law

**Degree Type / Course of Study / Major**

Juris Doctor

**Degree Awarded?**

Yes  No

---

**College/ University C**

**Name of College Attended**

Washington State University

**Degree Type / Course of Study / Major**

---

Economics

**Degree Awarded?**

---

Yes  No

---

**Other Trainings & Occupational Licenses**

**Other Training A**

---

**Certificate Awarded for Training?**

---

Yes  No

**Other Training B**

---

**Certificate Awarded for Training?**

---

Yes  No

**Occupational Licenses Completed:**

---

**Qualifications and Volunteer Experience**

**Please explain why you would like to serve on this particular board, committee, or commission.**

---

I am serving my third full term as a Pension Board Trustee, and am currently serving as Chair of the Board. CCCERA as an agency, and the Board is a body, have thrived and grown in the past years during my time as a Board member. We have had remarkable success based on strategic decisions and directives for the retirement fund that have proven successful, even in difficult periods for the public markets.

**Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)**

---

As noted above, I am serving my thirdfull term as a Pension Board Trustee and believe I am qualified based on my experience, the performance of the CCCERA fund and the improvements the Board has instituted and should be re-appointed for an additional term. I have an excellent attendance record for our Board meetings, and am currently serving as Chairperson of the Board. I previously served as Secretary of the Board and Vice Chair. When appointed in 2013, the Board was mired in litigation and hearings on various policy issues, and it has taken some time but now 9 years later we are now a healthy, performing independent District/agency with a working collegial board and talented staff. Our employee pension fund has now grown to over \$11 Billion and is 90+% funded, a fund health metric that all of our Board members are extremely proud of. I believe i have served successfully as an appointed fiduciary in the public interest, serving to enhance the benefits of all active members and beneficiaries as is our duty.

---

Upload a Resume

**Would you like to be considered for appointment to other advisory bodies for which you may be qualified?**

Yes  No

**Do you have any obligations that might affect your attendance at scheduled meetings?**

Yes  No

**If Yes, please explain:**

---

**Are you currently or have you ever been appointed to a Contra Costa County advisory board?**

Yes  No

**If Yes, please list the Contra Costa County advisory board(s) on which you are currently serving:**

CCCERA Retirement Board

**If Yes, please also list the Contra Costa County advisory board(s) on which you have previously served:**

Arts & Culture Commission

**List any volunteer or community experience, including any advisory boards on which you have served.**

Prior service includes the County Arts & Culture Commission (AC5), Martinez Education Foundation, Martinez Community Foundation, and Non-profit boards that made substantial public improvements for both MDUSD and MUSD athletic facilities.

---

### **Conflict of Interest and Certification**

**Do you have a familial or financial relationship with a member of the Board of Supervisors? (Please refer to the relationships listed under the "Important Information" section below or Resolution No. 2021/234)**

Yes  No

**If Yes, please identify the nature of the relationship:**

---

**Do you have any financial relationships with the County such as grants, contracts, or other economic relationships?**

---

Yes  No

**If Yes, please identify the nature of the relationship:**

---

**Please Agree with the Following Statement**

---

**I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publicly accessible. I understand that misstatements and/or omissions of material fact may cause forfeiture of my rights to serve on a board, committee, or commission in Contra Costa County.**

---

I Agree

---

Important Information

1. This application and any attachments you provide to it is a public document and is subject to the California Public Records Act (CA Government Code §6250-6270).
2. All members of appointed bodies are required to take the advisory body training provided by Contra Costa County.
3. Members of certain boards, commissions, and committees may be required to: (1) file a Statement of Economic Interest Form also known as a Form 700, and (2) complete the State Ethics Training Course as required by AB 1234.
4. Meetings may be held in various locations and some locations may not be accessible by public transportation.
5. Meeting dates and times are subject to change and may occur up to two (2) days per month.
6. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.
7. As indicated in Board Resolution 2021/234, a person will not be eligible for appointment if he/she is related to a Board of Supervisors' member in any of the following relationships:
  - (1) Mother, father, son, and daughter;
  - (2) Brother, sister, grandmother, grandfather, grandson, and granddaughter;
  - (3) Husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, and stepdaughter;
  - (4) Registered domestic partner, pursuant to California Family Code section 297;
  - (5) The relatives, as defined in 1 and 2 above, for a registered domestic partner;
  - (6) Any person with whom a Board Member shares a financial interest as defined in the Political Reform Act (Gov't Code §87103, Financial Interest), such as a business partner or business associate.



Statement of Qualifications  
For  
**Scott W. Gordon**

---

**Scott W. Gordon** received his Bachelor of Arts degree with honors from the University of California at Santa Barbara in 1977, and his law degree (*Juris Doctor*) with high honors from U.C. Hastings College of the Law in 1981, where he was *Order of the Coif* and a Member of the Thurston Society (Top 5% of 1981 Class).

Mr. Gordon has been a Member of the State Bar of California since 1981, and carries an *AV* rating with Martindale-Hubbell. He previously served as Legislative Aide to the late former state Senator John A. Nejedly, R- Walnut Creek, and has held both elected and appointed positions. Mr. Gordon is a member of the Los Angeles County and Contra Costa County Bar Associations. He is also an appointed Trustee and currently serving as Chair of the Contra Costa County Employees' Retirement Association Pension Board, appointed by the Board of Supervisors in July 2013 and re-appointed in 2016 and 2019.

**2001 – Present:** Law Offices of Scott W. Gordon, a Professional Corporation. Mr. Gordon has established an environmental and public agency practice specializing in land use, regulatory compliance and permitting and business transactions for private clients and public agencies. Mr. Gordon provides advice and assistance on business and transaction issues in three principal marketplaces: the nine county San Francisco Bay Area, the greater Los Angeles County – Orange County metropolitan area (including the Inland Empire), and Ventura County. His practice also includes the representation of public agency and private clients in land use entitlement and environmental matters, including all

aspects of CEQA and NEPA compliance, transactional due diligence matters, permitting and related litigation.

**1991 – 2001:** Partner, Bruen & Gordon, A Professional Corporation.

Mr. Gordon's practice at the firm included the representation of public agency and private clients in land use entitlement and environmental matters, including all aspects of CEQA and NEPA compliance. Mr. Gordon handled a number of business transactions for private clients, including acquisitions, divestitures, and complex contractual arrangements. Mr. Gordon also handled several major CEQA and CERCLA litigation matters as well as representing both public and private clients in administrative agency proceedings before state and federal agencies.

**1982 – 1990:** Mr. Gordon joined the Contra Costa County law firm of Gordon, DeFraga, Watrous & Pezzaglia, where he became a partner in 1987, in charge of the firm's environmental practice. Mr. Gordon's practice at the firm included the representation of clients in the oil and chemical refining industry, solid and hazardous waste industries, public entity tort claims defense, as well as representing both public and private clients in administrative agency and litigation matters. Mr. Gordon formed Bruen & Gordon with long time law and business partner Thomas M. Bruen in 1991, specializing in Environmental Law, Land Use Planning, and Public Agency Representation.

Relevant Experience:

Mr. Gordon has extensive experience in representing public and private clients in industrial facility land acquisition and facility permitting, including securing environmental permits and approvals from resource agencies. In addition to transactional work handling environmental aspects of real estate transactions and property investigations, he has prior CERCLA litigation experience in representing both plaintiff and defendant responsible parties in cost recovery and apportionment actions.

## **Representative Projects and Litigation Matters**

Types of matters handled directly by Mr. Gordon:

- Planning, Zoning and Land Use for Industrial and Commercial Projects
- Land Acquisition and Due Diligence Matters, Environmental Investigations
- Municipal Franchising Agreements (Solid Waste and Product Pipelines)
- Principal Draftsperson and Sponsor Support for Legislation (California)
- State of California Tort Claims Act Litigation
- CEQA and NEPA Litigation (including as Petitioner's CEQA counsel)
- CERCLA Compliance and Cost Recovery Litigation
- Preparation of SEC 8K, 10Q and 10K Reporting

### **Industrial Permitting Projects:**

- City of Brentwood Transfer Station Modifications
- Salinas Valley Solid Waste Authority Lewis Road Landfill Closure Project
- Salinas Valley Solid Waste Authority Jolon Road Closure Plan
- Salinas Valley Solid Waste Authority Regional Facilities Project (Monterey County)
- Salinas Valley Solid Waste Authority Conversion Technology Resource Park (Monterey County)

- Los Flores Canyon Solid Waste Management Facility (City of Santa Maria, Santa Barbara County)
- West County Bulk Materials and Organic Materials Processing Facility
- Acme Fill Expansion and Wetlands Fill Mitigation Project (Contra Costa County)
- Acme Fill Closure Plan Approvals (CIWMB, DTSC)
- Keller Canyon Landfill Project (Contra Costa County)
- Forward Landfill Expansion and Organic Materials Facility (San Joaquin County)
- Golden Bear Transfer and Resource Recovery Station (West Contra Costa County)
- Vasco Road Landfill Project and CUP Renewal (Alameda County)
- Sunrise Mountain Landfill; EPA Compliance Orders and Re-Use Plan (Clark County, Nevada)
- Potrero Hills Landfill Expansion Project (Solano County)
- Chiquita Canyon Landfill Expansion Project (County of Los Angeles)
- Cold Canyon Compost Facility (San Luis Obispo County)
- Cold Canyon Landfill Expansion Project (San Luis Obispo County)
- Eagle Mountain Landfill and Recycling Center Project (Riverside County)

Litigation Matters:

- *IT Corporation v. County of Solano* (Calif. Supreme Court)
- *Center For Environmental Justice, et al v. County of Riverside, et al. (I and II)*
- *Lewis Road Citizens Action Committee v. County of Monterey*

- *Members of the GBF Pittsburg Landfill(s) Respondents Group v. Contra Costa Waste Services, Inc. et al (CERCLA Cost Recovery, represented the owner operator steering committee plaintiffs)*
- *United States of America v. County of El Dorado et al and related Third Party actions (Meyers Landfill Litigation [for Douglas County, Nevada])*
- *DTSC Remedial Action Order (RAO); In re the Matter of West County landfill, Inc.*
- *DTSC Remedial Action Order, GBF/Pittsburg Landfill(s) (Contra Costa County)*
- *City of Pittsburg v. County of Contra Costa (Keller Canyon Cases No. I, II and III)*
- *Protect the Marsh et al v. County of Solano, et al*
- *Northern California Recyclers Assn, et al v. Potrero Hills Landfill, Inc.*



## Contra Costa County

County Administrator's Office • 1025 Escobar St., 4<sup>th</sup> Fl. • Martinez, CA 94553 • [www.contracosta.ca.gov](http://www.contracosta.ca.gov)

---

FOR IMMEDIATE RELEASE  
Monday, March 28, 2022

Contact: Julie DiMaggio Enea, 925-655-2056  
[julie.enea@cao.cccounty.us](mailto:julie.enea@cao.cccounty.us)

### **Would You Like to Serve on Contra Costa County's Retirement Board?**

The Contra Costa County Board of Supervisors is seeking an individual with a sound business background, experience in pension fund investment or administration, or in equity investments or banking, to serve on the Contra Costa County Employees' Retirement Association Board of Trustees. To be considered, candidates must be County residents, must not be Retirement System members or retirees, and may not market any investment, consulting, or related service to the Contra Costa County Retirement Board or any other 1937 Act Retirement Board.

Regular meetings of the Retirement Board are held the second and fourth Wednesdays of each month beginning at 9:00 a.m. and sometimes extending into the afternoon. There may also be additional meetings on special topics that arise from time to time.

Members of the Retirement Board receive \$100 per meeting up to a monthly maximum of \$500, plus reimbursement for actual and necessary expenses. The appointment will be for a full three-year term beginning July 1, 2022 and ending June 30, 2025.

Application forms can be obtained from the Clerk of the Board of Supervisors by calling (925) 655-2000 or by visiting the County webpage at [www.contracosta.ca.gov](http://www.contracosta.ca.gov). Applications should be returned to the Clerk of the Board of Supervisors, County Administration Building, 1025 Escobar St., Martinez, CA 94553 no later than 5 p.m. on Friday, April 22, 2022. Applicants should plan to be available for public interviews in Martinez on Monday, May 9, 2022.

Further information about the Retirement Board can be obtained by calling CCCERA CEO Gail Strohl at (925) 521-3960 or by visiting the website [www.cccera.org](http://www.cccera.org).

####





Contra  
Costa  
County

To: Board of Supervisors  
From: INTERNAL OPERATIONS COMMITTEE  
Date: May 17, 2022

**Subject:** RECOMMENDATION FOR APPOINTMENT TO THE COUNTY PLANNING COMMISSION

---

**RECOMMENDATION(S):**

REAPPOINT Bhupen Amin to the At Large #1 seat on the County Planning Commission to a new four-year term beginning July 1, 2022 and ending June 30, 2026.

**FISCAL IMPACT:**

Planning Commissioners receive a County-paid stipend of \$50 per meeting, not to exceed \$300 a month, plus mileage reimbursement.

**BACKGROUND:**

On December 12, 2000, the Board of Supervisors approved a policy on the process for recruiting applicants for selected advisory bodies of the Board. This policy requires an open recruitment for all vacancies to At Large seats appointed by the Board. The Board also directed that the IOC personally conduct interviews of applicants for At Large seats on several boards, committees, and commissions including the Contra Costa County Planning Commission.

The term of office of the At Large #1 seat on the Planning Commission will expire on June 30, 2022 and the subsequent term will run from July 1, 2022 - June 30, 2026. The Planning Commission's powers and duties include:

- Exercise all powers and duties prescribed by law (statute, ordinance or board order), including consideration of matters referred to it by the zoning administrator except those powers and duties specifically reserved or delegated to other divisions of the planning agency;
- Initiate preparation of general plans, specific plans, regulations, programs and legislation to implement the planning power of the county;
- Be generally responsible for advising the legislative body of matters relating to planning, which, in the opinion of the commission, should be studied;
- Be the advisory agency as designated in Title 9 of this code for the purpose of passing on subdivisions;
- Hear and decide all applications or requests for proposed entitlements estimated to generate one hundred or more peak hour trips unless otherwise provided by this code or board order; and
- Hear and make recommendations regarding proposed development agreements when it is hearing the related project applications being processed concurrently with the development agreements.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Julie DiMaggio Enea  
925.655.2056

By: Stacey M. Boyd, Deputy

BACKGROUND: (CONT'D)

At the direction of the Internal Operations Committee, staff initiated a four-week recruitment by issuing a press release (attached) on March 28th advertising the vacancy, with an application deadline of April 22. Two individuals, Bhupen Amin of Walnut Creek and Bolston Jones of Concord, applied (see attached applications) and were interviewed by the Internal Operations Committee at its regular meeting on May 9, 2022. The IOC unanimously recommends the reappointment of Bhupen Amin to a new four-year term ending on June 30, 2026.

ATTACHMENTS

Application\_Amin Bhupen\_Planning Commission

Application\_Bolston Jones\_Planning Commission

Media Release\_County Planning Commission\_3-28-22

## Application Form

---

### Profile

Bhupen

First Name

Amin

Middle Initial

Last Name

Home Address

Suite or Apt

Walnut Creek

City

CA

State

94598

Postal Code

Primary Phone

Email Address

### [District Locator Tool](#)

#### Resident of Supervisorial District:

District 4

Lotus Hotels & Investments, Inc.

Employer

President

Job Title

#### Length of Employment

24 years

#### Do you work in Contra Costa County?

Yes  No

#### If Yes, in which District do you work?

1, 4 and 5

#### How long have you lived or worked in Contra Costa County?

45 years

#### Are you a veteran of the U.S. Armed Forces?

Yes  No

---

### Board and Interest

#### Which Boards would you like to apply for?

Planning Commission: Submitted

**Seat Name**

---

At Large Seat

**Have you ever attended a meeting of the advisory board for which you are applying?**

---

Yes  No

**If Yes, how many meetings have you attended?**

---

I have not missed a meeting in 4 years

---

**Education**

**Select the option that applies to your high school education \***

---

High School Diploma

**College/ University A**

**Name of College Attended**

---

UC Berkeley

**Degree Type / Course of Study / Major**

---

Finance & Accounting

**Degree Awarded?**

---

Yes  No

**College/ University B**

**Name of College Attended**

---

UC Davis

**Degree Type / Course of Study / Major**

---

Law Degree

**Degree Awarded?**

---

Yes  No

---

**College/ University C**

**Name of College Attended**

---

**Degree Type / Course of Study / Major**

---

**Degree Awarded?**

Yes  No

---

**Other Trainings & Occupational Licenses**

**Other Training A**

**Certificate Awarded for Training?**

Yes  No

**Other Training B**

**Certificate Awarded for Training?**

Yes  No

**Occupational Licenses Completed:**

---

---

**Qualifications and Volunteer Experience**

**Please explain why you would like to serve on this particular board, committee, or commission.**

I have enjoyed my time on the Planning Commission. I previously served on the County's Economic Opportunity Commission and as Chair of the Workforce Development Board. This has been a wonderful learning experience for me and opportunity to remain active in my community.

**Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)**

I have experience on several boards and work well with diverse groups. I also have judicial experience and can make logical, thoughtful decisions independently. I try to remain impartial and fair.

[Upload a Resume](#)

**Would you like to be considered for appointment to other advisory bodies for which you may be qualified?**

Yes  No

**Do you have any obligations that might affect your attendance at scheduled meetings?**

Yes  No

If Yes, please explain:

---

Are you currently or have you ever been appointed to a Contra Costa County advisory board?

---

Yes  No

If Yes, please list the Contra Costa County advisory board(s) on which you are currently serving:

---

Planning Commission

If Yes, please also list the Contra Costa County advisory board(s) on which you have previously served:

---

Chair of Workforce Development Board. Economic Opportunity Commission

List any volunteer or community experience, including any advisory boards on which you have served.

---

UCSF Benioff Children's Hospital Finance Committee Brookside Community Health Center - San Pablo  
California Hotel & Lodging Association Samaj Saves Lives

---

### **Conflict of Interest and Certification**

Do you have a familial or financial relationship with a member of the Board of Supervisors?  
(Please refer to the relationships listed under the "Important Information" section below or Resolution No. 2021/234)

---

Yes  No

If Yes, please identify the nature of the relationship:

---

Do you have any financial relationships with the County such as grants, contracts, or other economic relationships?

---

Yes  No

If Yes, please identify the nature of the relationship:

---

## Please Agree with the Following Statement

---

**I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publicly accessible. I understand that misstatements and/or omissions of material fact may cause forfeiture of my rights to serve on a board, committee, or commission in Contra Costa County.**

---

I Agree

---

### Important Information

1. This application and any attachments you provide to it is a public document and is subject to the California Public Records Act (CA Government Code §6250-6270).
2. All members of appointed bodies are required to take the advisory body training provided by Contra Costa County.
3. Members of certain boards, commissions, and committees may be required to: (1) file a Statement of Economic Interest Form also known as a Form 700, and (2) complete the State Ethics Training Course as required by AB 1234.
4. Meetings may be held in various locations and some locations may not be accessible by public transportation.
5. Meeting dates and times are subject to change and may occur up to two (2) days per month.
6. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.
7. As indicated in Board Resolution 2021/234, a person will not be eligible for appointment if he/she is related to a Board of Supervisors' member in any of the following relationships:
  - (1) Mother, father, son, and daughter;
  - (2) Brother, sister, grandmother, grandfather, grandson, and granddaughter;
  - (3) Husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, and stepdaughter;
  - (4) Registered domestic partner, pursuant to California Family Code section 297;
  - (5) The relatives, as defined in 1 and 2 above, for a registered domestic partner;
  - (6) Any person with whom a Board Member shares a financial interest as defined in the Political Reform Act (Gov't Code §87103, Financial Interest), such as a business partner or business associate.





**Bhupen B. Amin.** Mr. Amin is President and Chief Operating Officer of Lotus Hotels, Inc. in Walnut Creek, California. In his capacity, Mr. Amin is responsible for the development, management, financing and operations of several hotel companies, retail centers and self-storage facilities. Prior to joining Lotus, Mr. Amin was an attorney at the Law Offices of Bowles & Verna in Walnut Creek, California with a focus on real estate litigation. He was a founder of an FDIC-insured bank in Silicon Valley, which he later helped consolidate into United Business Bank, a publicly traded (NASDAQ: BCML) community bank with 34 west coast branches and over \$2 billion in assets today. He continues to serve as a member of the Bank's Board of Directors and is Chairman of the Directors Loan Committee.

Mr. Amin also sits on the nominating committee and Board of Directors of the California Hotel & Lodging Association (CH&LA), and is an active member of the scholarship committee of the American Hotel & Lodging Association (AH&LA) in Washington D.C. Mr. Amin became the first Indian-American to be elected Chairman of CH&LA, the largest state hotel association in the nation. Mr. Amin has acted as a Pro Tem Judge in the Alameda County Superior Courts for nearly 20 years, and served on the Board of the Brookside Community Health Center and finance committee of the UCSF Benioff Children's Hospital & Research Center in Oakland, CA.

The Contra Costa County Board of Supervisors appointed Mr. Amin to serve on both the County's Economic Opportunity Council and Workforce Development Board, where he was elected as the 2018-2020 Chairman. In addition, he serves as Vice Chairman of the County Planning Commissioner in Contra Costa County, a region of nearly 1.2 million people. Mr. Amin recently launched a charitable initiative called Samaj Saves Lives to raise awareness about the critical need for organ donation within the South Asian community. Mr. Amin earned his law degree from the University of California, Davis and secured his undergraduate degrees with honors in accounting and finance from the Haas School of Business at the University of California, Berkeley.

# Application Form

## Profile

BOLSTON

First Name

JONES

Middle Initial

Last Name

Home Address

Suite or Apt

Concord

City

CA

State

94518

Postal Code

Primary Phone

Email Address

### [District Locator Tool](#)

#### Resident of Supervisorial District:

District 4

Walgreens Pharmacy

Employer

Pharmacy Technician

Job Title

#### Length of Employment

9 years

#### Do you work in Contra Costa County?

Yes  No

#### If Yes, in which District do you work?

4

#### How long have you lived or worked in Contra Costa County?

5 years

#### Are you a veteran of the U.S. Armed Forces?

Yes  No

## Board and Interest

#### Which Boards would you like to apply for?

Planning Commission: Submitted

**Seat Name**

---

Bolston Jones

**Have you ever attended a meeting of the advisory board for which you are applying?**

---

Yes  No

**If Yes, how many meetings have you attended?**

---

---

**Education**

**Select the option that applies to your high school education \***

---

High School Diploma

**College/ University A**

**Name of College Attended**

---

Golden Gate University

**Degree Type / Course of Study / Major**

---

Master's EMPA, UI

**Degree Awarded?**

---

Yes  No

**College/ University B**

**Name of College Attended**

---

University of Minnesota

**Degree Type / Course of Study / Major**

---

Communication-Media Studies-BA

**Degree Awarded?**

---

Yes  No

---

**College/ University C**

**Name of College Attended**

---

**Degree Type / Course of Study / Major**

---

**Degree Awarded?**

Yes  No

---

**Other Trainings & Occupational Licenses**

**Other Training A**

---

**Certificate Awarded for Training?**

Yes  No

---

**Other Training B**

---

**Certificate Awarded for Training?**

Yes  No

---

**Occupational Licenses Completed:**

---

**Qualifications and Volunteer Experience**

**Please explain why you would like to serve on this particular board, committee, or commission.**

---

It is my hope to serve on either the Legislation Committee, Planning Commission Board or the Equal Opportunity Advisory Board when a vacancy(s) becomes available because I have a passion to be part of Contra Costa County economic growth and development and act as a liaison for the residents of Contra Costa County to have a voice for cit

**Describe your qualifications for this appointment. (NOTE: you may also include a copy of your resume with this application)**

---

Master's Degree- Golden Gate University- EMPA, UI. Bachelor's Degree- Communication and Media Studies Contra Costa County Elections Department

---

Upload a Resume

**Would you like to be considered for appointment to other advisory bodies for which you may be qualified?**

Yes  No

**Do you have any obligations that might affect your attendance at scheduled meetings?**

Yes  No

**If Yes, please explain:**

---

I have a work schedule but can work around to meet the meetings shceudle

**Are you currently or have you ever been appointed to a Contra Costa County advisory board?**

---

Yes  No

**If Yes, please list the Contra Costa County advisory board(s) on which you are currently serving:**

---

**If Yes, please also list the Contra Costa County advisory board(s) on which you have previously served:**

---

**List any volunteer or community experience, including any advisory boards on which you have served.**

---

San Francisco Food Bank-Volunteer PTCB Advisory Council California Pharmacy Association Advisory Committee

---

### **Conflict of Interest and Certification**

**Do you have a familial or financial relationship with a member of the Board of Supervisors? (Please refer to the relationships listed under the "Important Information" section below or Resolution No. 2021/234)**

---

Yes  No

**If Yes, please identify the nature of the relationship:**

---

**Do you have any financial relationships with the County such as grants, contracts, or other economic relationships?**

---

Yes  No

**If Yes, please identify the nature of the relationship:**

---

**Please Agree with the Following Statement**

---

**I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publicly accessible. I understand that misstatements and/or omissions of material fact may cause forfeiture of my rights to serve on a board, committee, or commission in Contra Costa County.**

---

I Agree

---

Important Information

1. This application and any attachments you provide to it is a public document and is subject to the California Public Records Act (CA Government Code §6250-6270).
2. All members of appointed bodies are required to take the advisory body training provided by Contra Costa County.
3. Members of certain boards, commissions, and committees may be required to: (1) file a Statement of Economic Interest Form also known as a Form 700, and (2) complete the State Ethics Training Course as required by AB 1234.
4. Meetings may be held in various locations and some locations may not be accessible by public transportation.
5. Meeting dates and times are subject to change and may occur up to two (2) days per month.
6. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.
7. As indicated in Board Resolution 2021/234, a person will not be eligible for appointment if he/she is related to a Board of Supervisors' member in any of the following relationships:
  - (1) Mother, father, son, and daughter;
  - (2) Brother, sister, grandmother, grandfather, grandson, and granddaughter;
  - (3) Husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepson, and stepdaughter;
  - (4) Registered domestic partner, pursuant to California Family Code section 297;
  - (5) The relatives, as defined in 1 and 2 above, for a registered domestic partner;
  - (6) Any person with whom a Board Member shares a financial interest as defined in the Political Reform Act (Gov't Code §87103, Financial Interest), such as a business partner or business associate.

# BOLSTON JONES

Santa Barbara, CA | [REDACTED] | LinkedIn

## PUBLIC SERVICE – Executive Administration at the Local Levels –Pharmacy Healthcare Administration

### PROFESSIONAL PROFILE

Dynamic, public service-motivated professional with a myriad of transferrable skills, proficiencies, and competencies that span a broad spectrum in public service, community/local agencies, and the private sector. Proven aptitude for utilizing strategic methodologies and research-based mentality to effectively apply creative problem-solving skills in customer service/relations, research & data analysis, and overall program oversight. Excels as a knowledgeable trainer, mentor, coach, subject matter expert (SME), and resource for associated federal, state, city, local, corporate, and state processes, regulations, and requirements. Demonstrates proficiencies in customer acquisition, retention, service, administrative operations, and office administration, ensuring adherence to and expanding all departmental processes.

### KEY SKILLS & COMPETENCIES

Public Service Administration | Client Relationship Management | Customer Service, Retention, & Loyalty  
Pharmacy Technician & Program Manager | Administrative Operations | Retail Operations | Communicator & Collaborator  
Inventory Management | Facility Management & Operations | Purchasing & Procurement | Program Management

### RELATED PROFESSIONAL EXPERIENCE

City of /Santa Barbara & Dublin, CA.

2019 to Present

#### RECREATION LEADER II-IV

Functions as a Recreational Leader in Public Service for the City of Dublin, focused with inspecting activity areas and related equipment, drafting written reports of damage to equipment or facility, and recommending maintenance and repair.

#### Key Responsibilities & Accomplishments:

- Applies extensive expertise in compliance and regulations by enforcing safety rules and associated regulations, maintaining orderly participant conduct.
- Conducts arts & crafts activities for grades K-5, fostering and expanding community relationships.
- Actively maintains participant professional conduct, demonstrating customer service & relations, collaboration, relationship development, and active listening skills.

Walgreens | Goleta, CA

2006 to Present

#### PHARMACY TECHNICIAN

Presently serves as an On-Call Floating Pharmacy Technician for various Walgreens in California.

#### Key Responsibilities & Accomplishments:

- Proactively provides medication and health care products to consumers, demonstrating active listening and communication expertise by aligning customer needs with available products and services.
- Diligently prepares prescribed medications for patients.
- In a client-driven role, triages phone calls for pharmacists, facilitating positive relations and ensuring all questions are routed appropriately.
- As an administrative professional, effectively balanced inventory, procured needed items, and ensured a well-stocked facility.

Election Office | Martinez, CA

2020

#### ELECTION CLERK-Seasonal

As a Public Administrator, performed extensive customer service, brand development/expansion, and overall marketing/advertising in public service.

#### Key Responsibilities & Accomplishments:

- Represented the local Election Office in a positive light by locating and finding volunteers to work at the polls on Election Day, serving as a Representative at a Regional Early Voting location.
- Proficiently assisted in the assembly of polling place supplies and testing voting equipment.
- Proactively extracted and prepared ballots for Election Day voting.



## RELATED PROFESSIONAL EXPERIENCE - continued

Heald College | San Francisco, CA

2010 to 2015

### Program Director/Instructor – Pharmacy Technician Program

As a Pharmacy Technician Program Instructor/Director held responsibility for the organization, administration, continuous review, planning, and general effective of the program.

#### Key Responsibilities & Accomplishments:

- Successfully secured and assigned externship sites for pharmacy technology students.
- As a Subject Matter Expert (SME), lectured on pharmacy law, intravenous medications, and calculations.

Stanford Hospital and Clinics | Palo Alto, CA & San Francisco, CA

2001 to 2006

### CPHT-Pharmacy Technician

Ensured accurate and quality preparation of anesthesia trays for the operating room as well as intravenous solutions for CCU/ICU and chemotherapy treatments.

#### Key Responsibilities & Accomplishments:

- Gained expertise and certifications with Pyxis Automation, Omni-Cell, and PhaSeal.
- Delivered and prepared TPN solutions with proper unit dose medication.

## EDUCATION

Executive Master's Public Administration/Urban Innovations (EMPA) | *Golden Gate University*; San Francisco, CA  
BACHELOR OF ART's – Broadcast Communication/Media Studies (BA) | *University of Minnesota*; Minneapolis, MN



## Contra Costa County

County Administrator's Office • 1025 Escobar St., 4<sup>th</sup> Fl. • Martinez, CA 94553 • [www.contracosta.ca.gov](http://www.contracosta.ca.gov)

---

### Media Release

---

**FOR IMMEDIATE RELEASE**  
Monday, March 28, 2022

Contact: Julie DiMaggio Enea  
Phone: (925) 655-2056  
Email: [julie.enea@cao.cccounty.us](mailto:julie.enea@cao.cccounty.us)

#### **HELP BUILD A GREAT COMMUNITY! WOULD YOU LIKE TO SERVE ON THE COUNTY PLANNING COMMISSION?**

The Contra Costa County Board of Supervisors is seeking an individual who is interested in serving on the County's Planning Commission. The Commission is responsible for hearing and deciding applications for proposed projects that generate more than 100 peak hour trips, and all appeals from decisions of the zoning administrator. The Commission also may initiate preparation of general plans, specific plans, regulations, programs, and legislation to implement the land use planning power of the county; is generally responsible for advising the Board of Supervisors of matters relating to planning; is the designated advisory agency for the purpose of passing on subdivisions; and hears and makes recommendations regarding proposed development agreements.

Meetings of the Planning Commission are generally held on the second and fourth Wednesdays of each month at 7:00 p.m. in Martinez. Members of the Planning Commission receive \$50 per meeting up to a monthly maximum of \$300, plus mileage expense. The appointment will be for a full four-year term beginning July 1, 2022 and ending June 30, 2026.

Application forms can be obtained from the Clerk of the Board of Supervisors by calling (925) 655-2000 or by visiting the County webpage at [www.contracosta.ca.gov](http://www.contracosta.ca.gov). Applications should be returned to the Clerk of the Board of Supervisors, County Administration Building, 1025 Escobar St., Martinez, CA 94553 no later than 5 p.m. on Friday, April 22, 2022. Applicants should plan to be available for public interviews in Martinez on Monday, May 9, 2022.

For more information about the County Planning Commission, contact Hiliana Li, Contra Costa County Department of Conservation and Development, at (925) 655-2860 or [hiliana.li@dcd.cccounty.us](mailto:hiliana.li@dcd.cccounty.us).

###



Contra  
Costa  
County

To: Board of Supervisors  
From: Ann Elliott, Human Resources Director  
Date: May 17, 2022

Subject: Reallocate salaries in various Departmental Human Resources classifications

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution Number 25949 reallocating Departmental Human Resources Analyst II (ARTA) (unrepresented) on the salary schedule from B85 1631 to plan and grade B85 1138, add two steps for a 9-step range (\$7,079-\$10,459.25); leave all employees in the step that equals current compensation rate; reallocate the salary for Departmental Human Resources Supervisor (APFB) and Departmental Human Resources Officer I - Exempt (APG1) (both unrepresented) salary plan and grade B85 1876 (\$9,111.08-\$11,074.57) to (\$9,551.58-\$11,610.00); reallocate the salary for Departmental Human Resources Officer II - Exempt (APG2) (unrepresented) from salary plan and grade B85 1877 (\$9,748.85-\$11,849.79) to (\$10,567-\$12,845.00), as recommended by the Director of Human Resources.

**FISCAL IMPACT:**

Upon approval, this action will result in approximate annual salary and benefit cost increases totaling \$102,692, which includes \$28,696 in pension cost. Current year impacts will be approximately \$6,582. The increased salary and benefit costs will be fully funded by the departments with staff in Departmental Human Resources Analyst II positions.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Tina Pruet, 925-655-2179

cc:

BACKGROUND:

The Departmental Human Resources Analyst II classification supports employee relations, leave and disability administration, recruitment, classification and compensation, and other human resources operations needs in medium and large County departments. Since June 2021, Human Resources has conducted 6 recruitments to fill classes in the Departmental Human Resources Analyst series. The two largest County departments, Health Services and Employment and Human Services have each had at least two vacancies in the Departmental Human Resources Analyst II classification for nearly a year. While some positions have been filled through those recruitments, we now have more vacancies than we did when the first recruitment opened. In Health Services the current vacancies represent 50% of the full time positions assigned to employee relations, while EHSD is nearing an anticipated 50% vacancy rate in positions that operate as generalists due to an upcoming retirement.

The reallocation of the salary for the Departmental Human Resources Analyst II creates salary compaction between the Departmental Human Resources Supervisor and Departmental Human Resources Officer I & II classifications. As such, a salary study was conducted on all three higher level classifications, and it was found that they are also below market. By bringing the salary for these classifications to market, it corrects the compaction issue created by addressing the analyst level.

CONSEQUENCE OF NEGATIVE ACTION:

County departments will continue to experience significant difficulty in recruiting and retaining the Human Resources staff needed to support employee relations, leave and disability administration, and other key human resources operations functions. Without adequate staffing in those roles, the County will have difficulty in addressing workplace issues and meeting legal obligations under various employment and labor laws.

AGENDA ATTACHMENTS

P300 25949

MINUTES ATTACHMENTS

Signed P300 25949

POSITION ADJUSTMENT REQUEST

NO. 25949
DATE 5/5/2022

Department Various Department No./ Budget Unit No. Org No. Agency No.

Action Requested: Reallocate (ARTA) on the salary schedule from plan and grade B85 1631 to plan and grade B85 1138, add 2 steps for a 9-step range (\$7,079-\$10,459.25); leave all employees in the step that equals current compensation rate; reallocate the salary for (APFB) & (APG1) salary plan and grade B85 1876 to (\$9,551.58-\$11,610.00), reallocate salary for (APG2) salary plan and grade B8 1877 (\$10,567-\$12,845).

Proposed Effective Date: 5/18/2022

Classification Questionnaire attached: Yes No / Cost is within Department's budget: Yes No

Total One-Time Costs (non-salary) associated with request:

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$102,692.00 Net County Cost
Total this FY \$28,696.00 N.C.C. this FY

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Various Funds

Department must initiate necessary adjustment and submit to CAO. Use additional sheet for further explanations or comments.

Tina Pruett (for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

L. Strobel 5/10/2022 Deputy County Administrator Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 5/1/2022

Reallocate (ARTA) (unrepresented) on the salary schedule from plan and grade B85 1631 to plan and grade B85 1138, add two steps for a 9-step range (\$7,079-\$10,459.25); leave all employees in the step that equals current compensation rate; reallocate the salary for (APFB) and (APG1) salary plan and grade B85 1876 to (\$9,551.58-\$11,610.00), reallocate salary for (APG2) salary plan and grade B85 1877 to (\$10,567-\$12,845.)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: Day following Board Action. Tina Pruett 5/5/2022 (for) Director of Human Resources Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE Approve Recommendation of Director of Human Resources Disapprove Recommendation of Director of Human Resources Other: (for) County Administrator

BOARD OF SUPERVISORS ACTION: Adjustment is APPROVED DISAPPROVED Monica Nino, Clerk of the Board of Supervisors and County Administrator

DATE BY

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION Adjust class(es) / position(s) as follows:

## REQUEST FOR PROJECT POSITIONS

Department \_\_\_\_\_

Date \_\_\_\_\_

No. \_\_\_\_\_

1. Project Positions Requested:
  
2. Explain Specific Duties of Position(s)
  
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
  
4. Duration of the Project: Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
  
5. Project Annual Cost
  - a. Salary & Benefits Costs: \_\_\_\_\_
  - b. Support Costs: \_\_\_\_\_  
(services, supplies, equipment, etc.)
  - c. Less revenue or expenditure: \_\_\_\_\_
  - d. Net cost to General or other fund: \_\_\_\_\_
  
6. Briefly explain the consequences of not filling the project position(s) in terms of:
  - a. potential future costs
  - b. legal implications
  - c. financial implications
  - d. political implications
  - e. organizational implications
  
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
  
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
  
9. How will the project position(s) be filled?
  - a. Competitive examination(s)
  - b. Existing employment list(s) Which one(s)? \_\_\_\_\_
  - c. Direct appointment of:
    1. Merit System employee who will be placed on leave from current job
    2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY

POSITION ADJUSTMENT REQUEST

NO. 25949
DATE 5/5/2022

Department Various
Department No./ Budget Unit No. Org No. Agency No.

Action Requested: Reallocate (ARTA) on the salary schedule from plan and grade B85 1631 to plan and grade B85 1138, add 2 steps for a 9-step range (\$7,079-\$10,459.25); leave all employees in the step that equals current compensation rate; reallocate the salary for (APFB) & (APG1) salary plan and grade B85 1876 to (\$9,551.58-\$11,610.00), reallocate salary for (APG2) salary plan and grade B8 1877 (\$10,567-\$12,845).

Proposed Effective Date: 5/18/2022

Classification Questionnaire attached: Yes No / Cost is within Department's budget: Yes No

Total One-Time Costs (non-salary) associated with request:

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$102,692.00 Net County Cost
Total this FY \$28,696.00 N.C.C. this FY

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Various Funds

Department must initiate necessary adjustment and submit to CAO. Use additional sheet for further explanations or comments.

Tina Pruet

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

L. Strobel

5/10/2022

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 5/1/2022

Reallocate (ARTA) (unrepresented) on the salary schedule from plan and grade B85 1631 to plan and grade B85 1138, add two steps for a 9-step range (\$7,079-\$10,459.25); leave all employees in the step that equals current compensation rate; reallocate the salary for (APFB) and (APG1) salary plan and grade B85 1876 to (\$9,551.58-\$11,610.00), reallocate salary for (APG2) salary plan and grade B85 1877 to (\$10,567-\$12,845.)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: Day following Board Action. (Date)

Tina Pruet

5/5/2022

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

- Approve Recommendation of Director of Human Resources
Disapprove Recommendation of Director of Human Resources
Other:

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED DISAPPROVED

Monica Nino, Clerk of the Board of Supervisors and County Administrator

DATE 05-17-2022

BY

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:





Contra  
Costa  
County

To: Board of Supervisors  
From: Marla Stuart, Employment and Human Services Director  
Date: May 17, 2022

**Subject:** Add One Social Service Program Analyst position and Cancel One Aging and Adult Services Senior Staff Assistant Position

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 25937 to add one (1) Social Service Program Analyst (X4SH) (represented) position at Salary Plan and Grade KZ5 1642 (\$6,886.79 - \$8,370.93) and cancel one (1) Aging and Adult Services Senior Staff Assistant (XQVB) (represented) vacant position # 14703 at Salary Plan and Grade ZB5 1642 (\$7,231.12 - \$8,789.47) in the Aging and Adult Services Bureau of the Employment and Human Services Department.

**FISCAL IMPACT:**

Approval of this position trade request will decrease the annual Net County Cost by \$1,167. This position will be funded by 12% Federal revenue, 72% State revenue, and 16% County Cost.

**BACKGROUND:**

In Home Supportive Services (IHSS) has been in a State-mandated Quality Action Plan the past five years. There have been several updates to the Welfare Institution Code (WIC) and the State's Manual of Policies & Procedures that have not been added to County manuals. The County manuals have not been updated since 2004. The need for IHSS to update these manuals based on current State and federal regulation, as well as to provide interpretation of the IHSS rules and regulations on a continuous basis, is more in alignment with the Social Service Program Analyst job description.

**CONSEQUENCE OF NEGATIVE ACTION:**

Failure to add the Social Service Program Analyst position may impact EHSD's In Home Supportive Services Quality Control review, which can negatively impact compliance and service delivery.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Bao Tran, (925) 608-5027

cc: Sylvia Wong Tam

AGENDA ATTACHMENTS

P300 No. 25937 add 1 Social Svc Prog Analyst and Cxl 1 Sr. Staff Asst  
5.17.2022

MINUTES ATTACHMENTS

Signed P300 25937

POSITION ADJUSTMENT REQUEST

NO. 25937
DATE 4/13/2022

Department Employment and Human Services
Department No./ Budget Unit No. 0503 Org No. 5330 Agency No. 19

Action Requested: Add one (1) Social Service Program Analyst (X4SH) position and cancel one (1) Senior Staff Assistant (XQVB) vacant position # 14703 in the Aging and Adult Services Bureau of the Employment and Human Services Department (EHSD).

Proposed Effective Date: 5/1/2022

Classification Questionnaire attached: Yes [ ] No [x] / Cost is within Department's budget: Yes [x] No [ ]

Total One-Time Costs (non-salary) associated with request: 0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$42,995.00 Net County Cost \$23,335.00
Total this FY \$7,165.00 N.C.C. this FY \$2,722.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 12% Federal revenue, 72% State revenue, and a 16% County

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Bao Tran 4/13/2022

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Lara DeLaney

4/26/2022

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 4/27/2022

ADOPT Position Adjustment Resolution No. 25937 to add one (1) Social Service Program Analyst (X4SH) (represented) position at Salary Plan and Grade KZ5 1642 (\$6,886.79 - \$8,370.93) and cancel one (1) Aging and Adult Services Senior Staff Assistant (XQVB) (represented) vacant position # 14703 at Salary Plan and Grade ZB5 1642 (\$7,231.12 - \$8,789.47)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: [x] Day following Board Action.
[ ] (Date)

Genesis Duenas

4/27/2022

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

5/12/2022

[x] Approve Recommendation of Director of Human Resources
[ ] Disapprove Recommendation of Director of Human Resources
[ ] Other:

/s/ Julie Enea for L. DeLaney

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED [ ] DISAPPROVED [ ]

Monica Nino, Clerk of the Board of Supervisors and County Administrator

DATE

BY

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

## REQUEST FOR PROJECT POSITIONS

Department \_\_\_\_\_

Date \_\_\_\_\_

No. \_\_\_\_\_

1. Project Positions Requested:
  
2. Explain Specific Duties of Position(s)
  
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
  
4. Duration of the Project: Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
  
5. Project Annual Cost
  - a. Salary & Benefits Costs: \_\_\_\_\_
  - b. Support Costs: \_\_\_\_\_  
(services, supplies, equipment, etc.)
  - c. Less revenue or expenditure: \_\_\_\_\_
  - d. Net cost to General or other fund: \_\_\_\_\_
  
6. Briefly explain the consequences of not filling the project position(s) in terms of:
  - a. potential future costs
  - b. legal implications
  - c. financial implications
  - d. political implications
  - e. organizational implications
  
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
  
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
  
9. How will the project position(s) be filled?
  - a. Competitive examination(s)
  - b. Existing employment list(s) Which one(s)? \_\_\_\_\_
  - c. Direct appointment of:
    1. Merit System employee who will be placed on leave from current job
    2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY

### POSITION ADJUSTMENT REQUEST

NO. **25937**  
DATE 4/13/2022

Department Employment and Human Services Department No./  
Budget Unit No. 0503 Org No. 5330 Agency No. 19

Action Requested: Add one (1) Social Service Program Analyst (X4SH) position and cancel one (1) Senior Staff Assistant (XQVB) vacant position # 14703 in the Aging and Adult Services Bureau of the Employment and Human Services Department (EHSD).

Proposed Effective Date: 5/1/2022

Classification Questionnaire attached: Yes  No  / Cost is within Department's budget: Yes  No

Total One-Time Costs (non-salary) associated with request: 0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$42,995.00 Net County Cost \$23,335.00  
Total this FY \$7,165.00 N.C.C. this FY \$2,722.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 12% Federal revenue, 72% State revenue, and a 16% County

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Bao Tran 4/13/2022

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Lara DeLaney 4/26/2022

\_\_\_\_\_  
Deputy County Administrator Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 4/27/2022

ADOPT Position Adjustment Resolution No. 25937 to add one (1) Social Service Program Analyst (X4SH) (represented) position at Salary Plan and Grade KZ5 1642 (\$6,886.79 - \$8,370.93) and cancel one (1) Aging and Adult Services Senior Staff Assistant (XQVB) (represented) vacant position # 14703 at Salary Plan and Grade ZB5 1642 (\$7,231.12 - \$8,789.47)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective:  Day following Board Action.  
 \_\_\_\_\_(Date)

Genesis Duenas 4/27/2022

\_\_\_\_\_  
(for) Director of Human Resources Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 5/12/2022

Approve Recommendation of Director of Human Resources  
 Disapprove Recommendation of Director of Human Resources  
 Other: \_\_\_\_\_

/s/ Julie Enea for L. DeLaney

\_\_\_\_\_  
(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED  ~~DISAPPROVED~~

Monica Nino, Clerk of the Board of Supervisors  
and County Administrator

DATE 05-17-2022

BY 

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION  
Adjust class(es) / position(s) as follows:



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services  
Date: May 17, 2022

**Subject:** Add one Deputy Director of Health Services and one Chief of Plant Operations-Exempt positions in the Health Services Department

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 25946 to add one Deputy Director of Health Services-Exempt position (VCB4) at salary plan and grade level B85-1000 (\$244,408 - \$297,079) in the Office of the Director (0540/6549) and one Chief of Plant Operations-Exempt position (VAD3) at salary plan and grade level B85-1005 (\$171,601 - \$208,583) in the Contra Costa Regional Medical Center (0540/6536); and cancel Deputy Director of Health Services-Exempt position #17943 (VCB4) at salary plan and grade level B85-1000 (\$244,408-\$297,079) and Chief of Plant Operations-Exempt position #17442 (VAD3) at salary plan and grade level B85-1005 (\$171,601 - \$208,583) effective after the retirement of both incumbents in the Health Services Department. (Unrepresented)

**FISCAL IMPACT:**

Upon approval, this request has an annual cost of approximately \$363,248.00 with pension costs already included. The additional cost is temporary as the Department plans to cancel two positions due to the retirement of incumbents before the end of the year. (100% Hospital Enterprise Fund I)

**BACKGROUND:**

The Health Services Department is requesting to add these two positions as the current incumbents are planning to retire before the end of the year. With the addition of these two critical positions, the Department can initiate the recruitment process in order to appoint and train the new hires, and allow a smooth transition.

The current incumbent of Deputy Director of Health Services-Exempt position #17943 is retiring in or about September 2022. This position oversees the Emergency Medical Services, Hazardous Materials and Environmental Health Divisions, and provide direction and guidance related to the regulatory and emergency response functions of the Health Services Department. In order to provide continuity of oversight, especially during the wildfire season, the opportunity for training and an orderly transition, the Department is requesting the addition of a Deputy Director of Health Services-Exempt position.

The current incumbent of Chief of Plant Operations-Exempt position #17442 is also retiring in or about November 2022. He will remain in place to the hospital's Joint Commission and CDPH relicensing inspections tentatively schedule in August 2022 but will not remain past November. This position was created as a result of a CDPH inspection citing significant deficiencies in the hospital's environment of care. Due to the importance of this role, the Department is requesting to add a Chief of Plant Operations-Exempt position to allow time to recruit and hire, and for the new incumbent to work with and trained for an orderly transition.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Jo-Anne Linares, 957-5240

cc: Erika Jenssen, David Runt, Samir Shah





BACKGROUND: (CONT'D)

The Department will begin recruiting immediately once the positions are approved. Soon after the transition is complete and the current incumbents retire, the Department will cancel the vacant Deputy Director of Health Services-Exempt position #17943 and Chief of Plant Operations-Exempt position #17442.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, there will not be a smooth transition for these highly critical positions within Health Services.

AGENDA ATTACHMENTS

P300 No. 25946 HSD

MINUTES ATTACHMENTS

Signed P300 25946

**POSITION ADJUSTMENT REQUEST**

NO. 25946  
DATE 5/3/2022

Department Health Services

Department No./  
Budget Unit No. 0540 Org No. 6549 Agency No. A18

Action Requested: Add one Deputy Director of Health Services-Exempt (Org #6549) and one Chief of Plant Operations-Exempt (Org #6536) positions; cancel Deputy Director of Health Services-Exempt position #17943 and Chief of Plant Operations-Exemption position #17442 once vacated soon after the incumbents' retirement in the Health Services Department

Proposed Effective Date: 5/18/2022

Classification Questionnaire attached: Yes  No  / Cost is within Department's budget: Yes  No

Total One-Time Costs (non-salary) associated with request: \_\_\_\_\_

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$363,248.00 Net County Cost \$0.00  
Total this FY \$67,064.00 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Hospital Enterprise Fund I

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Jo-Anne Linares

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Sarah Kennard for

5/6/2022

\_\_\_\_\_  
Deputy County Administrator

\_\_\_\_\_  
Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE \_\_\_\_\_

Exempt from Human Resources review under delegated authority

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective:  Day following Board Action.  
 \_\_\_\_\_(Date)

\_\_\_\_\_  
(for) Director of Human Resources

\_\_\_\_\_  
Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

5/11/2022

- Approve Recommendation of Director of Human Resources
- Disapprove Recommendation of Director of Human Resources
- Other: Approved as recommended by the Department

Enid Mendoza

\_\_\_\_\_  
(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED  DISAPPROVED

Monica Nino, Clerk of the Board of Supervisors  
and County Administrator

DATE \_\_\_\_\_

BY \_\_\_\_\_

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

## REQUEST FOR PROJECT POSITIONS

Department \_\_\_\_\_

Date \_\_\_\_\_

No. \_\_\_\_\_

1. Project Positions Requested:
  
2. Explain Specific Duties of Position(s)
  
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
  
4. Duration of the Project: Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
  
5. Project Annual Cost
  - a. Salary & Benefits Costs: \_\_\_\_\_
  - b. Support Costs: \_\_\_\_\_  
(services, supplies, equipment, etc.)
  - c. Less revenue or expenditure: \_\_\_\_\_
  - d. Net cost to General or other fund: \_\_\_\_\_
  
6. Briefly explain the consequences of not filling the project position(s) in terms of:
  - a. potential future costs
  - b. legal implications
  - c. financial implications
  - d. political implications
  - e. organizational implications
  
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
  
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
  
9. How will the project position(s) be filled?
  - a. Competitive examination(s)
  - b. Existing employment list(s) Which one(s)? \_\_\_\_\_
  - c. Direct appointment of:
    1. Merit System employee who will be placed on leave from current job
    2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY

POSITION ADJUSTMENT REQUEST

NO. 25946
DATE 5/3/2022

Department Health Services
Department No./
Budget Unit No. 0540 Org No. 6549 Agency No. A18

Action Requested: Add one Deputy Director of Health Services-Exempt (Org #6549) and one Chief of Plant Operations-Exempt (Org #6536) positions; cancel Deputy Director of Health Services-Exempt position #17943 and Chief of Plant Operations-Exemption position #17442 once vacated soon after the incumbents' retirement in the Health Services Department

Proposed Effective Date: 5/18/2022

Classification Questionnaire attached: Yes [ ] No [X] / Cost is within Department's budget: Yes [ ] No [X]

Total One-Time Costs (non-salary) associated with request: \_\_\_\_\_

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$363,248.00 Net County Cost \$0.00

Total this FY \$67,064.00 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Hospital Enterprise Fund I

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Jo-Anne Linares

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Sarah Kennard for

5/6/2022

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE \_\_\_\_\_

Exempt from Human Resources review under delegated authority

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: [X] Day following Board Action.

[ ] (Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 5/11/2022

- [ ] Approve Recommendation of Director of Human Resources
[ ] Disapprove Recommendation of Director of Human Resources
[X] Other: Approved as recommended by the Department

Enid Mendoza

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED [X] DISAPPROVED [ ] XXXXX

Monica Nino, Clerk of the Board of Supervisors and County Administrator

DATE 05-17-2022

BY

[Signature]

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:



Contra  
Costa  
County

To: Board of Supervisors  
From: Marla Stuart, Employment and Human Services Director  
Date: May 17, 2022

**Subject:** Reassign one vacant Program and Project Coordinator position from Budget Unit 0501 to Budget Unit 0586 in Employment and Human Services Department

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 25935 to reassign one (1) vacant Program and Project Coordinator (APHA) (represented) position #18589 at Salary Plan and Grade ZA2 - 1771 (\$8,062 - \$9,822), from Department 0501 (Administrative Services Bureau) to Department 0586 (Contra Costa Alliance to End Abuse) in the Employment and Human Services Department.

**FISCAL IMPACT:**

Upon approval of this action, there will be a salary and benefit cost shift from the Administrative Services Bureau to the Policy and Planning Division, Contra Costa Alliance to End Abuse. The net County cost savings will be \$1,641 for two months remaining of this fiscal year (May and June 2022). The position will move from Budget Unit 0501 to Budget Unit 0586, and will be funded through 100% Alliance Funds (Federal and Local Revenue, Non-General Fund).

**BACKGROUND:**

The Department's Policy and Planning Division - Alliance to End Abuse Unit, is in great need of a position that will be responsible for the management and oversight of the various programs/projects and unit budget, including funding to community partners and community-based organizations working in the field of interpersonal violence prevention and services. The Alliance to End Abuse Unit, which is responsible for coordination of interpersonal violence prevention and services across Contra Costa County, cannot accommodate the changing workload and demands in this area without the higher-level knowledge and skill set in its current classifications and structure. The Program and Project Coordinator will be responsible for the implementation of the entire project-management process during the initiation, development, planning, execution and close-out of various projects within the specific program areas. Further, the position will be responsible for monitoring and tracking the project's goals, budgets, resources, schedules and documentation, and for coordination with all internal and external stakeholders.

The Program and Project Coordinator position # 18589 was added to the Department with Position Adjustment Resolution # 25861 approved by the Board of Supervisors on January 11, 2022 (Item C. 37). However, the January 11, 2022 board order erroneously added the Program and Project Coordinator position # 18589 to the Administrative Services Bureau, Budget Unit 0501, rather than the Contra Costa Alliance to End Abuse, Budget Unit 0586. The position has been vacant since it was added. Therefore, the Department is now requesting to reassign the vacant

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Reni Radeva (925) 6008-5036;  
rradeva@ehsd.cccounty.us

By: June McHuen, Deputy

cc: Reni Radeva, Sylvia Wong

BACKGROUND: (CONT'D)

Program and Projects Coordinator position from the Administrative Services Bureau (Budget Unit 0501) to the Policy and Planning Division, Contra Costa Alliance to End Abuse (Budget Unit 0586) to manage the Alliance to End Abuse Unit's fund development efforts. The Program and Project Coordinator classification will enable appropriate distribution of the Alliance to End Abuse Unit's work, and ensure meeting the range of the Department's demands related to the coordination of interpersonal violence prevention and services throughout Contra Costa County. Funding for a FTE Program and Project Coordinator position is allocated within the budget of Policy and Planning/Alliance to End Abuse through Local Revenue, Non-General Fund.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the Department will not be able to balance its budget.

AGENDA ATTACHMENTS

P300 25935- reassign P & P Coordinator from 0501 to 0586 - 5-17-22

MINUTES ATTACHMENTS

Signed P300 25935

**POSITION ADJUSTMENT REQUEST**

NO. 25935  
DATE 4/15/2022

Department Employment and Human Services Department No./  
Budget Unit No. 0586 Org No. 0586 Agency No. 19  
Action Requested: Reassign one (1) vacant Program/Project Coordinator (APHA) position (#18589) from Dept. # 0501 to Dept. # 0586.

Proposed Effective Date: 5/3/2022

Classification Questionnaire attached: Yes  No  / Cost is within Department's budget: Yes  No

Total One-Time Costs (non-salary) associated with request: \$0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$0.00 Net County Cost \$9,844.00  
Total this FY \$0.00 N.C.C. this FY (\$1,641.00)

SOURCE OF FUNDING TO OFFSET ADJUSTMENT (100% Local Revenue, Non-County Fund)

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Reni Radeva 4/15/2022

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Lara DeLaney

4/25/2022

\_\_\_\_\_  
Deputy County Administrator

\_\_\_\_\_  
Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 5/3/2022

Reassign one (1) vacant Program and Project Coordinator (APHA) position #18589 from Department 0501 (Administrative Services Bureau) to Department 0586 (Contra Costa Alliance to End Abuse) in the Employment and Human Services Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective:  Day following Board Action.  
 \_\_\_\_\_(Date)

Brighton Bohnenkamp

5/3/2022

\_\_\_\_\_  
(for) Director of Human Resources

\_\_\_\_\_  
Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

5/11/2022

Approve Recommendation of Director of Human Resources  
 Disapprove Recommendation of Director of Human Resources  
 Other: \_\_\_\_\_

/s/ Julie Enea for L. DeLaney

\_\_\_\_\_  
(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Monica Nino, Clerk of the Board of Supervisors  
and County Administrator

Adjustment is APPROVED  DISAPPROVED

DATE \_\_\_\_\_

BY \_\_\_\_\_

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:



# REQUEST FOR PROJECT POSITIONS

Department \_\_\_\_\_

Date 5/11/2022

No. xxxxxx

1. Project Positions Requested:
  
2. Explain Specific Duties of Position(s)
  
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
  
4. Duration of the Project: Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
  
5. Project Annual Cost
  - a. Salary & Benefits Costs: \_\_\_\_\_
  - b. Support Costs: \_\_\_\_\_  
(services, supplies, equipment, etc.)
  - c. Less revenue or expenditure: \_\_\_\_\_
  - d. Net cost to General or other fund: \_\_\_\_\_
  
6. Briefly explain the consequences of not filling the project position(s) in terms of:
  - a. potential future costs
  - b. legal implications
  - c. financial implications
  - d. political implications
  - e. organizational implications
  
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
  
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
  
9. How will the project position(s) be filled?
  - a. Competitive examination(s)
  - b. Existing employment list(s) Which one(s)? \_\_\_\_\_
  - c. Direct appointment of:
    1. Merit System employee who will be placed on leave from current job
    2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY

POSITION ADJUSTMENT REQUEST

NO. 25935  
DATE 4/15/2022

Department Employment and Human Services Department No./  
Budget Unit No. 0586 Org No. 0586 Agency No. 19  
Action Requested: Reassign one (1) vacant Program/Project Coordinator (APHA) position (#18589) from Dept. # 0501 to Dept. # 0586.

Proposed Effective Date: 5/3/2022

Classification Questionnaire attached: Yes  No  / Cost is within Department's budget: Yes  No

Total One-Time Costs (non-salary) associated with request: \$0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$0.00 Net County Cost \$9,844.00  
Total this FY \$0.00 N.C.C. this FY (\$1,641.00)

SOURCE OF FUNDING TO OFFSET ADJUSTMENT (100% Local Revenue, Non-County Fund)

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Reni Radeva 4/15/2022

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Lara DeLaney

4/25/2022

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 5/3/2022

Reassign one (1) vacant Program and Project Coordinator (APHA) position #18589 from Department 0501 (Administrative Services Bureau) to Department 0586 (Contra Costa Alliance to End Abuse) in the Employment and Human Services Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective:  Day following Board Action.  
 \_\_\_\_\_(Date)

Brighton Bohnenkamp

5/3/2022

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

5/11/2022

Approve Recommendation of Director of Human Resources  
 Disapprove Recommendation of Director of Human Resources  
 Other: \_\_\_\_\_

/s/ Julie Enea for L. DeLaney

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Monica Nino, Clerk of the Board of Supervisors and County Administrator

Adjustment is APPROVED  ~~DISAPPROVED~~  XXX

DATE 05-17-2022

BY 

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION  
Adjust class(es) / position(s) as follows:



Contra  
Costa  
County

To: Board of Supervisors  
From: Marla Stuart, Employment and Human Services Director  
Date: May 17, 2022

**Subject:** Cancel a Senior Social Service Info System Analyst and add an Information Systems Programmer Analyst IV

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 25936 to add one (1) Information Systems Programmer Analyst IV (LPNB) (represented) position, at Salary Plan and Grade ZA5 - 1787 (\$7,950 - \$10,654), and cancel one (1) vacant Senior Social Service Information Systems Analyst (XQVC) (represented) position #4652 at Salary Plan and Grade KZ5 - 1873 (\$8,353 - \$9,210) in the Administrative Services Bureau of the Employment and Human Services Department (EHSD).

**FISCAL IMPACT:**

Approval of this position trade request will increase the annual net County cost by \$42.00. The position will be funded with 60% Federal revenue, 34% State revenue and 6% County General funds.

**BACKGROUND:**

The Information Technology Application Support Division of the Employment and Human Services Department is responsible for the County's implementation and support of various statewide systems that are critical to the operation of public assistance programs administered by the Department. The Division is in critical need of an advanced level Information Systems Programmer

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Reni Radeva (925) 608-5036

cc: Sylvia Wong Tam, Reni Radeva

BACKGROUND: (CONT'D)

Analyst position. The countywide Information Systems Programmer Analyst IV (ISPA IV) classification incorporates the knowledge and skill set required for the increased operational demands of the Information Technology Application Support Division. This advanced level Programmer/Analyst will expand and enhance current reporting services and capabilities; lead the development and ongoing maintenance of reporting and analytics solutions for the business systems and applications; assemble large, complex data sets that meet functional/non-functional business requirements and perform data integration; identify, recommend and implement areas of improvement in the reporting environment including reporting tools, software and best practices. Further, the extensive technical knowledge and expertise of an Information Systems Programmer Analyst IV is needed to assist with the transition of the CalWIN County Information Server (CIS) to the new mandated Statewide Automated Welfare System, CalSAWS.

The current classification levels and structure of the Information Technology Application Support Division do not supply the technical knowledge and expertise required to meet the increased business needs of the Division/Department. Therefore, to meet its operational needs, the Division is requesting to add an Information Systems Programmer Analyst IV.

By adding an Information Systems Programmer Analyst IV position, the Department will cancel a vacant Senior Social Service Information Systems Analyst position # 4652. This position became vacant due to the promotion of the incumbent. By adding an Information Systems Programmer Analyst IV position and equipping the Division with a higher-level expertise, the vacant Senior Social Service Information Systems Analyst position will become unnecessary. Adding the new position will align the Department with mandated Statewide Automated Welfare System and ensure adequate data reports conversion, data cleansing activities, configure county reporting needs, and refactor reporting.

CONSEQUENCE OF NEGATIVE ACTION:

Not adding an Information Systems Programmer Analyst IV will present a high risk to the CalSAWS project relative to reporting business needs. This will adversely impact our ability to do data reports conversion, data cleansing activities, configure county reporting needs, and refactor reporting.

AGENDA ATTACHMENTS

P 300 - Sr Social Svcs Info System Analyst

MINUTES ATTACHMENTS

Signed P300 25936

**POSITION ADJUSTMENT REQUEST**

NO. 25936  
DATE 4/19/2022

Department Employment and Human Services Department No./  
Budget Unit No. 0501 Org No. 5123 Agency No. 19  
Action Requested: Add one (1) Information System Programmer Analyst IV (LPNB) (represented) position and cancel one (1) vacant Senior Social Service Information Systems Analyst (XQVC) (represented) position #4652 in the Employment and Human Services Department (EHSD).

Proposed Effective Date: 5/4/2022

Classification Questionnaire attached: Yes  No  / Cost is within Department's budget: Yes  No

Total One-Time Costs (non-salary) associated with request: \_\_\_\_\_

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$8,292.00 Net County Cost \$497.52  
Total this FY \$691.00 N.C.C. this FY \$42.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 60% Federal Revenue, 34% State Revenue, 6% County

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Reni Radeva 4/19/2022

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Lara DeLaney

4/25/2022

\_\_\_\_\_  
Deputy County Administrator

\_\_\_\_\_  
Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 4/26/2022

ADOPT Position Adjustment Resolution No. 25936 to add one (1) Information Systems Programmer Analyst IV (LPNB) (represented) position, at Salary Plan and Grade ZA5 - 1787 (\$7,950 - \$10,654) and cancel one (1) vacant Senior Social Service Information Systems Analyst (XQVC) (represented) position #4652 at Salary Plan and Grade KZ5 - 1873 (\$8,353 - \$9,210) in the Administrative Services Bureau of the Employment and Human Services Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective:  Day following Board Action.  
 \_\_\_\_\_(Date)

Genesis Duenas

4/26/2022

\_\_\_\_\_  
(for) Director of Human Resources

\_\_\_\_\_  
Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

5/11/22

Approve Recommendation of Director of Human Resources  
 Disapprove Recommendation of Director of Human Resources  
 Other: \_\_\_\_\_

/s/ Julie Enea for L. DeLaney

\_\_\_\_\_  
(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Monica Nino, Clerk of the Board of Supervisors  
and County Administrator

Adjustment is APPROVED  DISAPPROVED

DATE \_\_\_\_\_

BY \_\_\_\_\_

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION  
Adjust class(es) / position(s) as follows:

## REQUEST FOR PROJECT POSITIONS

Department \_\_\_\_\_

Date 5/12/2022

No. xxxxxx

1. Project Positions Requested:
  
2. Explain Specific Duties of Position(s)
  
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
  
4. Duration of the Project: Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
  
5. Project Annual Cost
  - a. Salary & Benefits Costs: \_\_\_\_\_
  - b. Support Costs: \_\_\_\_\_  
(services, supplies, equipment, etc.)
  - c. Less revenue or expenditure: \_\_\_\_\_
  - d. Net cost to General or other fund: \_\_\_\_\_
  
6. Briefly explain the consequences of not filling the project position(s) in terms of:
  - a. potential future costs
  - b. legal implications
  - c. financial implications
  - d. political implications
  - e. organizational implications
  
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
  
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
  
9. How will the project position(s) be filled?
  - a. Competitive examination(s)
  - b. Existing employment list(s) Which one(s)? \_\_\_\_\_
  - c. Direct appointment of:
    1. Merit System employee who will be placed on leave from current job
    2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY

POSITION ADJUSTMENT REQUEST

NO. 25936
DATE 4/19/2022

Department Employment and Human Services
Department No./ Budget Unit No. 0501 Org No. 5123 Agency No. 19

Action Requested: Add one (1) Information System Programmer Analyst IV (LPNB) (represented) position and cancel one (1) vacant Senior Social Service Information Systems Analyst (XQVC) (represented) position #4652 in the Employment and Human Services Department (EHSD).

Proposed Effective Date: 5/4/2022

Classification Questionnaire attached: Yes [ ] No [X] / Cost is within Department's budget: Yes [X] No [ ]

Total One-Time Costs (non-salary) associated with request: \_\_\_\_\_

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$8,292.00 Net County Cost \$497.52
Total this FY \$691.00 N.C.C. this FY \$42.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 60% Federal Revenue, 34% State Revenue, 6% County

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Reni Radeva 4/19/2022

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Lara DeLaney

4/25/2022

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 4/26/2022

ADOPT Position Adjustment Resolution No. 25936 to add one (1) Information Systems Programmer Analyst IV (LPNB) (represented) position, at Salary Plan and Grade ZA5 - 1787 (\$7,950 - \$10,654) and cancel one (1) vacant Senior Social Service Information Systems Analyst (XQVC) (represented) position #4652 at Salary Plan and Grade KZ5 - 1873 (\$8,353 - \$9,210) in the Administrative Services Bureau of the Employment and Human Services Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: [X] Day following Board Action.
[ ] \_\_\_\_\_(Date)

Genesis Duenas

4/26/2022

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

5/11/22

- [X] Approve Recommendation of Director of Human Resources
[ ] Disapprove Recommendation of Director of Human Resources
[ ] Other: \_\_\_\_\_

/s/ Julie Enea for L. DeLaney

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED [X] DISAPPROVED [ ]

Monica Nino Clerk of the Board of Supervisors and County Administrator

DATE 05-17-2022

BY

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:





Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

**Subject:** Approval of Grant Agreement #28-759-28 with the California Department of Resources Recycling and Recovery

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee (Director of Environmental Health or Assistant Director of Health Services), to execute Grant Agreement #28-759-28 (State #TEA29-21-0026) with the California Department of Resources Recycling and Recovery (CalRecycle) to pay County an amount not to exceed \$165,913, for the Environmental Health Waste Tire Enforcement Program, for the period from June 30, 2022 through September 30, 2023.

**FISCAL IMPACT:**

Approval of this agreement will result in up to \$165,913 in funding from CalRecycle for the Environmental Health Waste Tire Enforcement Program. No County match is required.

**BACKGROUND:**

Contra Costa Environmental Health/General Programs is the solid waste Local Enforcement Agency (LEA) for the entire County, including all incorporated cities except for the City of Pittsburg. CalRecycle has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing application by cities and counties under the program. Since 2007, Contra Costa County has demonstrated it has sufficient staff resources, technical expertise, and/or experience to carry out the proposed program. The Program allows the County to monitor and reduce illegal waste tire practices, educate and enforce proper waste tire management and assist in reducing potential vector problems and prevent tire fires and otherwise protect public health safety.

On March 30, 2021, the Board of Supervisors approved the submission of a grant application to California Department of Resources Recycling and Recovery (CalRecycle) for the Environmental Health Waste Tire Enforcement Program through September 30, 2022.

On January 11, 2022, the Board of Supervisors approved the submission of a grant application to California Department of Resources Recycling and Recovery (CalRecycle) for the Environmental Health Waste Tire Enforcement Program through September 30, 2023.

Approval of Grant Agreement #28-759-28 will allow Contra Costa Environmental Health to continue the Environmental Health Waste Tire Enforcement Program. This agreement includes an agreement to indemnify and hold the State harmless, through September 30, 2023.

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: Randy Sawyer, 925-692-2521

cc: Marcy Wilhelm

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County will not be able to monitor and reduce illegal waste tire practices, educate and enforce proper waste tire management throughout the County, assist in reducing potential vector problems and prevent tire fires, nor protect public health and safety.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Grant Agreement #29-549-8 with John Muir Health

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Grant Agreement #29-549-8 with John Muir Health, including indemnification, to pay the County an amount not to exceed \$50,000 for respite care services for homeless adults provided at the Philip Dorn Respite Center, for the period from April 1, 2022 through December 31, 2022.

**FISCAL IMPACT:**

Approval of this agreement will allow the County to receive an amount not to exceed \$50,000 from John Muir Health for support to the Philip Dorn Respite Center through December 31, 2022. No County match is required.

**BACKGROUND:**

The Philip Dorn Respite Center, as a Community Benefit Program, located in Concord, is a respite care program for homeless adults who are discharging from local hospitals and require medical stabilization services. Respite care refers to recuperative services for those homeless persons who may not meet medical criteria for hospitalization, but who are too sick or medically vulnerable to reside in an emergency shelter and cannot be returned to the streets. The goal of the program is to get all homeless persons off the street and help them to achieve their highest level of self-sufficiency. The County has been receiving funds from John Muir Health for this program since June 2016.

On April 27, 2021, the Board of Supervisors approved Grant Agreement #29-549-7 with John Muir Health to receive funds for the Philip Dorn Respite Center to provide respite care services for homeless adults for the period April 1, 2021 through December 31, 2021.

Approval of Grant Agreement #29-549-8 will allow the County to continue to receive support for the Philip Dorn Respite Center through December 31, 2022. This agreement includes agreeing to indemnify John Muir Health for any claims arising out of the County's performance under the agreement.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this agreement is not approved, the County will not be able to receive funding for services at the Philip Dorn Respite Center.

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: Christy Saxton, 925-608-6700

cc:

ATTACHMENTS



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Application #28-511-45 to the California Department of Resources Recycling and Recovery

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to apply for funding from the California Department of Resources Recycling and Recovery to pay county an amount not to exceed \$26,112 for the continuation of the Local Enforcement Agency assistance funds for Environmental Health Division's solid waste facilities permit and inspection programs for the period July 1, 2022 through October 27, 2023.

**FISCAL IMPACT:**

Approval of this application will result in a projected amount not to exceed \$26,112 of funding for the Department's Solid Waste Program. No County match is required.

**BACKGROUND:**

The CalRecycle provides these grants annually to assist Statewide LEA in performing their duties. Pursuant to Public Resources Code Section 43230, this grant award will be used solely for the support of the solid waste facilities permit and inspection programs, including personnel, training, equipment, supplies, and technical support. The County has been receiving funds from CalRecycle for the Solid Waste Program since January 1991.

On September 14, 2021, the Board of Supervisors approved Grant Agreement #28-511-44 with the California Department of Resources Recycling and Recovery (CalRecycle), to pay the County in an amount not to exceed \$25,081, to support of the solid waste facilities permit and inspection programs for the period July 1, 2021 through October 27, 2022.

Approval of application #28-511-45 will allow the County to apply to receive funds for continuation of the LEA assistance funds, through October 27, 2023.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this application is not approved, the County will not be able to receive funds to carry out its solid waste facilities permit and inspection programs.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: Jocelyn Stortz, 925-608-5500

cc: Marcy Wilhelm



Contra  
Costa  
County

To: Board of Supervisors  
From: Marla Stuart, Employment and Human Services Director  
Date: May 17, 2022

Subject: Amend Contract with Empowered Aging

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Empowered Aging, effective February 7, 2022, to increase the payment limit by \$42,745 to a new payment limit of \$547,865 to provide enhanced long-term care Ombudsman services with no change in the term July 1, 2021 through June 30, 2022.

**FISCAL IMPACT:**

This amendment will increase budget expenditures by \$42,745 to a new total expenditure of \$547,865 to be funded by 21% Federal (CDFR #93.044 and 93.041) and 79% State funds.

**BACKGROUND:**

Empowered Aging responds to reports of abuse of residents of long-term care facilities. Their services also include representing residents with issues related to day-to-day care, health, safety and personal preferences. This amendment provides enhanced long-term care Ombudsman services through the allocation of a portion of the California Department of Aging Area Plan Amendment funding provided to the Employment and Human Services Department, Area Agency on Aging.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022  
Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: C. Youngblood (925) 608-4964

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Seniors in Contra Costa County will not receive additional benefits of enhanced Ombudsman services.





Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Contract #23-761 with Full Circle of Choices

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #23-761 with Full Circle of Choices, a non-profit corporation, in an amount not to exceed \$250,000 to serve as the employer of record for the Specialty Adult Ambassador Program, for the period from May 1, 2022 through April 30, 2023.

**FISCAL IMPACT:**

This contract is funded 100% by a grant from the State Department of Development Services (DDS).

**BACKGROUND:**

On May 10, 2022, the Board of Supervisors approved Grant Agreement #28-986 with the Department of Developmental Services to expand the existing COVID-19 Adult Ambassador Program by providing specialty health ambassadors to promote equity and reduce disparities for persons with developmental disabilities, for the period May 1, 2022 through April 30, 2023.

The Ambassadors will provide services to decrease health disparities for persons with developmental disabilities including strategic outreach; community education including presentations to local agencies and coalitions; engagement events in the communities such as communities, schools and places of worship; and create and distribute outreach materials to address gaps in existing services.

The Health Services Department applied for a two year grant with DDS to fund the Specialty Health Ambassador Project. In March 2022 the Department learned they would receive an Award of up to \$250,000. After receiving the Award, the Department began the process of meeting with originations who could act as employer of record for the project participants.

Under Contract #23-761, the contractor will act as the employer of record for 4-6 part-time Specialty Ambassadors and 1 full time supervisor including payroll, benefits, on-boarding and off-boarding, facilitating background checks and processing necessary employment forms, through April 30, 2023.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, the most vulnerable Contra Costa County residents will continue to be at high risk for health disparities.

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

- AYE: John Gioia, District I Supervisor  
 Candace Andersen, District II Supervisor  
 Diane Burgis, District III Supervisor  
 Karen Mitchoff, District IV Supervisor  
 Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: Anna Roth, 925-957-2670

cc: Marcy Wilhelm



Contra  
Costa  
County

To: Board of Supervisors  
From: Marla Stuart, Employment and Human Services Director  
Date: May 17, 2022

Subject: Contract with Pittsburg Power Company

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, on behalf of the Workforce Development Board, to execute a contract with Pittsburg Power Company, a public entity, in an amount not to exceed \$250,000 for the provision of comprehensive Workforce Innovation and Opportunity Act (WIOA) services to eligible adults in East Contra Costa County for the period July 1, 2022 through June 30, 2023.

**FISCAL IMPACT:**

The funds allocated for this contract are 100% from the Federal Workforce Innovation Opportunity Act (WIOA), Adult Program. No net County Cost. Federal catalog number CFDA 17.258.

**BACKGROUND:**

Pittsburg Power Company (Contractor) will administer and operate a pre-apprenticeship construction program for individuals that meet the criteria for Workforce Innovation and Opportunity Act (WIOA) adult eligibility as outlined in WIOA legislation of 2014. The contract focuses on providing a network of services and support to individuals with barriers to employment, who are interested in developing practical job and life skills, to better equip participants to succeed in their educational and career endeavors. These services will be provided in east Contra Costa County, defined as the region from Bay Point to the eastern boundary of the county. The Contractor was selected from Request for Proposals (RFP) #1176.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022  
, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: C. Youngblood, (925) 608-4964

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Adult participants will not receive case management, employment referrals and job placement services.

CHILDREN'S IMPACT STATEMENT:

This contract supports all of the community outcomes established in the Children's Report Card: (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3) "Families that are Economically Self Sufficient"; (4) "Families that are Safe, Stable and Nurturing"; and (5) "Communities that are Safe and Provide a High Quality of Life for Children and Families," by assisting individuals with training and employment services to encourage self-sufficiency.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Contract #26-745-19 with Medical Solutions, L.L.C. (dba Nebraska Medical Solutions)

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #26-745-19 with Medical Solutions, LLC (dba Nebraska Medical Solutions), a limited liability company, in an amount not to exceed \$4,800,000 to provide temporary registered nursing and specialty nursing services at Contra Costa Regional Medical Center (CCRMC), Contra Costa Health Centers, and County Detention Facilities for the period July 1, 2022 through June 30, 2023.

**FISCAL IMPACT:**

This contract will result in annual service expenditures of up to \$4,800,000 and will be fully funded, as budgeted by the department in FY 2022-2023, by Hospital Enterprise Fund I. (Rate increase)

**BACKGROUND:**

This contract meets the social needs of the County’s population by providing temporary help services for CCRMC, Contra Costa Health Centers, and the County’s Detention facilities. The contractor is able to provide coverage during peak workloads, temporary absences and emergency situations at CCRMC, and the County’s Detention Facilities and has been contracting with the County since July 1, 2013.

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Jaspreet Benepal, 925-370-5501

By: , Deputy

BACKGROUND: (CONT'D)

On June 8, 2021, the Board of Supervisors approved Contract #26-745-17 with Medical Solutions, L.L.C. (dba Nebraska Medical Solutions) in an amount not to exceed \$4,800,000 for the provision of temporary nursing and medical staff services for CCRMC, Health Centers and County Detention Facilities, for the period from July 1, 2021 through June 30, 2022.

On March 8, 2022 the Board of Supervisors approved Contract Amendment Agreement #26-745-18 with Medical Solutions L.L.C. (dba Nebraska Medical Solutions Staffing), to increase the crisis rates for temporary nurse staffing services with no increase in the payment limit of \$4,800,000, or term July 1, 2021 through June 30, 2022.

This contract includes services provided by represented classifications and the County has met its obligations with the respective labor partner(s).

Approval of Contract #26-745-19 will allow contractor to continue to provide temporary registered nurses, and specialty nursing services at CCRMC, Contra Costa Health Services and County Detention Facilities, through June 30, 2023.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients at CCRMC, Contra Costa Health Services and County Detention Facilities will not have access to this contractor's services.

CLERK'S ADDENDUM

**Speakers: Caller 6770.**



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

**Subject:** Pleasant Hill Recreation and Park District Agreement for Quarterly Environmental Health Meeting

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Pleasant Hill Recreation and Park District in an amount not to exceed \$250 to provide for the rental fee of a park area in the month of June with approximately 50 staff members for the purposes of holding Environmental Health’s Quarterly Division Meeting.

**FISCAL IMPACT:**

The fiscal impact of this action will not exceed \$250 and is funded by Environmental Health.

**BACKGROUND:**

Contra Costa Environmental Health holds quarterly meetings to ensure alignment across several teams/programs and create a space to problem solve collectively, to learn, progress as a group, and team build.

The Pleasant Hill Park contract includes indemnification language which states “User agrees to be solely responsible for any and all liability, claims, loss, damages, costs and expenses, including attorneys’ fees, arising out of or resulting from an injury to persons or damage to property which arise out of its use of the District’s facilities. User agrees to defend, indemnify, and hold harmless the District, its officers, agents, employees and volunteers against any and all such claims, demands, causes of action, suits and expenses, arising out of or resulting from its use of the District’s facilities.”

**CONSEQUENCE OF NEGATIVE ACTION:**

If this action is not approved, the Division will not have the appropriate approval for expenditure/contract related to a County sponsored special event pursuant to Administrative Bulletin No. 114 (County and Non-County Sponsored Events and Activities).

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: Jocelyn Stortz, (925) 608-5500

cc:

ATTACHMENTS





Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Amendment #74-439-18 with Bay Area Community Resources, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #74-439-18 with Bay Area Community Resources, Inc., a non-profit corporation, effective January 1, 2022, to amend Contract #74-439-17 to increase the payment limit by \$85,516, from \$299,236 to a new payment limit of \$384,752, with no change in the original term of July 1, 2021 through June 30, 2022.

**FISCAL IMPACT:**

Approval of this amendment will result in additional annual expenditures of up to \$85,516 and will be funded 100% by Coronavirus Response and Relief Supplemental Appropriations Act revenues.

**BACKGROUND:**

The County has been contracting with Bay Area Community Resources, Inc., since March 2012 to provide Substance Abuse Prevention and Treatment (SAPT) services for offenders referred through the Assembly Bill (AB) 109 criminal justice realignment program in West Contra Costa County.

On July 13, 2021, the Board of Supervisors approved Contract #74-439-17 with Bay Area Community Resources, Inc., to provide SAPT services including, but not limited to, individual and group counseling services for offenders referred through the AB 109 criminal justice realignment program in West Contra Costa County in an amount not to exceed \$299,236, for the period July 1, 2021 through June 30, 2022.

The delay of this amendment was due to the resurgence of COVID-19 which has created service interruptions, productivity declines and cash flow issues with the community based behavioral health service providers.

Approval of Contract Amendment Agreement #74-439-18 will allow the contractor to continue providing SAPT services impacted by COVID-19, through June 30, 2022.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this amendment is not approved, clients in West Contra Costa County will not have access to this contractor's services.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Suzanne Tavano, Ph.D.,  
925-957-5169

By: Laura Cassel, Deputy

cc: E Suisala, M Wilhelm

CHILDREN'S IMPACT STATEMENT:

This Alcohol and Drug Abuse prevention program supports the Board of Supervisors' "Families that are Safe, Stable, and Nurturing" and "Communities that are Safe and Provide a High Quality of Life for Children and Families" community outcomes by providing individual, group, and family counseling; substance abuse education; rehabilitation support services; and substance abuse prevention services. Expected outcomes include increased knowledge about the impact of addiction; decreased use of alcohol, tobacco and other drugs; increased use of community-based resources; and increased school and community support for youth and parents in recovery.

ATTACHMENTS



Contra  
Costa  
County

To: Board of Supervisors  
From: Marla Stuart, Employment and Human Services Director  
Date: May 17, 2022

**Subject:** Contract Amendment with Lutheran Social Services of Northern California for Transitional Housing Assistance for Emancipated Youth

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Lutheran Social Services of Northern California, in an amount not to exceed \$295,596 to provide transitional housing assistance for emancipated youth to increase the monthly per emancipated youth rate, pursuant to state law, with no change to term July 1, 2021 through June 30, 2022.

**FISCAL IMPACT:**

No additional fiscal impact to department expenditures.

**BACKGROUND:**

Lutheran Social Services provides Transitional Housing Program (THP) – Plus housing and support services to emancipated foster youth up to age 24 who have been referred by Employment and Human Services Department (EHSD) Children and Family Services Independent Living Skills Program staff. [AB 427](#) authorized THP-Plus funds to reimburse counties that provide transitional housing services to emancipating foster youth. Contra Costa County elected to participate in the program. The passage of

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

- AYE: John Gioia, District I Supervisor  
 Candace Andersen, District II Supervisor  
 Diane Burgis, District III Supervisor  
 Karen Mitchoff, District IV Supervisor  
 Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: L. Pacheco (925) 608-4963

cc:

BACKGROUND: (CONT'D)

AB 153 allows funding if the fair market rent, as defended in paragraph (4) of subdivision (i) of Section 11403.3 of the Welfare and Institutions Code, for a two-bedroom apartment in the county is one of the eleven (11) most expensive in the State of California during the 2020-2021 federal fiscal year. Contra Costa County was deemed one (1) of the eleven (11) most expensive counties. According to AB 153, payment of a rate to THP-Plus providers should be no less than \$2,882 per young adult per month effective July 1, 2021.

The effective date of the amendment is June 1, 2022 with no change in original term dated July 1, 2021 through June 30, 2022. The approval of the contract amendment will allow the County to facilitate implementation of AB 153 whereby increasing the monthly per emancipated youth (i.e., young adult) THP-Plus rate from \$2,737 to \$2,882 retroactively to July 1, 2021. The original contract limit of \$295,596 is unchanged given an underspending of the available contract balance. In exchange for the increased rate amount, Contractor will agree to the maintenance of the bed capacity in accordance with AB 153.

CONSEQUENCE OF NEGATIVE ACTION:

Housing and support services for youth transitioning from foster care to independent living will be hindered.

CHILDREN'S IMPACT STATEMENT:

This contract supports all of the community outcomes established in the County's Children's Report Card: 1) "Children Ready for and Succeeding in School"; 2) "Children and Youth Healthy and Preparing for Productive Adulthood"; 3) "Families that are Economically Self Sufficient"; 4) "Families that are Safe, Stable and Nurturing"; and 5) "Communities that are Safe and Provide a High Quality of Life for Children and Families". This is accomplished by providing safe housing and support to assist youth transitioning from foster care to independent living.



Contra  
Costa  
County

To: Board of Supervisors  
From: Marla Stuart, Employment and Human Services Director  
Date: May 17, 2022

Subject: Private Adoption Agency Reimbursement Program

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to issue payments to Private Adoptions Agencies, per Assembly Bill 1301, in an amount not to exceed \$800,000 for reimbursements to Private Adoptions Agencies serving youth who would otherwise be in Foster Care for the period July 1, 2022 through June 30, 2024.

**FISCAL IMPACT:**

\$800,000 for Private Adoption Agency Reimbursement Program, Assembly Bill 1301; 50% State 2011 Realignment Funds, 50% Federal.

**BACKGROUND:**

The Private Adoption Agency Reimbursement Program (PAARP) is an incentive program for private adoption agencies to recruit adoptive families for children who would otherwise remain in foster care because of age, membership in a sibling group, medical or psychological disability, or other circumstance that would make adoptive placement of these children especially difficult (reference Welfare and Institutions Code Section 16122). Since the initial implementation of PAARP in 1999, the California Department of Social Services (CDSS) has been responsible for collecting and processing claims from private adoption agencies, including reimbursement of standardized rates to the private adoption agencies for adoption support. With the passage of

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: Stan Hakes (925) 608-4845

cc:

BACKGROUND: (CONT'D)

Assembly Bill 1301, the claiming and reimbursement process shifted to the county child welfare agencies.

Effective July 1, 2020 as outlined in All County Letter 20-85 dated August 20, 2020, county child welfare agencies assumed local control of the PAARP and are required to compensate licensed private adoption agencies for the costs associated with supporting families through the process of adopting children and Non-Minor Dependents eligible for Adoption Assistance Program benefits.

- The PAARP reimbursement for children adopted by resource families approved by dually licensed private nonprofit foster family and adoptions agencies is eight thousand dollars (\$8,000) each.
- The PAARP reimbursement for dually licensed private nonprofit foster family and adoption agencies that, upon the request of the County, provide adoption support activities for adoptive placement and/or finalization for resource families that were approved by the County or another Foster Family Agency (FFA), is six thousand six hundred dollars (\$6,600) each.

CONSEQUENCE OF NEGATIVE ACTION:

The County would not be in compliance with AB 1301.

CHILDREN'S IMPACT STATEMENT:

This contract supports one community outcome established in the Children's Report Card: "Children and Youth Healthy and Preparing for Productive Adulthood"; by placing youth who would otherwise remain in foster care into adoptive families.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Amendment #74-402-18 with Aspiranet

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #74-402-18 with Aspiranet, a non-profit corporation, effective July 1, 2021, to amend Contract #74-402-16 (as amended by Amendment Agreement #74-402-17), to remove crisis intervention services, with no change in the original payment limit of \$295,038, no change in the original term of July 1, 2021 through June 30, 2022, and no change in the automatic extension payment limit of \$147,519 through December 31, 2022.

**FISCAL IMPACT:**

Approval of this amendment will result in no change in budgeted expenditures of up to \$295,038 and will be funded by 50% Federal Medi-Cal (\$147,519) and 50% Mental Health Realignment (\$147,519) revenues. (No rate increase)

**BACKGROUND:**

The County has been contracting with Aspiranet, since July 2010 to provide Therapeutic Behavioral Services (TBS) to children and youth. This contract meets the social needs of the County's population by providing mental health services to adolescents with emotional and behavioral problems to improve school performance, reduce unsafe behavioral practices, and reduce the need for out-of-home placements.

On December 14, 2021, the Board of Supervisors approved Novation Contract #74-402-16 with Aspiranet, in an amount not to exceed \$295,038, to provide TBS for children and young adults up to 21 years of age with high-risk behavior who have been placed in group homes in Stanislaus County and to Clients residing in facilities in Contra Costa County, for the period from July 1, 2021 through June 30, 2022, which included a six-month automatic extension through December 31, 2022, in an amount not to exceed \$147,519.

On February 1, 2022, the Board of Supervisors approved Contract Amendment #74-402-17 to increase the per minute billing rates due to COVID-19, with no change in the original payment limit and term. The delay of this amendment was due to an administrative oversight. Crisis intervention services were erroneously entered into contract, which does not apply to this contractor.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Suzanne Tavano, Ph.D.,  
925-957-5169

By: Laura Cassel, Deputy

cc: E Suisala, M Wilhelm



BACKGROUND: (CONT'D)

Approval of Amendment #74-402-18 will allow the contractor to continue providing services through June 30, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the contract will include crisis intervention services which the contractor does not provide.

ATTACHMENTS



Contra  
Costa  
County

To: Board of Supervisors  
From: Monica Nino, County Administrator  
Date: May 17, 2022

**Subject:** Contract Extension with Milliman, Inc. for Actuarial and Consulting Services

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract amendment with Milliman, Inc., to extend the term of the agreement from June 30, 2022 to October 31, 2024, for actuarial services related to other post-employment benefit liabilities and associated compliance.

**FISCAL IMPACT:**

No additional fiscal impact is associated with this contract extension. The original contract amount of \$400,000 remains unchanged.

**BACKGROUND:**

On January 18, 2019, the County Administrator’s Office issued a request for proposals from actuarial consultants to advise the County on strategies for managing its other post-employment benefit (“OPEB”) liabilities and complying with the requirements of GASB 74, Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans, and GASB 75, Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions, and Government Code Section 7507.

The County’s Other Post Employment Benefit liability issue is complex. The liability grew over a period of almost fifty years. The Board of Supervisors has developed a sound strategy to address the obligation and the Board’s goals are being achieved. All OPEB reports and materials are available on the County’s internet site at:

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022  
, County Administrator and Clerk of the Board of Supervisors

Contact: Adam Nguyen, County Finance Director (925) 655-2048

By: Laura Cassel, Deputy

cc:

BACKGROUND: (CONT'D)

<http://ca-contracostacounty.civicplus.com/index.aspx?NID=756>.

This contract extension allows for Milliman, Inc. to continue providing actuarial services to the County, on an as needed basis, for the period contemplated in the originating request for proposals. A new request for proposals will be prepared and released near the expiration of this amended contract.

CONSEQUENCE OF NEGATIVE ACTION:

The County will not have an actuary for other-post employment benefits retained.



Contra  
Costa  
County

To: Board of Supervisors  
From: Alison McKee, County Librarian  
Date: May 17, 2022

Subject: Library Agreement with Antioch Unified School District

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the County Librarian, or designee, to execute a contract including mutual indemnification with the Antioch Unified School District to allow the District to provide lunches to youth library patrons for the period June 13 through July 22, 2022.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Antioch Library will partner with the Antioch Unified School District in order to participate in Lunch at the Library, a California State Library initiative. The Lunch at the Library program provides children and teens with meals, summer reading programs, and other activities that support learning, health, and wellness. It also brings new families to the library where staff can connect adult family members with essential resources and services.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Antioch Library will not be able to serve meals to youth in Antioch.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: Walt Beveridge 925-608-7730

cc:



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

**Subject:** Contract #74-355-14 with Lisa Wang, M.D.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #74-355-14 with Lisa Wang, M.D, an individual, in an amount not to exceed \$230,631, to provide outpatient psychiatric services to County patients in West County, for the period from July 1, 2022 through June 30, 2023.

**FISCAL IMPACT:**

Approval of this contract will result in annual expenditures of up to \$230,631, and will be funded as budgeted by the department in FY 2022-23, by 100% Mental Health Realignment. (Rate increase)

**BACKGROUND:**

This contract meets the social needs of the County’s population by providing psychiatric services for mentally ill adults in West County. Dr. Wang has been providing psychiatric services for mentally ill patients in West County, to clients since July 1, 2009.

On March 2, 2021, the Board of Supervisors approved Contract #74-355-13 with Lisa Wang, M.D., in an amount of \$209,664, to provide outpatient psychiatric services, including diagnosing, counseling, and evaluating, and providing medical and therapeutic treatment for County patients in West County, for the period July 1, 2021 through June 30, 2022.

Approval of Contract #74-355-14 will allow the contractor to continue providing outpatient psychiatric services through June 30, 2023.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, patients in West County requiring outpatient psychiatric services will not have access to this contractor’s services, which may result in a reduction in levels of service to the community.

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

- AYE: John Gioia, District I Supervisor  
 Candace Andersen, District II Supervisor  
 Diane Burgis, District III Supervisor  
 Karen Mitchoff, District IV Supervisor  
 Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022  
 Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: Suzanne Tavano, 925-957-5212

cc: Alaina Floyd



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Contract #72-092-3 with Accela, Inc.

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE a payment limit increase in Contract #72-092-3 with Accela, Inc., a corporation, in an amount not to exceed \$145,040 from \$395,222 to a new payment limit of \$540,262, and clarify the term of the agreement to renew annually until terminated, for software and support used by the Hazardous Materials and Environmental Health Divisions to track inspection data and enforcement actions for the period May 1, 2022 through April 30, 2023.

**FISCAL IMPACT:**

Approval of this contract will result in budgeted expenditures of up to \$145,040 and will be funded as budgeted by 61% Environmental Health and 39% Hazardous Materials Program Fees.

**BACKGROUND:**

The Contra Costa County Health Services Hazardous Materials and Environmental Health Divisions have been contracting with Accela since May 2016 to provide specialized software and support services utilized by the divisions to track pertinent data on the regulated community, as well as to conduct and track inspection data and enforcement actions. This contract meets the needs of the County's population by providing Accela's EnvisionConnect for Windows application as both divisions' primary data management system. The specialized software also ensures the Hazardous Materials Division's compliance with California Assembly Bill 2286 – mandating upgrades to electronic reporting to the State of California.

On November 5, 2019, the Board of Supervisors approved contract #72-092-1, with Accela, Inc., in an amount not to exceed \$257,088 to provide data conversion software utilized by both divisions to track pertinent data on the regulated community, as well as to conduct and track inspection data and enforcement actions services, for the period from May 1, 2019, through April 30, 2021. To avoid disruption, both divisions requested a retroactive effective date. On June 8, 2021, the Board of Supervisors approved Contract Amendment #72-092-2 with Accela, Inc., effective April 30, 2021, in an amount not to exceed \$395,222 to modify the term to clarify Successive Terms will renew annually, unless terminated pursuant to the terms of the agreement, to allow the contractor to provide additional software license, maintenance, and support services, through April 30, 2022.

Approval of contract #72-092-3 will allow the contractor to provide services through April 30, 2023.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Matthew Kaufmann,  
925-655-3200

By: Laura Cassel, Deputy

cc: F Carroll, M Wilhelm

BACKGROUND: (CONT'D)

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County would no longer have access to the contractor's technical expertise and skill concerning the contractor's EnvisionConnect data management system. As a result, the County may experience issues transmitting accurate inspection and compliance data to the California Environmental Reporting System.





Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Contract #24-794-7(22) with St. Helena Hospital (dba Adventist Health Vallejo)

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #24-794-7(22) containing mutual indemnification with St. Helena Hospital (dba Adventist Health Vallejo), a corporation, in an amount not to exceed \$50,000, to provide inpatient psychiatric hospital services for the period July 1, 2022 through June 30, 2023.

**FISCAL IMPACT:**

Approval of this contract will result in budgeted expenditures of up to \$50,000 for Fiscal Year 2022-23 and will be funded 100% by Mental Health Realignment Funds. (Rate increase)

**BACKGROUND:**

Assembly Bill (AB) 757, (Chapter 633, Statutes of 1994), authorized the transfer of state funding for Fee-For-Service/Medi-Cal (FFS/MC) acute psychiatric inpatient hospital services from the Department of Health Services (DHCS) to the Department of Mental Health (DMH). On January 1, 1995, the DMH transferred these funds and the responsibility for authorization and funding of Medi-Cal acute psychiatric inpatient hospital services to counties that chose to participate in this program. The County has been contracting with St. Helena Hospital under this contract since January 1998.

On July 13, 2021, the Board of Supervisors approved Contract #24-794-7(21), for the provision of inpatient psychiatric hospital services in an amount not to exceed \$50,000, for the period from July 1, 2021 through June 30, 2022.

Approval of Contract #24-794-7(22) will allow the contractor to continue to provide inpatient psychiatric services through June 30, 2023. This contract contains mutual indemnification to hold harmless both parties for any claims arising out of the performance of this contract.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, the County's mental health clients will not receive needed inpatient psychiatric services from this contractor's facility.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Suzanne Tavano, Ph.D.,  
925-927-5212

By: Laura Cassel, Deputy

cc: Alaina Floyd, marcy.wilham



Contra  
Costa  
County

To: Board of Supervisors  
From: Marla Stuart, Employment and Human Services Director  
Date: May 17, 2022

Subject: Purchase Order Amendment #2 with Ray A. Morgan Company, LLC

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent or designee to execute, on behalf of the Employment and Human Services Director, purchase order amendment #2 with Ray A. Morgan Company, LLC, to increase the payment limit by \$540,000 to a new payment limit of \$2,088,000 for additional managed print services and printer maintenance and supplies under the terms of a master agreement between the County and the company, with no change to the term of January 1, 2020 through December 22, 2022.

**FISCAL IMPACT:**

\$2,088,000: This purchase order amendment #2 will increase expenditures by \$540,000, which can be accommodated in the Employment and Human Services Department's operating budget (60% Federal, 34% State, 6% County).

**BACKGROUND:**

The Department requests authorization to execute amendment #2 to increase the payment limit of purchase order #F020079 with Ray A. Morgan Company, LLC. This vendor will provide valuable managed print services, maintenance, and supplies for the Employment and Human Services Department's 1,250+ output devices. This vendor was selected as a result of the competitive bid process held by Contra Costa County Public Works on behalf of all County departments, and coincides with the Master Agreement approved by the Board of Supervisors on July 23, 2019 (Item C. 44). The terms of the Master Agreement, as previously amended, will be incorporated by reference in the purchase order, and those terms will govern over any conflicting terms of the purchase order.

Amendment #1 to purchase order #F020079 with Ray A. Morgan Company, LLC was approved by the Board of Supervisors on November 16, 2021 (Item C. 34). The amendment #1 added funding in the amount of \$584,300 and extended the term of the purchase order through December 22, 2022.

**CONSEQUENCE OF NEGATIVE ACTION:**

Without authorization, the Employment and Human Services Department will be unable to provide valuable print services to all Department programs, clients, and infrastructure staff.

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

- AYE: John Gioia, District I Supervisor  
 Candace Andersen, District II Supervisor  
 Diane Burgis, District III Supervisor  
 Karen Mitchoff, District IV Supervisor  
 Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: M. Wagoner, 925-608-4864

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Contract #77-462 with Varis, LLC

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-462 with Varis, LLC., a limited liability corporation, in an amount not to exceed \$900,000, to identify Medi-Cal claims overpayment identification for the Contra Costa Health Plan (CCHP), for the period from April 1, 2022 through March 31, 2025.

**FISCAL IMPACT:**

This contract will result in contractual service expenditures of up to \$900,000 over a 3-year period and will be funded 100% by CCHP Enterprise Fund II.

**BACKGROUND:**

Under this new Contract #77-462, Varis, LLC will provide overpayment identification services, reporting and virtual education for CCHP staff, through March 31, 2025. Varis will report to CCHP any claims where a retrospective overpayment has been identified so county can begin overpayment collection efforts. These services will result in cost savings for CCHP.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, CCHP will not save money from this contractor's identification of overpaid inpatient claims.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: Sharron Mackey, 925-313-6004

cc: Marcy Wilhelm



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Amendment #22-137-59 with Meals on Wheels Diablo Region

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #22-137-59 with Meals on Wheels Diablo Region, a corporation, effective April 1, 2022, to amend Contract #22-137-58, to increase the payment limit by \$115,000 from \$510,000 to a new payment limit of \$625,000, with no change in the original term of July 1, 2021 through June 30, 2022, and to increase the automatic extension payment limit by \$28,750 from \$127,500 to a new payment limit of \$156,250 through September 30, 2022.

**FISCAL IMPACT:**

Approval of this amendment will result in additional annual expenditures of up to \$115,750, and \$28,750 for the automatic extension, and will be funded as budgeted by the department in FY 2021-22, by 100% Title III C 2 of the Federal Older Americans Act.

**BACKGROUND:**

This contractor was selected to provide meals for the Senior Nutrition Program through a competitive bid process and has been providing services since 1980. This contract meets the social needs of the County’s population. The contractor will prepare and deliver approximately 389,000 meals to County homebound seniors over the duration of this contract.

On July 13, 2021, the Board of Supervisors approved Novation Contract #22-137-58 with Meals on Wheels Diablo Region, in an amount of \$510,000 for the provision of meal services for the County’s Senior Nutrition Program, for the period from July 1, 2021 through June 30, 2022, which included a three-month automatic extension through September 30, 2022.

Approval of Contract Amendment Agreement #22-137-59 will allow the contractor to provide additional services through June 30, 2022.

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: Ori Tzvieli, M.D. 925-608-5267

cc: Alaina Floyd, marcy.wilham

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, homebound seniors and ambulatory seniors of Contra Costa County participating in the Senior Nutrition Program may not receive the additional meals or nutrition.

ATTACHMENTS



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Contract #76-727-1 with Benjamin Rayikanti, MD, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #76-727-1 with Benjamin Rayikanti, MD, Inc., a professional corporation, in an amount not to exceed \$380,000, to provide anesthesiology services for Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period from April 1, 2022 through March 31, 2024.

**FISCAL IMPACT:**

This contract will result in contractual service expenditures of up to \$380,000 over a two-year period and will be funded 100% by Hospital Enterprise Fund I revenues. (No rate increase)

**BACKGROUND:**

CCRMC and Contra Costa Health Centers rely on contracts to provide necessary specialty health services to their patients. CCRMC has contracted with Benjamin Rayikanti, MD, Inc. for anesthesiology services, including clinic coverage, consultation, training, medical procedures, and on-call coverage since April 1, 2021.

In March 2021, the County Administrator approved and the Purchasing Services Manager executed Contract #76-727 with Benjamin Rayikanti, M.D., Inc., for the provision of anesthesiology

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: Samir Shah, MD, 925-370-5525

cc: Noel Garcia, Marcy Wilhelm

BACKGROUND: (CONT'D)

services at CCRMC and Contra Costa Health Centers, in an amount not to exceed \$190,000 for the period April 1, 2021 through March 31, 2022.

Approval of Contract #76-727-1 will allow the contractor to continue to provide anesthesiology services at CCRMC and Contra Costa Health Centers through March 31, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients requiring anesthesiology services at CCRMC and Contra Costa Health Centers will not have access to the contractor's services.

ATTACHMENTS





Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Amendment Agreement #77-317-2 with Availity, LLC

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #77-317-2 with Availity, LLC, a limited liability company, effective June 1, 2022, to amend Contract #77-317-1, to modify the service plan to meet the Department of Managed Health Care (DMHC) requirements to continue to provide Contra Costa Health Plan (CCHP) and Behavioral Health Service Providers and members with electronic claims processing services, with no change in the original payment limit of \$1,100,000, and no change in the original term of March 1, 2022 through February 28, 2023.

**FISCAL IMPACT:**

Approval of this amendment will not impact the payment limit of the contract or rates.

**BACKGROUND:**

CCHP has an obligation to provide certain specialized claim processing services for its Providers under the terms of their Individual and Group Health Plan membership contracts with the County. CCHP requires the most current electronic claims processing services to CCHP Providers for expedient and accurate claims processing services for reimbursement to CCHP Providers for services rendered to CCHP members. This contractor has been providing these services since March 1, 2021.

On February 22, 2022, the Board of Supervisors approved Contract #77-317-1 with Availity, LLC, in the amount of \$1,100,000, for the provision of electronic claims processing services for CCHP and Behavioral Health Services to reimburse Providers for services rendered to CCHP members for the period from March 1, 2022 through February 28, 2023.

Approval of Contract Amendment Agreement #77-317-2 will not increase the payment limit or the term of the contract and will allow the contractor to continue providing electronic claims processing services, while helping the provider meet the DMHC requirements through February 28, 2023.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, electronic claims processing services will not be provided to CCHP Providers under contract with the County.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: Sharron Mackey, 925-313-6104

cc: Noel Garcia, Marcy Wilhelm





**Contra  
Costa  
County**

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

**Subject:** Contract #72-086-10 with The Speech Pathology Group, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #72-086-10 with The Speech Pathology Group, Inc., a corporation, in an amount not to exceed \$600,000, to provide temporary medically necessary occupational therapy (OT) and physical therapy (PT) staffing services to children eligible for the California Children’s Services (CCS) Medical Therapy Program, for the period July 1, 2022 through June 30, 2025.

**FISCAL IMPACT:**

Approval of this contract will result in budgeted expenditures of up to \$600,000 over a 3-year period and will be funded by 50% State California Children’s Services and 50% County General funds. (Rate increase)

**BACKGROUND:**

The CCS program provides medically necessary OT and PT services to children eligible for the CCS Medical Therapy Program. These services are mandated by the State of California. Physicians determine the need for therapy and prescribe the frequency and volume of services the child is to receive. In accordance with the Medical Treatment Utilization Schedule (MTUS), the County is obligated to fulfill the prescriptions by providing the necessary staffing to provide services to children. This contract will allow access to qualified registry staff to fill vacancies until it is possible to hire permanent employees or until a permanent employee returns to work. The contractor has been contracting with the County to provide these services since November 2015.

In April 2021, the County Administrator approved and the Purchasing Services Manager executed Contract #72-086-9 in an amount not to exceed \$200,000 to provide temporary medically necessary OT and PT staffing services to children eligible for the CCS Medical Therapy Program for the period July 1, 2021 through June 30, 2022.

Approval of Contract #72-086-10 will allow Contractor to continue providing medically necessary OT and PT staffing services to children eligible for the CCS Medical Therapy Program through June 30, 2025.

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: Ori Tzvieli, M.D., 925-608-5267

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, clients will not receive services for occupational therapy and physical therapy services to children eligible for the CCS Medical Therapy Program.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

**Subject:** Participation Agreement #74-649 with California Mental Health Services Authority

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Participation Agreement #74-649 containing mutual indemnification with California Mental Health Services Authority (CalMHSA), a public entity, in an amount not to exceed \$29,442, to act as the administrative agent to contract with California Department of State Hospitals (DSH) for access and use of state hospital bed utilization on behalf of the County, for the period July 1, 2021 through June 30, 2022.

**FISCAL IMPACT:**

Approval of this contract will result in budgeted annual expenditures of up to \$29,442 and will be funded 100% by Mental Health Realignment Funds.

**BACKGROUND:**

The purpose of this participation agreement is to grant CalMHSA the authority to contract with DSH for state hospital bed utilization on behalf of the County and to define roles and responsibilities between CalMHSA and Participants in the context of a MOU between CalMHSA and DSH.

In previous years, these services had been paid via an Annual Commitment Funding Form which did not need County Counsel or Board of Supervisors approval. CalMHSA has recently changed this to a Purchase Agreement therefore there was delay in the County receiving the agreement and obtaining all necessary approvals.

Under Contract #74-649, the contractor will act as administrative agent with the DSH for access and use of state hospital bed resources on behalf of the County and to evaluate and implement collaborative opportunities in the development of programs for the period from July 1, 2021 through June 30, 2022.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this participation agreement is not approved, Contra Costa County will not have access to CalMHSA for the use of state hospital bed utilization.

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Suzanne Tavano, Ph.D,  
925-957-5169

By: Laura Cassel, Deputy

cc: Edney Suisala, Marcy Wilhelm

ATTACHMENTS



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Contract #76-739-1 with Francis M. Wright, Jr., M.D.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #76-739-1 with Francis M. Wright, Jr., M.D., an individual, in an amount not to exceed \$225,000, to provide obstetrics and gynecology services at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period from April 1, 2022 through March 31, 2024.

**FISCAL IMPACT:**

Approval of this contract will result in budgeted annual expenditures of up to \$225,000 and will be funded 100% by Hospital Enterprise Fund I revenues. (Rate increase)

**BACKGROUND:**

Due to the limited number of specialty providers available within the community, CCRMC and Contra Costa Health Centers relies on contracts to provide necessary specialty health services to its patients. CCRMC has contracted with Dr. Wright, Jr. for obstetrics and gynecology services since 2021.

In May 2021, the County Administrator approved and the Purchasing Services Manager executed Contract #76-739 with Francis M. Wright, Jr., M.D., in an amount not to exceed \$100,000, to provide obstetrics and gynecology services for the period from April 1, 2021 through March 31, 2022.

Approval of Contract #76-739-1 will allow contractor to continue providing obstetrics and gynecology services at CCRMC and Contra Costa Health Centers, through March 31, 2024. This contract request was delayed due to ongoing negotiations between the contractor and the department.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, patients requiring obstetrics and gynecology services at CCRMC and Contra Costa Health Centers will not have access to this contractor's services.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassel, Deputy

Contact: Samir Shah, M.D., 925-370-5525



ATTACHMENTS



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Payment for Services Provided by Bay Area Community Services, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay up to \$96,016 to Bay Area Community Services, Inc. (BACS), a non-profit corporation, for operating the COVID-19 housing in Richmond for homeless individuals in Contra Costa County provided in good faith for the period February 1, 2022 through March 31, 2022.

**FISCAL IMPACT:**

This retro payment in an amount not to exceed \$96,016 is funded 100% by Federal and State Emergency funding.

**BACKGROUND:**

The Health Housing and Homeless Department (H3) has been contracting with BACS, since April 2020 to operate COVID-19 housing in Richmond for homeless individuals in Contra Costa County.

On October 12, 2021, the Board of Supervisors approved Contract #25-085-4 with BACS, in an amount not to exceed \$318,751, to operate COVID-19 housing in Richmond for homeless individuals in Contra Costa County for the period October 1, 2021 through December 31, 2021.

On January 11, 2022, the Board of Supervisors approved Contract Amendment/Extension #25-085-5, to increase the payment limit from \$318,751 to a new payment limit not to exceed \$425,000 and to extend the termination date from December 31, 2021 to January 31, 2022.

Delays in processing are due to negotiations between H3 and BACS renewing their agreement. BACS, in good faith continued to provide staffing at the Best Western Richmond for COVID-19 Person Under Investigation (PUI) residents during the surge in COVID-19 positive cases, for the period February 1, 2022 through March 31, 2022.

Therefore, the County has determined that BACS is entitled to payment for the reasonable value of their services under the equitable relief theory of quantum meruit. That theory provides that where a person has been asked to provide services without a valid contract, and the provider does so to the benefit of the recipient, the provider is entitled to recover the reasonable value of those services.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this request is not approved, BACS will not be paid for services provided to County clients outside of the contract payment limit rendered in good faith.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Christy Saxton, 925-608-6700

cc: E Suisala, M Wilhelm



ATTACHMENTS



Contra  
Costa  
County

To: Board of Supervisors  
From: INTERNAL OPERATIONS COMMITTEE  
Date: May 17, 2022

**Subject:** PROPOSED CHANGES TO THE COMPOSITION OF THE CONTRA COSTA FIRE PROTECTION DISTRICT ADVISORY FIRE COMMISSION

---

**RECOMMENDATION(S):**

1. MODIFY the composition of the Contra Costa County Fire Protection District Advisory Fire Commission (AFC) to designate that the At Large #2 seat represent the county area formerly served by the East Contra Costa Fire Protection District and the At Large #1 seat represent all remaining areas within the District.
2. DIRECT the County Administrator to return to the Board at a later date with an AFC bylaws update to effect these changes.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

In accordance with Fire Protection Laws of 1961 and 1987 (specifically Health & Saf. Code, § 13844), the current composition of the Contra Costa County Fire Protection District (CCCFPD or District) Advisory Fire Commission (AFC) is seven seats. The seven seats comprise five supervisorial district seats and two districtwide At Large seats (see current AFC Membership Roster, attached). The Board of Supervisors also appoints three Alternates, which are selected in the same manner as the At Large appointees but may be called to serve in the absence of any of the seven primary appointees. The Fire Protection District Law specifies that the size of an advisory fire commission may be either five or seven members.

On March 9, 2022, the Contra Costa County Local Area Formation Commission (LAFCo) unanimously approved the annexation of East Contra Costa Fire Protection District (ECCFPD) to the CCCFPD and the dissolution of ECCFPD. The annexation transition plan approved by LAFCo requires the County to modify the CCCFPD AFC membership to provide one member from the area formerly within the ECCFPD until the existing three-station deficit in the former ECCFPD service area is addressed and eliminated.

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**
 APPROVED AS RECOMMENDED
  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

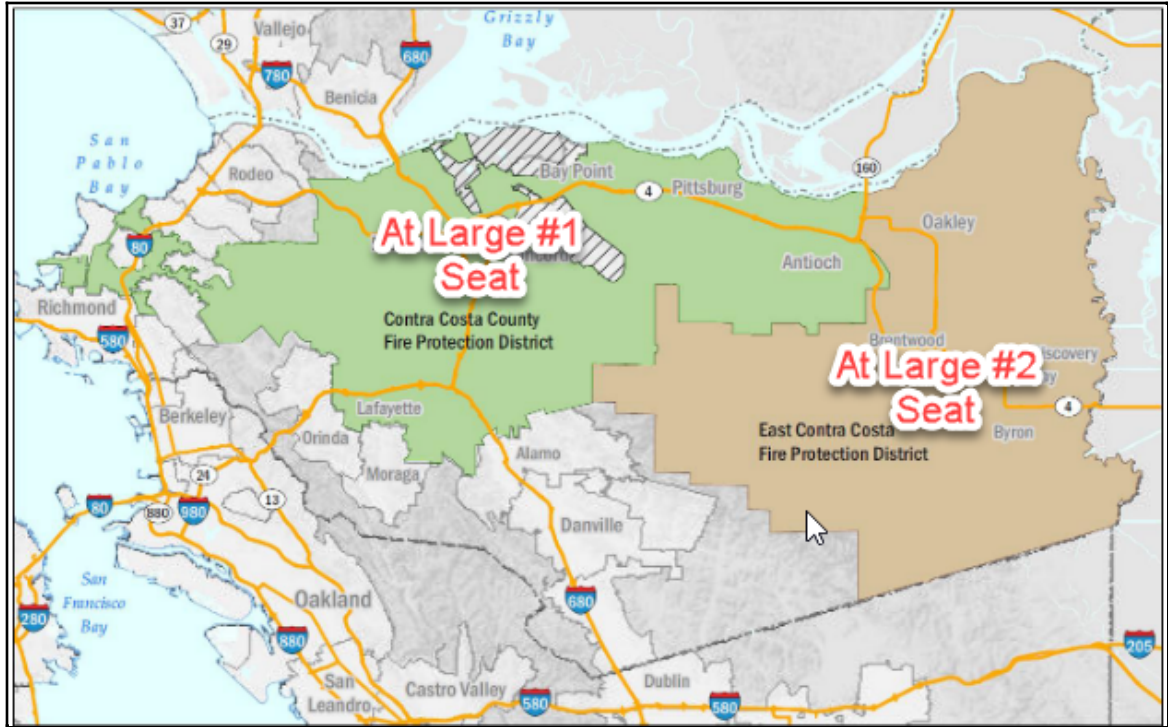
Contact: Julie DiMaggio Enea (925)  
655-2056

By: Stacey M. Boyd, Deputy

BACKGROUND: (CONT'D)

The Internal Operations Committee examined the current AFC composition to determine actions necessary to comply with the annexation transition plan. The current district III appointee resides in Antioch and does not satisfy the annexation plan transition requirement. This appointee's term of office does not expire until June 2025. On June 30, 2022, the term of the At Large #2 seat will expire, creating a vacancy. Because the AFC cannot be expanded beyond the current seven seats, the IOC recommends redesignating the At Large #2 seat to represent the former ECCFPD coverage area and redesignating the At Large #1 seat to represent all other areas of the District (see Exhibit 1). The IOC proposes that the three Alternate seats continue to be representative of the entire District.

**Exhibit 1:**



Approval of the Committee recommendation today will enable the IOC to conduct interviews for the pending At Large #2 and Alternate #3 seat vacancies on June 13 for recommendation back to the Board on June 21. This schedule will ensure continuity of the AFC membership beyond June 30 when the terms for these two seats will expire.

ATTACHMENTS

CCCFPD AFC Roster May 2022



Contra Costa County, CA

## Contra Costa County Fire Protection District - Advisory Fire Commission

### Board Roster



**Michael Egan**

**3rd Term** Jul 01, 2020 - Jun 30, 2024

**Position** At-Large 1

---



**Richard (Tom) Chapman**

**2nd Term** Jul 01, 2018 - Jun 30, 2022

**Position** At-Large 2

---



**Soheila V Bana**

**1st Term** May 18, 2021 - Jul 01, 2024

**Position** At-Large Alternate #1

---



**Walter Fields**

**2nd Term** Jul 01, 2020 - Jun 30, 2024

**Position** At-Large Alternate #2

---



**Clayton Laderer**

**1st Term** Dec 17, 2019 - Jun 30, 2022

**Position** At-Large Alternate #3

---



**Matthew Guichard**

**2nd Term** Jul 01, 2021 - Jun 30, 2025

**Position** District II





**Michael Daugelli**

**2nd Term** Jul 01, 2021 - Jun 30, 2025

**Position** District III

---



**Debra Galey**

**2nd Term** Jul 01, 2019 - Jun 30, 2023

**Position** District IV

---



**Richard S. Nakano**

**1st Term** Dec 10, 2019 - Dec 31, 2023

**Position** District V

---



**Vacancy**

**Position** District I



Contra  
Costa  
County

To: Board of Supervisors  
From: INTERNAL OPERATIONS COMMITTEE  
Date: May 17, 2022

**Subject:** TRIENNIAL ADVISORY BODY REVIEW - PHASE II REPORT AND RECOMMENDATIONS

---

**RECOMMENDATION(S):**

1. ACCEPT the 2021/22 Triennial Review Phase II Report and specific recommendations summarized below:
  - a. DIRECT the County Administrator to continue implementation of Phase III of the third cycle of the Triennial Review process for the remaining advisory bodies.
  - b. CONSIDER referring minor suggestions about supplemental material access agenda language and disclosures to the following advisory bodies:
    - i. Contra Costa Planning Commission
    - ii. Contra Costa Council on Homelessness
    - iii. East Richmond Heights Municipal Advisory Council
    - iv. El Sobrante Municipal Advisory Council
    - v. Mental Health Commission
  - c. CONSIDER referring minor suggestions about disability access agenda language and disclosures to the following advisory bodies:
    - i. Contra Costa Planning Commission
    - ii. Contra Costa Council on Homelessness
    - iii. Bay Point Municipal Advisory Council
    - iv. East Richmond Heights Municipal Advisory Council
    - v. El Sobrante Municipal Advisory Council
  - d. RECOMMEND that the following independent or quasi-independent bodies consider posting agendas on the AgendaCenter section of the county website to increase transparency and ease of access to information for the public:
    - i. First 5 Contra Costa Children and Families Commission
    - ii. In-Home Supportive Services Public Authority Advisory Committee
  - e. DIRECT the following advisory bodies to post agendas to the AgendaCenter section of the county website to comply with Resolution No. 2020/1:
    - i. Diablo Municipal Advisory Council

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Lauren Hull (925) 655-2007

cc: Clerk of the Board, CAO (Enea)

## RECOMMENDATION(S): (CONT'D)

- DIRECT the Clerk of the Board's Office to work with the following advisory bodies to develop ways to increase recruitment efforts to address membership challenges and high seat vacancy rates:
  - i. Family and Children's Trust Committee
  - ii. In-Home Supportive Services Public Authority Advisory Committee
  - iii. Local Planning and Advisory Council for Early Care and Education

## FISCAL IMPACT:

None.

## BACKGROUND:

Following the Triennial Review approved in 2019, three previously included bodies in Phase II were sunset, specifically County Service Area M-16 (Clyde) Citizens Advisory Committee, County Service Area R-10 (Rodeo) Citizens Advisory Committee, and Contra Costa Centre Municipal Advisory Council.

## **FINDINGS**

### **Summary of Findings for Phase II**

Staff to bodies included in Phase II were asked to complete a survey which was reviewed and signed by the advisory body Chairperson. Staff from the Clerk of the Board then reviewed the materials and surveys submitted by the advisory body staff and chairs. In addition to the survey materials, Clerk of the Board staff also went online to confirm whether the bodies are posting agendas online and to review the contents of the agendas for compliance with several additional policies, such as including information about disability access and access to supplemental materials, and opportunities for public comment. The Clerk of the Board also reviewed the agendas for whether the agenda descriptions were adequate for a layperson or outsider to understand what would be discussed at the meeting. The County Administrator's Office also reviewed the submissions.

**Unless highlighted in the recommendations, no changes to bylaws, membership requirements, or seat structure are recommended for the bodies included in Phase II. This report includes a description of advisory bodies in the Phase II review, along with a summary of comments or recommendations from the Clerk of the Board and the County Administrator's Office.**

## **Mandatory Bodies**

### ***Contra Costa Planning Commission***

The Planning Commission was established under state law to implement the planning power of the county. The Planning Commission develops or approves land use plans, development initiatives, planning programs, and permit applications, among other duties. The Planning Commission was established in the County Ordinance Code, Section 26-2, pursuant to Chapters 3 and 4 of Title 7 of the California State Government Code.

#### **Staff Comments/Recommendations**

Staff for the Clerk of the Board's Office recommends minor changes to the current agendas to ensure that they include information about disability access and how the public can access supplemental materials.

### ***First 5 Contra Costa Children and Families Commission***

The First 5 Commission works to support early childhood development through a strategic plan developed pursuant to the California Children and Families First Act of 1998, an initiative Constitutional Amendment approved by the voters as Proposition 10. Contra Costa County established the First 5 Children and Families Commission with Board Resolution No. 98/46.

#### **Staff Comments/Recommendations**

Staff for the First 5 Commission notes that the ongoing decline of Proposition 10 revenue due to the decreased consumption of tobacco products in California is one of the biggest challenges the commission faces in sustaining ongoing efforts for early childhood services and systems. Staff for the Clerk of the Board's Office recommends that First 5 staff post agendas to the AgendaCenter on the county's website, in addition to posting on the First 5 website. Since First 5 is an independent body, this is not required as it is for other advisory bodies. However, doing so would increase transparency and ease of access for the public.

### ***In-Home Support Services Public Authority Advisory Committee***

This body serves as an advisory council to the In-Home Support Services (IHSS) Public Authority, which is administered by the Employment and Human Services Department (EHSD). IHSS provides specialized support services to residents who are frail, elderly, blind, or disabled. Public Authority has an advisory committee whose membership is composed of individuals who are current or past users of personal assistance services paid for through public or private funds and professional representatives from the community.

#### **Staff Comments/Recommendations**

Staff for the IHSS Public Authority Advisory Committee reports that they have had trouble filling seats. Half of their meetings in the past 36 months were cancelled due to a lack of quorum. Staff for the Clerk of the Board's Office recommends that the body work with county staff to increase outreach and recruitment efforts to help fill vacant positions. Staff for the Clerk of the Board's Office also recommends that agendas be posted to the AgendaCenter on the county's website, in addition to posting on the Public Authority's website. Since the IHSS Public Authority Advisory Committee is a quasi-independent body, this is not required as it is for other advisory bodies. However, doing so would increase transparency and ease of access for the public.

### ***Local Planning and Advisory Council for Early Care and Education***

The mission of the Contra Costa County Local Planning and Advisory Council for Early Care and Education (LPC) is to promote quality childcare through community assessment, advocacy, resource development, and collaboration with other organizations. The LPC coordinates programs and services affecting early childcare and education, including recommendations for the allocation of federal funds to local early childcare and education programs.

#### **Staff Comments/Recommendations**

Staff for the LPC reports that the council has had difficulty filling the four Child Care Consumer Seats, though they will continue with strong recruitment efforts and targeted outreach. The LPC also reports that “a lack of comprehensive county data regarding the demographics of the early education workforce continues to be an issue.” The LPC would benefit from county specific information that could inform and influence recommendations. The LPC appears to be functioning as intended and in compliance with the county’s administrative policies. Staff for the Clerk of the Board’s Office does not recommend any changes to the Local Planning Council at this time.

### ***Mental Health Commission***

The Contra Costa County Mental Health Commission was established by order of the Board of Supervisors on June 22, 1993, pursuant to the Welfare & Institutions Code Section 5604, also known as the Bronzan-McCorquodale Act. The primary purpose of the commission is to serve in an advisory capacity to the Board of Supervisors and to the Mental Health Division and its staff. Commissioners are appointed by members of the Board of Supervisors from each of the five districts for a term of three years. Each district has a consumer of mental health services, family member, and an at-large representative on the commission. The Board of Supervisors established the Mental Health Commission in actions taken on June 22, 1993 (Board Agenda Item 06/22/93\_I.O.5).

#### **Staff Comments/Recommendations**

Staff for the Clerk of the Board’s Office recommends minor changes to the current agendas to ensure that they include information about supplemental materials.

## **Discretionary Bodies**

### **County Service Area Citizen Advisory Committees**

#### ***Alamo Polices Services Advisory Committee (County Service Area P-2B Citizens Advisory Committee)***

The Alamo Polices Services Advisory Committee advises the Board of Supervisors and the Sheriff’s Department on the needs of the Alamo community for police services.

#### **Staff Comments/Recommendations**

The Alamo Police Services Advisory Committee appears to be functioning as intended, and in compliance with the county’s administrative policies. Staff for the Clerk of the Board’s Office does not recommend any changes.

#### ***County Service Area P-2A (Blackhawk) Citizens Advisory Committee***

The County Services Area (CSA) P-2A Citizens Advisory Committee advises the Board of Supervisors on the needs of the Blackhawk community for extended police services which shall include, but not be limited to, enforcement of the State Vehicle Code, crime prevention, litter control, and other issues.

#### **Staff Comments/Recommendations**

Staff for the CSA P-2A Citizens Advisory Committee reports that they are currently working on drafting bylaws for the committee. The committee appears to be functioning as intended and in compliance with the county’s administrative policies. Staff for the Clerk of the Board’s Office does not recommend any changes.

#### ***County Service Area P-5 (Roundhill) Citizens Advisory Committee***

The County Service Area P-5 Citizens Advisory Committee advises the Board of Supervisors regarding community concerns about public protection within the district boundaries, which lie within the Roundhill area of the unincorporated community of Alamo.

#### **Staff Comments/Recommendations**

The County Service Area P-5 Citizens Advisory Committee appears to be functioning as intended and in compliance with the county’s administrative policies. Staff for the Clerk of the Board’s Office does not recommend any changes.

#### ***County Service Area P-6 (Discovery Bay) Citizens Advisory Committee***

The County Service Area P-6 Citizen Advisory Committee creates reports and recommendations to the Board of Supervisors on extended police protection services which includes, but is not limited to, enforcement of the State Vehicle Code where authorized by law, crime prevention, and litter control.

#### **Staff Comments/Recommendations**

The County Service Area P-6 Citizens Advisory Committee appears to be functioning as intended and in compliance with the county’s administrative policies. Staff for the Clerk of the Board’s Office does not recommend any changes.

## **Municipal Advisory Councils (MACs) and Town Advisory Council (TAC)**

### ***Alamo Municipal Advisory Council***

The Alamo Municipal Advisory Council (MAC) advises the Board of Supervisors on issues and concerns related to county services provided to the unincorporated area of Alamo.

#### **Staff Comments/Recommendations**

The Alamo MAC appears to be functioning as intended and in compliance with the county's administrative policies. Staff for the Clerk of the Board's Office does not recommend any changes.

### ***Bay Point Municipal Advisory Council***

The Bay Point MAC advises the Board of Supervisors or other local government agencies on issues and concerns related to the unincorporated area of Bay Point.

#### **Staff Comments/Recommendations**

Staff for the Clerk of the Board's Office recommends minor changes to the current agendas to ensure that they include information about disability access.

### ***Bethel Island Municipal Advisory Council***

The Bethel Island MAC advises the Board of Supervisors or other local government agencies on issues and concerns related to the unincorporated area of Bethel Island.

#### **Staff Comments/Recommendations**

The Bethel Island MAC appears to be functioning as intended and in compliance with the county's administrative policies. Staff for the Clerk of the Board's Office does not recommend any changes.

### ***Byron Municipal Advisory Council***

The Byron Municipal Advisory Council advises the Board of Supervisors on issues and concerns related to the unincorporated area of Byron.

#### **Staff Comments/Recommendations**

The Byron MAC appears to be functioning as intended and in compliance with the county's administrative policies. Staff for the Clerk of the Board's Office does not recommend any changes.

### ***Diablo Municipal Advisory Council***

The Diablo MAC's purpose is to advise the Board of Supervisors, County Planning Commission, and the Zoning Administrator on land use issues and other concerns affecting the unincorporated community of Diablo.

#### **Staff Comments/Recommendations**

Staff for the Clerk of the Board's Office recommends that, in addition to posting on the Diablo Community Services District website, agendas be posted to the county website under the AgendaCenter section to comply with Resolution No. 2020/1.

### ***East Richmond Heights Municipal Advisory Council***

The East Richmond Heights MAC was created to advise the Board of Supervisors or other local government agencies on issues and concerns related the unincorporated community of East Richmond Heights.

#### **Staff Comments/Recommendations**

Staff for the Clerk of the Board's Office recommends minor changes to the current agendas to ensure that they include information about disability access and how the public can access supplemental materials.

### ***El Sobrante Municipal Advisory Council***

The El Sobrante MAC provides input to the Board of Supervisors, the County Planning Commission, and the Zoning Administrator on land use issues and other concerns affecting the unincorporated community of El Sobrante.

#### **Staff Comments/Recommendations**

Staff for the Clerk of the Board's Office recommends minor changes to the current agendas to ensure that they include information about disability access and how the public can access supplemental materials.

### ***Kensington Municipal Advisory Council***

The Kensington MAC advises the Board of Supervisors, County Planning Commission, and the Zoning Administrator on land use issues and other concerns affecting the unincorporated community of Kensington.

#### **Staff Comments/Recommendations**

Staff to the Kensington MAC notes that there is difficulty filling seats and that the council would benefit from regular trainings on the Kensington Planning Ordinance. Staff also notes that most duties fall to the Chair of the council and they should be distributed more evenly.

Staff for the Clerk of the Board's Office recommends that the council review the role of officers in their bylaws to distribute the workload more evenly.

### ***Knightsen Town Advisory Council***

The Knightsen TAC advises the Board of Supervisors on land use and planning matters affecting the community of Knightsen and may represent the Knightsen community before the Board of Supervisors, the East County Regional Planning Commission, the Zoning Administrator and the Local Agency Formation Commission on proposed boundary changes affecting the community. Effective February 26, 2019, the Board of Supervisors has separated the Knightsen TAC members from the Knightsen Community Services District (Resolution No. 2019/58).

#### **Staff Comments/Recommendations**

The Knightsen TAC appears to be functioning as intended and in compliance with the county's administrative policies. Staff for the Clerk of the Board's Office does not recommend any changes.

### ***North Richmond Municipal Advisory Council***

The North Richmond MAC advises the Board of Supervisors on issues and concerns affecting the unincorporated community of North Richmond.

#### **Staff Comments/Recommendations**

The North Richmond MAC appears to be functioning as intended and in compliance with the county's administrative policies. Staff for the Clerk of the Board's Office does not recommend any changes.

### ***Pacheco Municipal Advisory Council***

The purpose of the Pacheco MAC is to advise the Board of Supervisors on services which are or may be provided to the community by the county or other government agencies.

#### **Staff Comments/Recommendations**

The Pacheco MAC appears to be functioning as intended and in compliance with the county's administrative policies. Staff for the Clerk of the Board's Office does not recommend any changes.

### ***Rodeo Municipal Advisory Council***

The Rodeo MAC makes recommendations to the Board of Supervisors on issues and concerns related to county services provided to the unincorporated area of Rodeo.

#### **Staff Comments/Recommendations**

The Rodeo MAC appears to be functioning as intended and in compliance with the county's administrative policies. Staff for the Clerk of the Board's Office does not recommend any changes.

### **Other Discretionary Bodies**

#### ***Advisory Council on Equal Employment Opportunity***

The Advisory Council on Equal Employment Opportunity assists with the implementation of the County's Equal Employment Opportunities and Contracting Programs and serves as an advisory committee to the Board of Supervisors.

#### **Staff Comments/Recommendations**

The Advisory Council on Equal Employment Opportunity appears to be functioning as intended and in compliance with the county's administrative policies. Staff for the Clerk of the Board's Office does not recommend any changes.

#### ***Council on Homelessness***

The Contra Costa Council on Homelessness, appointed by the Board of Supervisors, provides advice and input on the operations of homeless services, program operations, and program development efforts in the county. Further, the Council on Homelessness establishes the local process for applying, reviewing, and prioritizing project applications for funding in Homeless Assistance Grant Competitions, including the Continuum of Care Program and the Emergency Solutions Grant Program. The Contra Costa Council on Homelessness provides a forum for the Continuum of Care to communicate about the implementation of strategies to prevent and end homelessness. The purpose of the forum is to educate the community on homeless issues, and advocate on federal, state, county, and city policy issues that affect people who are homeless or at-risk of homelessness.

#### **Staff Comments/Recommendations**

Staff for the Council on Homelessness reports that "COVID-19 introduced considerable challenges to our homeless system of care and Council on Homelessness. While additional funds coming from the state and federal government are creating new opportunities, many of these funding sources are offered as one-time sources." Staff for the Clerk of the Board's Office recommends minor changes to the current agendas to ensure that they include information about disability access and how the public can access supplemental materials.

#### ***Family & Children's Trust Committee***

The Board of Supervisors oversees and appoints members to approximately seventy-six (76) advisory boards, commissions, and committees (bodies). These advisory bodies serve numerous governmental functions, some mandatory and others discretionary. In 2012, the Board of Supervisors adopted a regular, ongoing sunset review process, formalized by Resolution No. 2012/261. This resolution was designed to ensure that every three years each advisory body is reviewed for compliance with a variety of policies.

Since the Triennial Review process was installed in 2012, two full rounds of review have been completed. The publishing of this Phase II, Cycle 3 report, marks the middle of the third round of the Triennial Review. This report represents the findings of the third round of Triennial Sunset Reviews for advisory bodies included in Phase II.

## Summary of Cycle 3 Triennial Review Phases

Phase	Completion Date	Number of Bodies Included
I	2021	17
II	2022	24
III	2023	18
Excluded		17
Total Bodies Listed in Maddy Book		76

A list of the seventeen (17) bodies excluded from the Triennial Review process is included on the next page. Most excluded bodies are not reviewed due to full governing independence from the county, such as the East Bay Regional Park District’s own Parks Advisory Committee. A rationale is noted if the body is not independent and/or is not explicitly explained in Resolution No. 2012/261. In those cases, the body was either an ad hoc (temporary) body or was not a true “Maddy” body. A body that is indicated below as “Not Maddy” is a body to which the Board of Supervisors does not make appointments but is listed in the Boards & Commissions Database (Maddy Book) to improve public awareness and access to the body’s meetings.

### Bodies Excluded from Triennial Review Cycle 3

	Rationale
1 Ad Hoc Census Committee	ad hoc
2 Assessment Appeals Board	
3 Community Advisory Board (CAB) on Public Safety Realignment	Not Maddy
4 Community Corrections Partnership	
5 Community Corrections Partnership - Executive Committee	
6 Contra Costa County Employees Retirement Association	
7 Contra Costa Transportation Authority (CCTA) Citizens Advisory Committee	
8 CCTA Bicycle and Pedestrian Advisory Committee	
9 County Connection Citizens Advisory Committee	
10 Countywide Redevelopment Oversight Board	
11 Developmental Disabilities Council	Not Maddy
12 East Bay Regional Park District Park Advisory Committee	
13 Housing Authority	
14 Mosquito & Vector Control District Board of Trustees	
15 Regional Measure 3 Independent Oversight Committee	
16 Tri-Delta Transit Authority Board of Directors	
17 Western Contra Costa Transit Authority Board of Directors	

## LIST OF ADVISORY BODIES IN PHASE II

Twenty-four (24) bodies are included in Phase II, which was last completed in 2019. These advisory bodies are divided between five (5) mandatory bodies and nineteen (19) discretionary bodies.



## **Mandatory Commissions or Committees**

Mandatory commissions are those required under state or federal law. The following five advisory bodies are considered mandatory and must be operated:

- Contra Costa County Planning Commission
- First 5 Contra Costa Children and Families Commission
- In-Home Supportive Services Public Authority Advisory Committee
- Local Child Care & Development Planning Council
- Mental Health Commission

## **Discretionary Commissions or Committees**

Discretionary commissions are created by the Board of Supervisors on a voluntary basis. Many discretionary bodies were created to address community needs and solicit further resident engagement. The bulk of discretionary bodies included in this review cycle fall into two categories: citizen advisory committees for County Service Areas and Municipal Advisory Councils that provide representation for unincorporated communities. These bodies were established by the Board of Supervisors pursuant to the authority granted by Section 31010 of the California Government Code. Additionally, three bodies in this phase fall into other categories, and are listed below under “Other Discretionary Bodies”.

### **County Service Area Citizen Advisory Committees**

- County Service Area P-2A (Blackhawk) Citizens Advisory Committee
- County Service Area P-2B (Alamo) Citizens Advisory Committee (Alamo Police Services Advisory Committee)
- County Service Area P-5 (Roundhill) Citizens Advisory Committee
- County Service Area P-6 (Discovery Bay) Citizen Advisory Committee

### **Municipal Advisory Councils (MACs) and Town Advisory Council (TAC)**

- Alamo Municipal Advisory Council
- Bay Point Municipal Advisory Council
- Bethel Island Municipal Advisory Council
- Byron Municipal Advisory Council
- Diablo Municipal Advisory Council
- East Richmond Heights Municipal Advisory Council
- El Sobrante Municipal Advisory Council
- Kensington Municipal Advisory Council
- Knightsen Town Advisory Council
- North Richmond Municipal Advisory Council
- Pacheco Municipal Advisory Council
- Rodeo Municipal Advisory Council

### **Other Discretionary Bodies**

- Advisory Council on Equal Employment Opportunity
- Council on Homelessness
- Family & Children's Trust Committee

The Family and Children’s Trust Committee (FACT) was established in 1985 by the Board of Supervisors to make funding recommendations on the allocation of specific funds for the prevention and treatment of child abuse and neglect and supportive services for families and children. Funding for FACT supported projects derive from federal and state program legislation, and donations to the county’s Family and Children’s Trust Fund.

### ***Staff Comments/Recommendations***

Staff for FACT reports that while there have been membership challenges, they are hopeful that new recruitment efforts by the Employment and Human Services Department and the Board of Supervisors will remedy this. They also report that they have experienced challenges conducting the comprehensive needs assessment for funding prioritization as required by the FACT bylaws. The next needs assessment will be

expected to occur in 2024. FACT appears to be functioning as intended and in compliance with the county's administrative policies. Staff for the Clerk of the Board's Office does not recommend any changes.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

Subject: Memorandum of Agreement Amendment #28-975-3 with City of Brentwood

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee to execute Memorandum of Agreement (MOA) #28-975-3 with the City of Brentwood, which amends Memorandum of Agreement (MOA) #28-975-2, to allow the Health Services Department and the California Department of Public Health contractors to continue to use the City's Brentwood Technology and Education Center for COVID-19 testing and immunizations and to extend the term from May 31, 2022 to June 30, 2022; and AUTHORIZE the County Administrator, or designee, to review and approve successive 30-day renewals and/or amendments to the MOA through September 30, 2022.

**FISCAL IMPACT:**

This is a non-financial agreement, and there is no cost to the County associated with the signing of this MOA.

**BACKGROUND:**

The County's Health Officer has determined that accessible, timely testing and immunizations are critical to reduce transmission of the COVID-19 virus and to protect the community.

On July 29, 2021, the parties entered into the MOA between Contra Costa County and City of Brentwood for mutual aid assistance in response to the COVID-19 pandemic, authorizing COVID-19-related services to occur at the Brentwood Education & Technology Center, for the period from July 29, 2021 through December 31, 2021.

On December 14, 2021, the parties entered into an amendment agreement to extend the termination date of the MOU from December 31, 2021 to April 30, 2022.

On April 26, 2022, the Board of Supervisors approved amendment agreement to extend the termination date of the MOU from April 30, 2022 to May 31, 2022.

The parties now wish to extend the termination date of the MOA from May 31, 2022 to June 30th, 2022, as needed to support ongoing COVID-19 efforts to reduce the transmission of the virus and to protect the community. The parties have also agreed that continued utilization of this facility will be determined on a month to month basis. Therefore, the department is also requesting

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Anna Roth, 925-957-2670

cc: Marcy Wilhelm

BACKGROUND: (CONT'D)

that the County Administrator, or designee, be authorized to review and extend the termination date in successive 30-day intervals through September 30, 2022, pending documented need from the department. This agreement contains mutual indemnification with the City of Brentwood.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the Health Services Department will not be able to provide additional COVID-19 testing and immunization services at this facility for East County residents.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

**Subject:** Payment for Services Provided by Sharjo Inc. dba ServiceMaster Restoration Services

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE, the Auditor-Controller, to pay up to \$3,134,879 to Sharjo, Inc., dba ServiceMaster Restoration Services for COVID-19 environmental cleaning services provided to Contra Costa Regional Medical Center (CCRMC) for the period December 1, 2021, through April 30, 2022.

**FISCAL IMPACT:**

Approval of this action would result in a one-time expenditure not to exceed \$3,134,879 and will be funded by American Rescue Plan Act (ARPA) revenues.

**BACKGROUND:**

CCRMC and Health Centers has previously contracted with Sharjo, Inc., dba ServiceMaster Restoration to provide 24-hour emergency restoration services as needed. In July 2020, the contract was amended to provide funding for COVID-19 daily deep cleaning of all hospital and clinic sites affected by the increased need of cleaning due to the COVID-19 pandemic. The contract terminated on November 30, 2021, and while the contract renewal process for this vendor was initiated in advance, the associated labor union had not agreed with the continued use of contracted labor for environmental services activities, delaying the renewal process. As such, ServiceMaster Restoration Services continued to provide support.

Due to the aforementioned delays the vendor was not paid by CCRMC for services provided in good faith. Therefore, CCRMC has determined that ServiceMaster Restoration Services is entitled to payment for the value of the services provided under the equitable relief theory of quantum meruit. The theory provides that where a vendor has been asked to provide services without a valid purchase order or agreement, and the vendor does so to benefit the recipient, the vendor is entitled to recover the reasonable value of those services.

Title 22 requires the hospital and clinics to provide terminal cleaning of COVID infected areas to prevent the spread of infectious disease. The Environmental Services Department, Teamsters, Human Resources and Health Services Department Personnel were at an impasse regarding the new contract with ServiceMaster Restoration that has since been resolved.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Kelly Edlund, (925) 378-1116

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Contra Costa Regional Medical Center will be unable to pay ServiceMaster Restoration, a sole source provider, for services provided in good faith. Without their assistance, our patients and staff could have been at risk of cross-contamination due to the possible spread of COVID-19 to non-infected areas of the hospital and clinics, as well as out into the community.

ATTACHMENTS



Contra  
Costa  
County

To: Board of Supervisors  
From: Marla Stuart, Employment and Human Services Director  
Date: May 17, 2022

**Subject:** In-Home Supportive Services (IHSS) Public Authority (PA) Advisory Committee (AC) Stipends

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay each of up to eleven (11) In-Home Supportive Services (IHSS) Public Authority (PA) Advisory Committee (AC) members \$24 per meeting, not to exceed three (3) AC meetings per month for the 12-month period of July 1, 2022 through June 30, 2023 for a total cost for eleven (11) members not to exceed \$7,300 in stipends, to defray meeting attendance costs as recommended by the Employment and Human Services Director.

**FISCAL IMPACT:**

\$7,300: In-Home Supportive Services (IHSS) funds (50% Federal, 47% State and 3% County).

**BACKGROUND:**

The Contra Costa County Board of Supervisors' Ordinance No. 2001-7, Division 55-2.210 established the [In-Home Supportive Services \(IHSS\) Public Authority \(PA\) Advisory Committee](#). The Primary role of IHSS Public Authority Committee is to serve in an advisory capacity to the Public Authority Governing Board (Board of Supervisors), Public Authority staff, and the administrators of In-Home Supportive Services (IHSS).

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Elaine Burres 608-4960

cc:



BACKGROUND: (CONT'D)

The IHSS Public Authority Advisory Committee members receive \$24 stipend to attend Advisory Committee meetings paid through the Auditor-Controller office to defray attendance costs of members. The IHSS Public Authority receives an annual allocation every year to cover the costs of IHSS Public Authority Advisory Committee. The federal and state governments reimburse the expenses quarterly through an established claiming process.

CONSEQUENCE OF NEGATIVE ACTION:

Without stipends, meeting costs may be prohibitive to member attendance.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: May 17, 2022

**Subject:** Approve New and Recredentialing Providers and Recredentialing Organizational Providers in Contra Costa Health Plan's Community Provider Network

---

**RECOMMENDATION(S):**

APPROVE the list of providers recommended by the Contra Costa Health Plan's Medical Director and the Health Services Director on April 15, 2022, as required by the State Departments of Health Care Services and Managed Health Care, and the Centers for Medicare and Medicaid Services.

**FISCAL IMPACT:**

There is no fiscal impact for this action.

**BACKGROUND:**

The National Committee on Quality Assurance (NCQA) requires that evidence of Board Approval must be contained within each Contra Costa Health Plan (CCHP) provider's credentials file. Approval of this list of providers as recommended by the CCHP Medical Director will enable the Contra Costa Health Plan to comply with this requirement.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this action is not approved, Contra Costa Health Plan's providers would not be appropriately credentialed and not be in compliance with the NCQA.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Sharon Mackey, 925-313-6004

cc:

ATTACHMENTS

Recredentials

4/15/2022

**Contra Costa Health Plan**  
**Providers Approved by Medical Director**  
**April 15, 2022**

<b>CREDENTIALING PROVIDERS APRIL 2022</b>	
<b>Name</b>	<b>Specialty</b>
Andrianifahanana, Nirina-soa, BCBA, MS	Qualified Autism Provider
Anthony, Ashley, BCBA, MA	Qualified Autism Provider
Bustamante, Alexa, APCC	Mental Health Services
Campbell, Andrea, LCSW	Mental Health Services
Carrillo Juarez, Dilexi, MS	Qualified Autism Provider
Castillo Bernal, Keely, BCBA, MA	Qualified Autism Provider
Charbonneau, Denise, ACSW	Mental Health Services
Chardavoyne, John, MD	Psychiatry
Cound, Chelsea, BCBA, MA	Qualified Autism Provider
Felipe, Synthia, BCBA	Qualified Autism Provider
Flanigan, Kathleen, APCC	Mental Health Services
Fu, Shu-Wing, BCBA, MA	Qualified Autism Provider
Glassford, Tyler, BCBA, PhD	Qualified Autism Provider
Gomez, Marioly, MS	Qualified Autism Provider
Hoi, Kitty, BCBA, M.Ed.	Qualified Autism Provider
Jaka, Sara, MD	Primary Care Internal Medicine
Jauregui, Mychael, AMFT	Mental Health Services
Jayasuriya, Samantha, BCBA, MA	Qualified Autism Provider
Johnson, Kathryn, BCBA, MA	Qualified Autism Provider
Kamp, Amanda, MA	Qualified Autism Provider
Khan, Mashaal, AMFT	Mental Health Services
Kilmade, Christina, AMFT	Mental Health Services
Kooner, Jasmeet, BCBA, MA	Qualified Autism Provider
Kumar, Vandana, NP	Mid-Level Family Medicine
Lewis, Casey, DPM	Podiatry
McClure, Jason, APCC	Mental Health Services
Miranda, Shauna, AMFT	Mental Health Services
Ogea, Yevett, ACSW	Mental Health Services
Park, Leanna, AMFT	Mental Health Services
Patel, Krushangi, MD	Hematology/Oncology
Preciado, Daushae, ACSW	Mental Health Services
Qiu, Jia, BCBA, M.Ed.	Qualified Autism Provider
Rosales, Antolyn, MA	Qualified Autism Provider
Santa Maria, Kimberli, BCBA	Qualified Autism Provider
Sarsour, Zahiah, BCBA, M.Ed.	Qualified Autism Provider
Serrano, Doveina, ACSW	Mental Health Services
Sit, Melody, LCSW	Mental Health Services
Stencil, Christi, BCBA, MS	Qualified Autism Provider
Trehan, Malu, RDN	Dietitian

<b>CREDENTIALING PROVIDERS APRIL 2022</b>	
<b>Name</b>	<b>Specialty</b>
Tsao, Coco, NP	Surgery – Thoracic
Tsui, Mo Ying, BCBA	Qualified Autism Provider
Walker, Shanique, ACSW	Mental Health Services
Warren, Deron, DO	Urgent Care
Wernick, Olivia, LCSW	Mental Health Services
Zadrozny, Erin, ACSW	Mental Health Services

<b>CREDENTIALING ORGANIZATIONAL PROVIDERS APRIL 2022</b>		
<b>Provider Name</b>	<b>Provide the Following Services</b>	<b>Location</b>
Best Home Health Providers, Inc.	Home Health	Hayward
One Health Homecare, Inc., dba: One Health Home Health	Home Health	Livermore

<b>RE-CREDENTIALING PROVIDERS APRIL 2022</b>	
<b>Name</b>	<b>Specialty</b>
Allendorph, Toni, PT	Physical Therapy
Bakal, Arthur, MD	Primary Care Internal Medicine
Carter, Brazell, MD	Primary Care Internal Medicine
Cobos, Christina, BCBA, MS	Qualified Autism Provider
Colladay, Jonathan, MFT	Mental Health Services
Di Giulio, Carla, CRNA	Mid-Level Anesthesiology
Elcenko, Noble Jr., DC	Chiropractic Medicine
Geering, Michelle, BCBA, MA	Qualified Autism Provider
Junaid, Imran, MD	Allergy & Immunology
Kaplan, Annabel, BCBA	Qualified Autism Provider
Keeler, Brittney, BCBA	Qualified Autism Provider
Ko, Derek, DC	Chiropractic Medicine
Lee, Min-Wei Christine, MD	Dermatology/ Surgery - MOHS Micrographic
Lo, Eileen, OD	Optometry
Martinez, Christine, PA	Mid-Level Orthopaedic Surgery Assistant
Michael, James, PA	Mid-Level Orthopaedic Surgery Assistant
Moua, Pang, BCBA	Qualified Autism Provider

<b>RECREREDENTIALING PROVIDERS APRIL 2022</b>	
<b>Name</b>	<b>Specialty</b>
Ogawa, Mimi, MD	Primary Care Family Medicine
Pascua, Francejune, BCBA	Qualified Autism Provider
Perry, Kelli, BCBA-D, PhD	Qualified Autism Provider
Reynolds, Matthew, NP	Mid-Level Infectious Disease/Mid-Level HIV/AIDS
Rixen, Daniel, DC	Chiropractic Medicine
Rosenberg, Shoshana, LCSW	Mental Health Services
Saralkar, Rachna, MD	Psychiatry
Sianghio, Kathleen, NP	Primary Care Family Medicine
Singh, Brenda, BCBA	Qualified Autism Provider
Tran, Nina, OD	Optometry
Wilson, Patricia, CRNA	Mid-Level Anesthesiology
Wong, Jason, DC	Chiropractic Medicine

<b>RECREREDENTIALING ORGANIZATIONAL PROVIDERS APRIL 2022</b>		
<b>Provider Name</b>	<b>Provide the Following Services</b>	<b>Location</b>
AccentCare Home Health of California, Inc.	Home Health/ Private Duty Nursing	San Ramon
RAI Care Centers of Oakland II, LLC dba: RAI-East Bay Oakland	Dialysis	Oakland
Kindred Hospice – Fairfield	Hospice	Fairfield
Willow Pass Health Care Center	Skilled Nursing Facility	Concord



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 17, 2022

**Subject:** Conveyance of Permanent Easements and Temporary Construction Easements to the City of San Ramon.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a right of way contract with the City of San Ramon (City), to convey permanent and temporary easements to the City in exchange for reimbursement of County staff costs, in connection with the City's Iron Horse Trail Pedestrian and Bike Overcrossing Project (Project), City of San Ramon area. (Project No.: 0678-6G5549) (CP#22-16)

FIND that the conveyance of said easements is in the public interest and will not substantially conflict or interfere with the County's use of the property.

DETERMINE that the Project will not have a significant effect on the environment and is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 5, Section 15061 (b)(3) of the CEQA Guidelines, and

DIRECT the Director of the Department of Conservation and Development to file a Notice of Exemption with the County Clerk.

AUTHORIZE the Public Works Director, or designee, to arrange for the payment of a \$25 fee to the Department of Conservation and Development for processing, and a \$50 fee to the County Clerk for filing the Notice of Exemption.

DIRECT the Real Estate Division of the Public Works Department to cause said Permanent

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Jann Edmunds, 925-957-2454



RECOMMENDATION(S): (CONT'D)

Easements and a certified copy of this Board Order to be delivered to the City for acceptance and recording in the office of the County-Clerk Recorder. The Temporary Construction Easement will not be recorded.

FISCAL IMPACT:

100% City of San Ramon Funds. The City will reimburse the County for its administrative, environmental and survey costs related to this transaction.

BACKGROUND:

The County owns and manages a strip of land that runs from Mayette Avenue in the City of Concord to the City of San Ramon, Contra Costa County. Said strip of land is more commonly known as the Iron Horse Corridor (IHC). The City of San Ramon is planning to construct the Iron Horse Trail Pedestrian and Bike Overcrossing Project (Project) in San Ramon over portions of the existing IHC located on the north and south alignment of Bollinger Canyon Road. The Project will improve safety and air quality by reducing at grade crossing conflicts between pedestrians, cyclists, and motorists and improve motor vehicle traffic by reducing idling at the intersection.

In order for the City to construct the Project, the City requires the County to convey two permanent easements and temporary construction easements to the City for construction, access and maintenance of the bridge, landscaping irrigation and incidentals related to each.

The City will reimburse 100% the County's costs to process this transaction, including CEQA environmental review and filing fees. The Real Estate Division has determined that the conveyance of the easements will not substantially conflict or interfere with the County's use of the property. The conveyance of the easements are in the public interest insofar as it is for the public use.

As further described in the attached CEQA Notice of Exemption, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

CONSEQUENCE OF NEGATIVE ACTION:

The City of San Ramon will not have the necessary rights to construct the Project.

AGENDA ATTACHMENTS

Exhibits A & B

Grant of Easement

Temporary Easement

CEQA

MINUTES ATTACHMENTS

Signed Grant of Easement

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Real property located in the City of San Ramon, County of Contra Costa, State of California, more particularly described as follows:

Those portions of Parcel 61B as shown on the Record of Survey, RS 2059, filed in Book 104, of L.S.M. at Page 25, Official Records of Contra Costa County, and being more particularly described as follows:

**County Easement 1:**

**COMMENCING** at a found Contra Costa County Standard Monument in the Right of Way of Bollinger Canyon Road, as shown on the Map of the Subdivision 5467 Vista San Ramon - Unit 5, filed in Book 222 of Maps at Page 1, Official Records of said County, said monument lying South 49°43'03" West, 777.74 feet, from a found CCCSM marking in the intersection of Bollinger Canyon Road and Alcosta Boulevard as shown on said map;

Thence South 69°28'09" West, 297.82 feet to a point on the northeasterly line of said Parcel 61B and the northerly corner of the land described in the Easement Deed of Permanent Roadway and Utility Easement, recorded August 16, 2011 as Document 2011-0163537, Official Records of said County, and being the **POINT OF BEGINNING**;

Thence along the northwesterly line of said easement, along the arc of a non-tangent curve, concave southeasterly, having a radius of 115.00 feet, from a radial which bears North 31°14'33" West, through a central angle of 06°27'39", an arc distance of 12.97 feet;

Thence continuing along said northwesterly line, South 52°17'48" West, 50.11 feet;

Thence continuing along said northwesterly line, along the arc of a tangent curve, concave northeasterly, having a radius of 20.00 feet, through a central angle of 98°52'53", an arc distance of 34.52 feet;

Thence continuing along said northwesterly line, South 61°10'41" West, 14.50 feet to a point on the southwesterly line of said Parcel 61B;

Thence along said southwesterly line, North 28°49'19" West, 668.31 feet;

Thence leaving said southwesterly line, North 61°10'41" East, 100.00 feet to a point on said northeasterly line of said Parcel 61B;

Thence along said northeasterly line, South 28°49'19" East, 679.06 feet to the **POINT OF BEGINNING**.

Containing 68,137 square feet or 1.56 acres, more or less.

**County Easement 2:**

**COMMENCING** at a found Contra Costa County Standard Monument in the right of way of Bollinger Canyon Road, as shown on the Map of the Subdivision 5467 Vista San Ramon - Unit 5, filed in Book 222 of Maps at Page 1, Official Records of said County, said monument lying South 49°43'03" West, 777.74 feet, from a found CCCSM marking in the intersection of Bollinger Canyon Road and Alcosta Boulevard as shown on said map;

Thence South 35°00'49" West, 328.35 feet to a point on the northeasterly line of said Parcel 61B said point being the most easterly corner of the land described in the Street or Highway Easement deed, recorded December 19, 1975 in Book 7717, at Page 137, Official Records of said County, and being the **POINT OF BEGINNING**;

Thence along said northeasterly line, South 28°49'19" East, 642.13 feet;

Thence leaving said northeasterly line, South 61°10'41" West, 100.00 feet to a point on the southwesterly line of said Parcel 61B;

Thence along said southwesterly line, North 28°49'19" West, 642.13 feet to the southwest corner of the land described in said Street or Highway Easement deed;

Thence along the southeasterly line of the land described in said Street or Highway Easement deed, North 61°10'41" East, 100.00 feet to the **POINT OF BEGINNING**;

Containing 64,213 square feet or 1.47 acres, more or less.

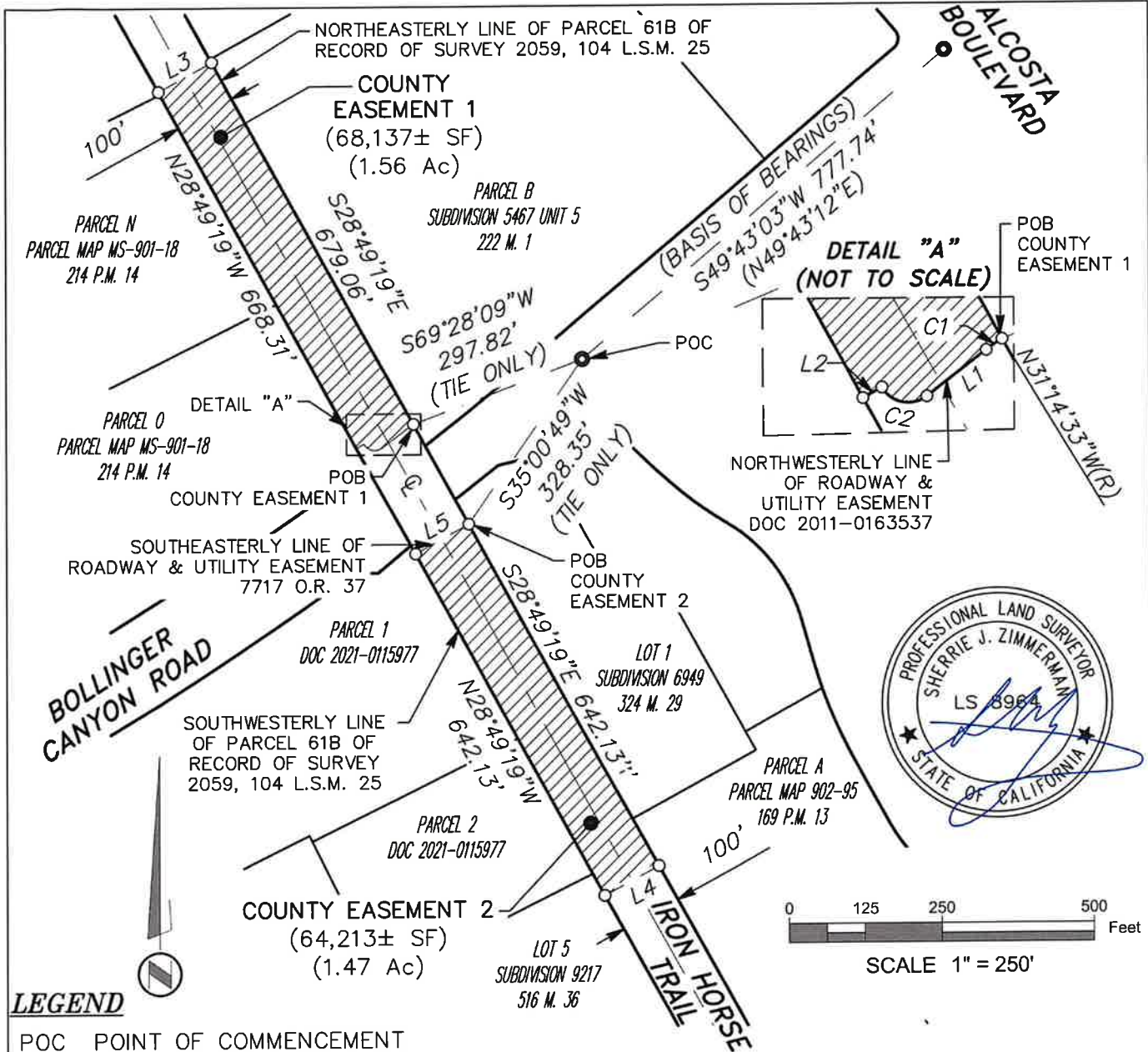
The Bearings shown hereon are based on 2 found Contra Costa County Standard Monuments in the Right of Way of Bollinger Canyon Road, measured as South 49°43'03" West, and having a record bearing of (North 49°43'12" East), as shown on said Map of Subdivision 5467, Vista San Ramon – Unit 5.

The real property description and accompanied Exhibit "B" has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

  
\_\_\_\_\_  
SHERRIE J. ZIMMERMAN LS. 8964



12/8/2021  
DATE



**LEGEND**

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- M. MAP
- P.M. PARCEL MAP
- DOC DOCUMENT NUMBER
- L.S.M. LAND SURVEY MAP
- O.R. OFFICIAL RECORDS
- ⊙ CENTERLINE
- FOUND CONTRA COSTA COUNTY STANDARD MONUMENT
- DIMENSION POINT
- ▨ COUNTY EASEMENT

**LINE TABLE**

- L1 S52°17'48"W 50.11'
- L2 S61°10'41"W 14.50'
- L3 N61°10'41"E 100.00'
- L4 S61°10'41"W 100.00'
- L5 N61°10'41"E 100.00'

**CURVE TABLE**

- R=115.00'
- C1 Δ=6°27'39" L=12.97'
- R=20.00'
- C2 Δ=98°52'53" L=34.52'

SHEET 1 OF 1

Scale: 1" = 250' Date Dec. 2021 Drawn By AK Checked By SZ	<b>Exhibit B</b> <b>Plat to Accompany Legal Description</b> <b>In the City of San Ramon</b> <b>Contra Costa County, California</b>	 <b>MARK THOMAS</b>
--	---	------------------------

Recorded at the request of:  
Contra Costa County  
255 Glacier Drive  
Martinez, CA 94553

After recording return to:  
City of San Ramon  
7000 Bollinger Canyon Rd  
San Ramon, CA 94583

Mail Tax Statement to:  
Contra Costa County  
255 Glacier Drive  
Martinez, CA 94553

---

**EXEMPT FROM RECORDING FEES PURSUANT TO GOV'T. CODE SECTION 27383 AND DOCUMENTARY TRANSFER TAX  
PURSUANT TO REVENUE AND TAXATION CODE SECTION 11922.**

Portions of Iron Horse Corridor  
North and south alignment of Bollinger Canyon Road

## **GRANT OF EASEMENTS**

For good and valuable consideration, including but not limited to the agreements contained herein, the receipt and sufficiency of which are hereby acknowledged, **CONTRA COSTA COUNTY**, a political subdivision of the State of California, (hereinafter "COUNTY"), hereby grants to **CITY OF SAN RAMON**, a municipal corporation (hereinafter "GRANTEE"), a nonexclusive right to a perpetual easement and right of way for the purpose of constructing, reconstructing, removing, replacing, repairing, upgrading, maintaining, operating the bridge, also for landscaping irrigation and incidentals related to each, for the Iron Horse Trail Pedestrian and Bike Overcrossing and appurtenances related thereto and for no other purposes whatsoever, along and in all of the hereinafter described parcel of land situated within the Iron Horse Corridor (IHC) in the County of Contra Costa, State of California, described and depicted as follows (such area sometimes referred to as the "Easement Area"):

**FOR DESCRIPTION AND PLAT MAP, SEE ATTACHED EXHIBITS "A" AND "B,"  
RESPECTIVELY**

The foregoing grant is made subject to the following terms and conditions:

1. **PRIMARY USE OF THE PROPERTY.** The primary use of the property subject to this easement (hereinafter the "Property") consists of a corridor that the COUNTY is in the process of developing for transportation, utility, and other purposes, including but not limited to: improvements for pedestrians and bicyclists of all ages and abilities; operators and users of other emerging mobility options including but not limited to e-bikes, e-scooters, and shared autonomous vehicles; overhead and underground public utilities and cable franchises; telecommunications facilities and infrastructure; and other public purposes benefitting residents and businesses in Contra Costa County.

GRANTEE acknowledges and agrees that the uses just described, whether existing now or undertaken in the future, constitute and are referred to as the "primary use" of the Property. Grantee further acknowledges that the any and all rights granted or implied by this Grant of Easement are secondary and subordinate to the primary use of the Property by the COUNTY, its successors, assigns, permittees, licensees, and grantees. GRANTEE shall not, at any time, use or permit the public to use the easement area in any manner that will interfere with or impair the primary use of the Property by the COUNTY, its successors, assigns, permittees, licensees, and grantees. GRANTEE shall not fence said easement without the prior written approval of the COUNTY, and shall remove any fencing when requested by COUNTY to do so. GRANTEE shall not otherwise obstruct the easement area.

2. COUNTY TITLE: GRANTEE hereby acknowledges COUNTY's title to the Property and agrees never to assail or resist said title.
3. CONSTRUCTION AND MAINTENANCE ACTIVITIES: (a) GRANTEE shall, prior to any construction, reconstruction, remodeling, excavation, installation or plantings within the easement area, submit specific plans and specifications to the COUNTY for review and approval. Such approval, together with any additional requirements to be in the form of a written permit issued by COUNTY to GRANTEE.  
  
(b) Normal maintenance by GRANTEE of its facilities within the easement area, including inspection and cleaning of existing pipelines, shall not require prior notice to the COUNTY. GRANTEE shall perform maintenance of its facilities so as to prevent damage to the site.
4. MODIFICATION OF GRANTEE'S FACILITIES: COUNTY reserves the right to require GRANTEE to modify, remove, relocate, replace, or replant landscaping and irrigation facilities GRANTEE installs or places within the Easement area when COUNTY determines that such modification, removal, relocation, or replanting is necessary to accommodate the primary use of the Property, as described in Section 1. Additionally, COUNTY reserves the right to attach and require the attachment of utility facilities and appurtenances to the Iron Horse Trail Pedestrian and Bike Overcrossing structure and within the Easement Area, provided that the utility facilities and appurtenances do not unreasonably interfere with the use of the overcrossing structure for its intended purpose.
5. DAMAGE TO COUNTY PROPERTY: Any and all COUNTY Property, facilities, landscaping or other improvements, removed or damaged as a result of the use of the easement area by GRANTEE, or any other person or entity acting under GRANTEE's direction or control, shall, at COUNTY's discretion and direction, be repaired or replaced by COUNTY, with all reasonable costs and expenses to be paid by GRANTEE (including but not limited to engineering costs and legal costs of collecting any unpaid expenses) or shall be repaired or replaced by GRANTEE, at the sole cost and expense of GRANTEE, equivalent to or better than their existing condition. In the event that GRANTEE fails to commence the required work within thirty days after being directed to do so by COUNTY, or such reasonable extension as COUNTY may agree to in writing, or fails to complete the required work within a

reasonable time thereafter, COUNTY may perform or complete the work at the expense of GRANTEE, which expense GRANTEE agrees to pay to COUNTY promptly upon demand, including but not limited to engineering costs and any legal expenses incurred to collect such costs.

6. DAMAGE TO GRANTEE'S FACILITIES: COUNTY shall have no responsibility for the protection, maintenance, damage to, or removal of GRANTEE's facilities, appurtenances or improvements, caused by or resulting from COUNTY's use of the Property or work or operation thereon. It shall be the sole responsibility of the GRANTEE to provide and maintain adequate protection and surface markings for its own facilities. If the COUNTY determines that damage to or deterioration of GRANTEE's facilities presents a risk to members of the public or interfere with the use of the Property for the Primary Uses, GRANTEE, at its sole expense, shall repair or remove the damaged facilities from the Easement area.
7. NON-EXCLUSIVE EASEMENT: The easement granted hereunder is non-exclusive. In addition to being subject to and subordinate the Primary Uses described in Section 1, this easement is subject and subordinate to all existing rights, rights of way, licenses, reservations, franchises and easements of record, or that would be evident from a physical inspection or accurate survey of the Property, in and to the Property. GRANTEE agrees to take all precautions required to avoid damage to the facilities of the existing users. If GRANTEE damages the facilities or improvements of any existing user, GRANTEE shall repair or replace such facilities at GRANTEE's sole cost and expense. Nothing contained herein shall be construed to prevent COUNTY from granting other easements, franchises, licenses or rights of way over said lands, provided however, that said subsequent uses do not unreasonably prevent or obstruct GRANTEE's easement rights hereunder.
8. INDEMNIFICATION, AS-IS CONDITION OF PROPERTY: (a) In the exercise of all rights under this easement, GRANTEE shall be responsible for any and all injury to the public, to persons and to property arising out of or connected with GRANTEE's use of the Property. GRANTEE shall indemnify, defend, save, protect and hold harmless, COUNTY, its officers, agents, employees and contractors from and against any and all threatened or actual loss, damage (including foreseeable and unforeseeable consequential damages), liability, claims, suits, demands, judgments, orders, costs, fines, penalties or expense of whatever character, including but not limited to those relating to inverse condemnation, and including attorneys' fees, (hereinafter collectively referred to as "Liabilities") to persons or property, direct or consequential, directly or indirectly contributed to or caused by the granting of this easement, GRANTEE's operations, acts or omissions pursuant to this easement, or the GRANTEE's use of the easement, save and except Liabilities arising through the sole negligence or sole willful misconduct of the COUNTY, its officers or employees. GRANTEE acknowledges that Property subject to this easement is in a flood control area. GRANTEE agrees that GRANTEE shall never have, claim or assert any right or action against COUNTY or the County of Contra Costa in the event of damage to or disruption of GRANTEE's facilities caused or contributed to by flooding or water, and shall indemnify, defend, save, protect and hold COUNTY harmless from all Liabilities resulting from such damage or disruption.



b) GRANTEE further agrees to defend, indemnify, save, protect and hold harmless, COUNTY from any and all actual or threatened claims, costs, actions or proceedings to attack, set aside, void, abrogate or annul this grant of easement or any act or approval of COUNTY related thereto.

c) GRANTEE accepts the easement area in an "as is" physical condition, with no warranty, guarantee, representation or liability, express or implied on the part of the COUNTY as to any matter, including but not limited to the physical condition of the Property and/or the condition and/or possible uses of the land or any improvements thereon, the condition of the soil or the geology of the soil, the condition of the air, surface water or groundwater, the presence of known and unknown faults, the presence of any hazardous substance, materials, or other kinds of contamination or pollutants of any kind in the air, soil, groundwater or surface water, or the suitability of the Property for the construction and use of the improvements thereon. It shall be the sole responsibility of GRANTEE, at its sole cost and expense, to investigate and determine the suitability of the soil, water, geologic, environmental and seismic conditions of the Property for the intended use contemplated herein, and to determine and comply with all building, planning and zoning regulations relative to the Property and the uses to which it can be put. GRANTEE relies solely on GRANTEE's own judgment, experience and investigations as to the present and future condition of the Property or its suitability for GRANTEE's intended use and is not relying in any manner on any representation or warranty by COUNTY. GRANTEE agrees that neither GRANTEE, its heirs, successors or assign shall ever claim have or assert any right or action against COUNTY for any loss, damage or other matter arising out of or resulting from the presence of any hazardous substance or any other condition of the Property at the commencement of the easement or from the release of any hazardous substance in, on or around any part of the Property or in the soil, water, subsurface strata or ambient air by any person or entity other than the COUNTY following the commencement of this easement. As used herein, "hazardous substance" means any substance, material or waste which is or may become designated, classified or regulated as being "toxic," "hazardous" or a "pollutant" under any federal, state or local law, regulation or ordinance. Nothing in this section is intended in any way to restrict the right of GRANTEE to seek contribution or indemnity from any person or entity other than COUNTY whose activities are a cause of any discharge, leakage, spillage or emission of hazardous materials on or to the Property.

d) To the extent permitted by law, GRANTEE shall indemnify, defend, save, protect and hold the COUNTY harmless from and against any and all claims, demands, Liabilities, expenses (including without limitation attorneys fees and consultants fees), penalties, damages, consequential damages and losses, and costs (including but not limited to the costs of any required or necessary testing, remediation, repair, removal, cleanup or detoxification of the Property and surrounding properties and from and against the preparation of any cleanup, remediation, closure or other required plans whether such action is required or necessary prior to or following the termination of the easement), of any kind or nature, to the extent caused or contributed to by GRANTEE's operation or performance under this easement, or GRANTEE's use, release or disposal of any hazardous substance, including all costs, claims, damages (including property and

personal injury) caused by the uncovering, release or excavation of hazardous materials (including petroleum) as a result of GRANTEE's construction, reconstruction, maintenance, use, replacement, or removal of its facilities, to the extent that such activities increase the costs attributable to the cleanup or remediation of such hazardous materials.

e) The obligations contained in this section shall survive the expiration or other termination of this easement.

9. NO WARRANTIES: GRANTEE understands and acknowledges that COUNTY makes no representations, warranties or guarantees of any kind or character, express or implied, with respect to the Property, and GRANTEE is entering into this transaction without relying in any manner on any such representation or warranty by COUNTY.
10. ABANDONMENT: In the event GRANTEE shall cease to use the easement herein continuously for a period of one year, or in the event GRANTEE abandons its facilities or fails to use the easement for the purpose for which it is granted, then all rights of GRANTEE in and to said lands shall thereupon cease and terminate and shall immediately revert to and vest in COUNTY or its successors. Upon any such termination of GRANTEE's rights, GRANTEE shall, upon request by COUNTY, and at GRANTEE's sole cost and expense, remove all of its facilities from the easement area and restore said Property to its original condition. Upon the failure of GRANTEE to do so, this work may be performed by COUNTY at GRANTEE's expense, which expense GRANTEE agrees to pay to COUNTY upon demand. GRANTEE shall execute any Quitclaim Deeds required by COUNTY in this regard.
11. NO ASSIGNMENT OF EASEMENT: No rights granted hereunder shall be transferred, apportioned or assigned without the prior written consent of COUNTY.
12. NO SECONDARY RIGHTS: Nothing herein contained shall be deemed to construe that access or other secondary rights are conveyed by this document over any of COUNTY's adjacent lands lying outside of the aforesaid strip of land above described.
13. ENTIRE AGREEMENT: This grant of easement contains the entire agreement between the parties hereto and shall not be modified in any manner except by an instrument in writing executed by the parties or their respective successors in interest.
14. CONSTRUCTION: This grant of easement shall not be construed as if it had been prepared by one of the parties, but rather as if both parties have prepared it. The parties to this grant of easement and their counsel have read and reviewed this grant of easement and agree that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply to the interpretation of this grant of easement.

THIS SECTION LEFT BLANK INTENTIONALLY

15. SUCCESSORS AND ASSIGNS: This indenture and all of the covenants herein contained shall inure to the benefit of and be binding upon the heirs, successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, this Grant of Easements is signed and executed this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

CONTRA COSTA COUNTY

GRANTEE  
CITY OF SAN RAMON

By \_\_\_\_\_  
Karen Mitchoff  
Chair, Board of Supervisors

By \_\_\_\_\_  
David E. Hudson  
Mayor

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
COUNTY OF CONTRA COSTA )

On \_\_\_\_\_ before me, \_\_\_\_\_ Clerk of the Board of Supervisors, Contra Costa County, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: \_\_\_\_\_  
Deputy Clerk

JT:  
G:\realprop\Iron Horse Corridor\City of San Ramon\EA.17PA-Mwork3 Grant of Easement - Final 5-5-22.doc  
09/01/15

APPROVED AS TO FORM  
by County Counsel  
July, 1999

**RIGHT OF WAY CONTRACT -- TEMPORARY EASEMENT**

(Grantee) City of San Ramon)

Portions of Iron Horse Corridor north and south alignment of Bollinger Canyon Road:

Project Name: Iron Horse Trail Pedestrian and Bike Overcrossing

Project No.: 0678-6G5549

\_\_\_\_\_, California

\_\_\_\_\_, 2022

This Right of Way Contract is entered into as of the date written above by and between the City of San Ramon, a municipal corporation ("Grantee"), and Contra Costa County, a political subdivision of the State of California ("County"), and includes a document in the form of GRANT OF EASEMENTS, inclusive of its Exhibits "A" and "B", and the attached Exhibits "A1" and "B1" describing and depicting the TEMPORARY EASEMENTS more particularly described in Clauses 3 and 4, below, in connection with Grantee's Iron Horse Trail Pedestrian and Bike Overcrossing project ("Project").

In consideration of which, and the other considerations hereinafter set forth, it is mutually agreed as follows:

1. The parties have herein set forth the whole of their agreement.
2. The Grantee shall reimburse County 100% of the County's costs to process this transaction, not to exceed \$25,000, including but not limited to County Public Works Department staff time, CEQA environmental review, and filing fees associated with completing environmental review in connection with the GRANT OF EASEMENTS and TEMPORARY EASEMENTS.
3. The County hereby grants to the Grantee the TEMPORARY EASEMENTS for a term that commences on October 1, 2022 ("Commencement Date") and terminates upon completion of construction and acceptance by the Grantee. The Grantee will provide County a copy of the acceptance within 5 days. The County shall have use of the property within the TEMPORARY EASEMENTS until the Commencement Date. The Grantee shall not preclude the County's primary use of the Property.
4. During the term of the TEMPORARY EASEMENTS the Grantee, and its authorized contractors and agents may enter upon County's land where necessary within that certain area described and depicted in the TEMPORARY EASEMENTS (i.e., described and depicted in Exhibits "A1" and "B1" attached hereto and made a part hereof) for the purpose of constructing, reconstructing, removing, replacing, repairing, upgrading, and maintaining, operating and using the bridge, for landscaping irrigation and incidentals related to each, for the Project and for no other purposes whatsoever.

5. In case of unpredictable delays in construction, upon written notification, the TEMPORARY EASEMENTS may be extended by an amendment to this Right of Way contract. (Payment shall be made to the County for the extension prior to the expiration of the original term).
6. The County warrants that it is the owner in fee simple of the property affected by this GRANT OF EASEMENTS and TEMPORARY EASEMENTS, and the County further warrants that the County has the exclusive right to grant these easements.
7. The County shall retain possession of the property encumbered by the GRANT OF EASEMENTS up to the date of recording the Grant of Easements; and the County shall retain possession of the property encumbered by the TEMPORARY EASEMENTS up to the Commencement Date.
8. The County will cause said easements to be delivered to the Grantee for acceptance and recording in the office of the County Clerk-Recorder. The Grantee will provide the County a copy of the recorded GRANT OF EASEMENTS and a fully executed copy of this Right of Way Contract – Temporary Easement.

REMAINDER OF PAGE LEFT INTENTIONALLY BLANK

**RIGHT OF WAY CONTRACT -- TEMPORARY EASEMENT**

- 9. The parties to this contract shall, pursuant to Section 21.7(a) of Title 49, Code of Federal Regulations, comply with all elements of Title VI of the Civil Rights Act of 1964. This Requirement under Title VI and the Code of Federal Regulations is to complete the County's Non-Discrimination Assurance requiring compliance with Title VI of the Civil Rights Act of 1964, 49 C.F.R. Parts 21 and 28 C.F.R. Section 50.3.
- 10. Further, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that is subject to this contract.

*In Witness Whereof*, the Parties have executed this agreement the day and year first above written.

GRANTOR (County)  
CONTRA COSTA COUNTY/

GRANTEE  
CITY OF SAN RAMON

APPROVED:

By \_\_\_\_\_  
Brian M. Balbas  
Public Works Director

By \_\_\_\_\_  
Joe Gorton  
City Manager

Date \_\_\_\_\_  
(Date of Approval)

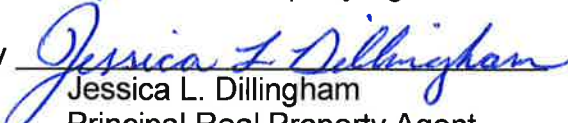
By \_\_\_\_\_  
David E. Hudson  
Mayor

Recommended for Approval:

APPROVED AS TO FORM:

By  \_\_\_\_\_  
Jann Tate  
Senior Real Property Agent

By \_\_\_\_\_  
Martin Lysons  
City Attorney

By  \_\_\_\_\_  
Jessica L. Dillingham  
Principal Real Property Agent

ATTEST:

By \_\_\_\_\_  
Christina Franco

2022-050 April 26, 2022  
City Council Resolution No.

**EXHIBIT " A1"**  
**LEGAL DESCRIPTION**

Real property located in the City of San Ramon, County of Contra Costa, State of California, more particularly described as follows:

Those portions of Parcel 61B as shown on the Record of Survey, RS 2059, filed in Book 104, of L.S.M. at Page 25, Official Records of Contra Costa County, and being more particularly described as follows:

**Temporary Construction Easement 1:**

**COMMENCING** at a found Contra Costa County Standard Monument in the Right of Way of Bollinger Canyon Road, as shown on the Map of the Subdivision 5467 Vista San Ramon - Unit 5, filed in Book 222 of Maps at Page 1, Official Records of said County, said monument lying South 49°43'03" West, 777.74 feet, from a found CCCSM marking in the intersection of Bollinger Canyon Road and Alcosta Boulevard as shown on said map;

Thence South 69°28'09" West, 297.82 feet to a point on the northeasterly line of Parcel 61B;

Thence along said northeasterly line North 28°49'17" West, 679.03 feet to the **POINT OF BEGINNING**;

Thence leaving said northeasterly line South 61°10'41" West, 100.00 feet to a point on the southwesterly line of said Parcel 61B;

Thence along said southwesterly line, North 28°49'19" West, 15.00 feet;

Thence leaving said southwesterly line, North 61°10'41" East, 100.00 feet to a point on the northeasterly line of said Parcel 61B;

Thence along said northeasterly line, South 28°49'19" East, 15.00 feet to the **POINT OF BEGINNING**.

Containing 1,500 square feet or 0.03 acres, more or less.

**Temporary Construction Easement 2:**

**COMMENCING** at a found Contra Costa County Standard Monument in the Right of Way of Bollinger Canyon Road, as shown on the Map of the Subdivision 546 Vista San Ramon - Unit 5, filed in Book 222 of Maps at Page 1, Official Records of said County, said monument lying South 49°43'03" West, 777.74 feet, from a found CCCSM marking in the intersection of Bollinger Canyon Road and Alcosta Boulevard as shown on said map;

Thence South 35°00'49" West, 328.35 feet to a point on the northeasterly line of Parcel 61B;

Thence along said northeasterly line South 28°49'19" East, 642.13 feet to the **POINT OF BEGINNING**;

Thence continuing along said northeasterly line, South 28°49'19" East, 15.00 feet;



Thence leaving said northeasterly line, South 61°10'41" West, 100.00 feet to a point on the southwesterly line of said Parcel 61B;

Thence along said southwesterly line, North 28°49'19" West, 15.00 feet;

Thence leaving said southwesterly line, North 61°10'41" East, 100.00 feet to the **POINT OF BEGINNING**;

Containing 1,500 square feet or 0.03 acres, more or less.

The Bearings shown hereon are based on 2 found Contra Costa County Standard Monuments in the Right of Way of Bollinger Canyon Road, measured as South 49°43'03" West, and having a record bearing of (North 49°43'12" East), as shown on said Map of Subdivision 5467, Vista San Ramon – Unit 5.

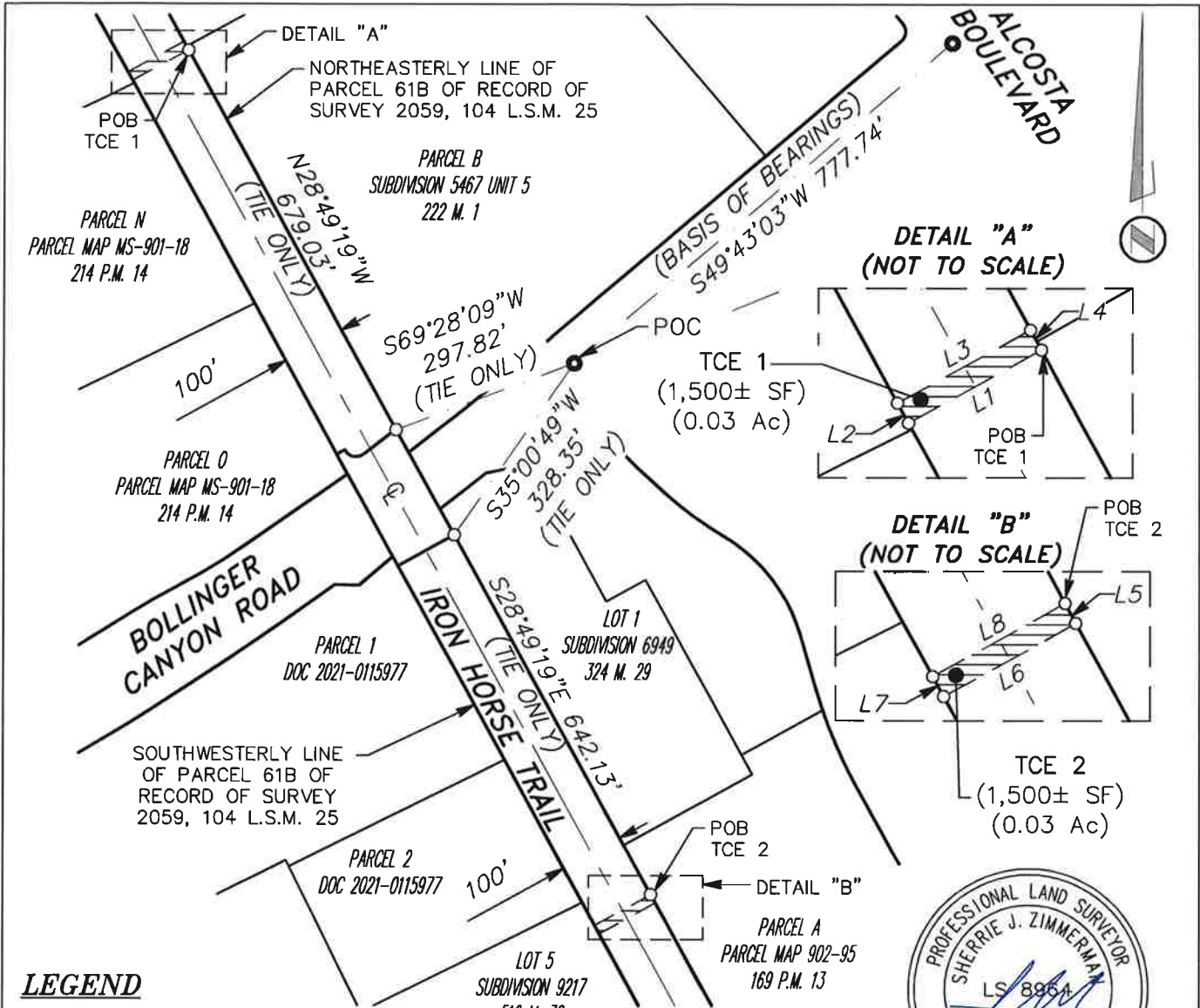
The duration for Temporary Construction Easements 1 & 2 is June 1, 2022 to June 1, 2025.

The real property description and accompanied Exhibit "B1" has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

  
SHERRIE J. ZIMMERMAN LS. 8964

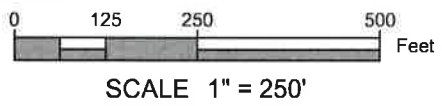


05/05/2022  
DATE



**LEGEND**

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- M. MAP
- P.M. PARCEL MAP
- DOC DOCUMENT NUMBER
- L.S.M. LAND SURVEY MAP
- O.R. OFFICIAL RECORDS
- ⊕ CENTERLINE
- FOUND CONTRA COSTA COUNTY STANDARD MONUMENT
- DIMENSION POINT
- ▨ TEMPORARY CONSTRUCTION EASEMENT (TCE)



**LINE TABLE**

- L1 S61°10'41"W 100.00'
- L2 N28°49'19"W 15.00'
- L3 N61°10'41"E 100.00'
- L4 S28°49'19"E 15.00'

**LINE TABLE**

- L5 S28°49'19"E 15.00'
- L6 S61°10'41"W 100.00'
- L7 N28°49'19"W 15.00'
- L8 N61°10'41"E 100.00'

SHEET 1 OF 1

Scale: 1" = 250'  
 Date May 2022  
 Drawn By AK  
 Checked By SZ

**Exhibit B1**  
**Plat to Accompany Legal Description**  
**In the City of San Ramon**  
**Contra Costa County, California**





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
Department of Conservation and
Development
30 Muir Road
Martinez, CA 94553

[x] County Clerk, County of Contra Costa

Project Title: Grant of Easements for City of San Ramon Iron Horse Trail Pedestrian and Bike
Overcrossing, Project #: WO5549, CP#22-16

Project Applicant: Contra Costa County Public Works Dept., 255 Glacier Drive, Martinez CA 94553
Main: (925) 313-2000, Contact: Sandeep Singh, (925) 313-2022

Project Location: Iron Horse Trail at Bollinger Canyon Road, approximately 1,150 feet west of the
intersection of Alcosta Boulevard and Bollinger Canyon Road in San Ramon, Central Contra Costa
County

Lead Agency: Department of Conservation and Development, 30 Muir Road, Martinez, CA 94553
Main: (925) 655-2705, Contact: Syd Sotoodeh (925) 655-2877

Project Description: The purpose of this activity is to convey a permanent Grant of Easement and
Temporary Construction Easement to the City of San Ramon for the purpose of accessing, constructing
and maintaining the Iron Horse Trail and Bike Overcrossing. The project requires portions of the County-
owned property along the Iron Horse Trail alignment located north and south of Bollinger Canyon Road..
As the easement is finalized, slight adjustments to the location may be made and additional Real Estate
transactions may be necessary. This CEQA documentation covers Real Estate transactions only. The
City of San Ramon will be responsible for the preparation of any necessary CEQA documentation or any
applicable regulatory permits for construction or other activities.

Exempt Status:

- [ ] Ministerial Project (Sec. 21080[b][1]; 15268) [ ] Categorical Exemption (Sec. )
[ ] Declared Emergency (Sec. 21080[b][3]; 15269[a]) [x] General Rule of Applicability (Sec. 15061[b][3])
[ ] Emergency Project (Sec. 21080[b][4]; 15269[b][c]) [ ] Other Statutory Exemption (Sec. )

Reasons why project is exempt: The activity is not subject to CEQA as it can be seen with certainty
that there is no possibility that the activity in question may have a significant effect on the environment
pursuant to Article 5, Section 15061(b)(3) of the CEQA guidelines.

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 [ ] Yes [ ] No
project?

Signature: Syd Soto Date: 3/23/2022 Title: Planner II

Contra Costa County Department of Conservation and Development

- [x] 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: Sandeep Singh *cg*  
Environmental Services Division  
Phone: 313-2022

**Department of Fish and Wildlife Fees Due**

- De Minimis Finding - \$0
- County Clerk - \$50
- Conservation and Development - \$25

Total Due: \$75                      Receipt #: \_\_\_\_\_

# CONTRA COSTA COUNTY CALIFORNIA

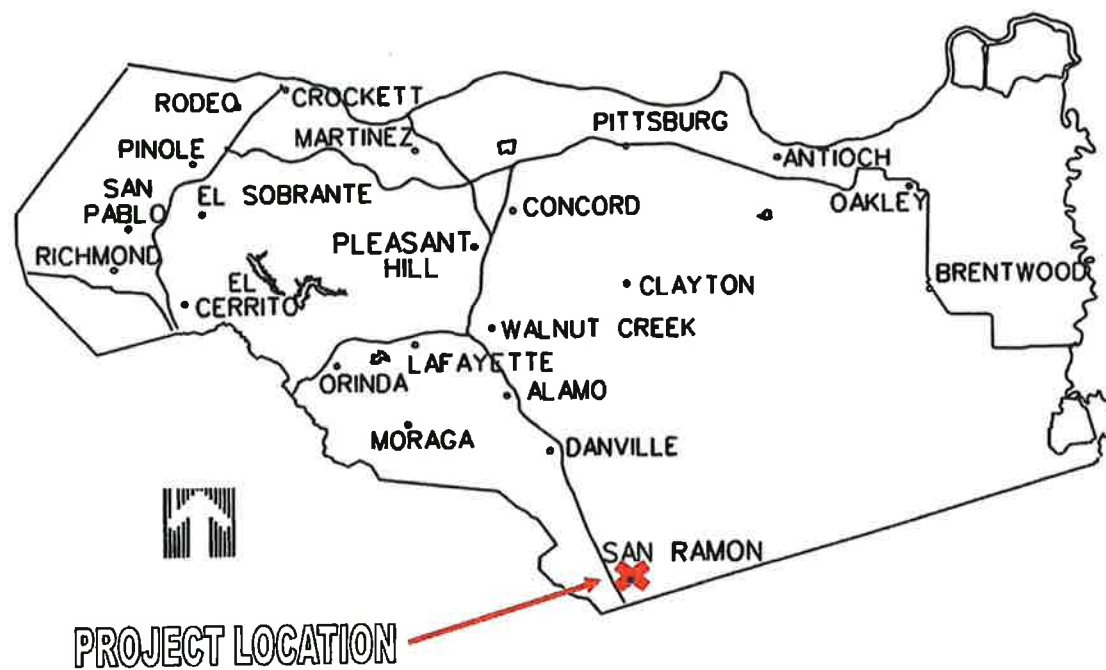
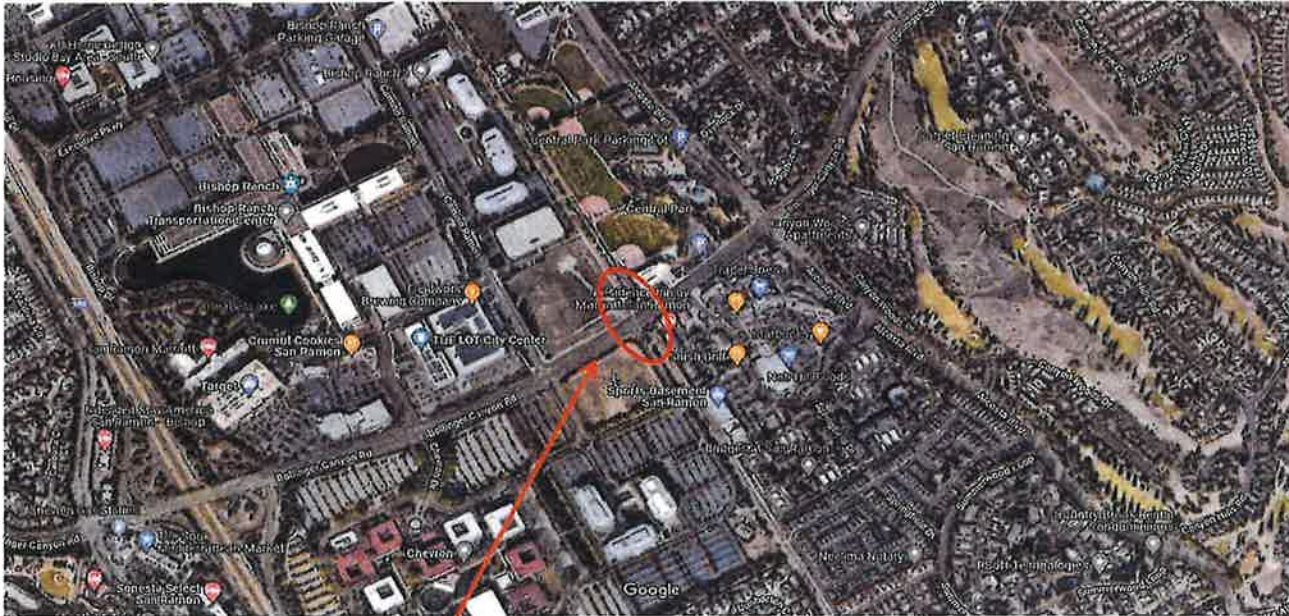


FIGURE 1: Regional Location Map





Project Site

**FIGURE 2: Project Vicinity Map**

Recorded at the request of:  
Contra Costa County  
255 Glacier Drive  
Martinez, CA 94553

After recording return to:  
City of San Ramon  
7000 Bollinger Canyon Rd  
San Ramon, CA 94583

Mail Tax Statement to:  
Contra Costa County  
255 Glacier Drive  
Martinez, CA 94553

**EXEMPT FROM RECORDING FEES PURSUANT TO GOV'T. CODE SECTION 27383 AND DOCUMENTARY TRANSFER TAX PURSUANT TO REVENUE AND TAXATION CODE SECTION 11922.**

Portions of Iron Horse Corridor  
North and south alignment of Bollinger Canyon Road

## **GRANT OF EASEMENTS**

For good and valuable consideration, including but not limited to the agreements contained herein, the receipt and sufficiency of which are hereby acknowledged, **CONTRA COSTA COUNTY**, a political subdivision of the State of California, (hereinafter "COUNTY"), hereby grants to **CITY OF SAN RAMON**, a municipal corporation (hereinafter "GRANTEE"), a nonexclusive right to a perpetual easement and right of way for the purpose of constructing, reconstructing, removing, replacing, repairing, upgrading, maintaining, operating the bridge, also for landscaping irrigation and incidentals related to each, for the Iron Horse Trail Pedestrian and Bike Overcrossing and appurtenances related thereto and for no other purposes whatsoever, along and in all of the hereinafter described parcel of land situated within the Iron Horse Corridor (IHC) in the County of Contra Costa, State of California, described and depicted as follows (such area sometimes referred to as the "Easement Area"):

**FOR DESCRIPTION AND PLAT MAP, SEE ATTACHED EXHIBITS "A" AND "B," RESPECTIVELY**

The foregoing grant is made subject to the following terms and conditions:

1. **PRIMARY USE OF THE PROPERTY.** The primary use of the property subject to this easement (hereinafter the "Property") consists of a corridor that the COUNTY is in the process of developing for transportation, utility, and other purposes, including but not limited to: improvements for pedestrians and bicyclists of all ages and abilities; operators and users of other emerging mobility options including but not limited to e-bikes, e-scooters, and shared autonomous vehicles; overhead and underground public utilities and cable franchises; telecommunications facilities and infrastructure; and other public purposes benefitting residents and businesses in Contra Costa County.



GRANTEE acknowledges and agrees that the uses just described, whether existing now or undertaken in the future, constitute and are referred to as the "primary use" of the Property. Grantee further acknowledges that the any and all rights granted or implied by this Grant of Easement are secondary and subordinate to the primary use of the Property by the COUNTY, its successors, assigns, permittees, licensees, and grantees. GRANTEE shall not, at any time, use or permit the public to use the easement area in any manner that will interfere with or impair the primary use of the Property by the COUNTY, its successors, assigns, permittees, licensees, and grantees. GRANTEE shall not fence said easement without the prior written approval of the COUNTY, and shall remove any fencing when requested by COUNTY to do so. GRANTEE shall not otherwise obstruct the easement area.

2. COUNTY TITLE: GRANTEE hereby acknowledges COUNTY's title to the Property and agrees never to assail or resist said title.

3. CONSTRUCTION AND MAINTENANCE ACTIVITIES: (a) GRANTEE shall, prior to any construction, reconstruction, remodeling, excavation, installation or plantings within the easement area, submit specific plans and specifications to the COUNTY for review and approval. Such approval, together with any additional requirements to be in the form of a written permit issued by COUNTY to GRANTEE.

(b) Normal maintenance by GRANTEE of its facilities within the easement area, including inspection and cleaning of existing pipelines, shall not require prior notice to the COUNTY. GRANTEE shall perform maintenance of its facilities so as to prevent damage to the site.

4. MODIFICATION OF GRANTEE'S FACILITIES: COUNTY reserves the right to require GRANTEE to modify, remove, relocate, replace, or replant landscaping and irrigation facilities GRANTEE installs or places within the Easement area when COUNTY determines that such modification, removal, relocation, or replanting is necessary to accommodate the primary use of the Property, as described in Section 1. Additionally, COUNTY reserves the right to attach and require the attachment of utility facilities and appurtenances to the Iron Horse Trail Pedestrian and Bike Overcrossing structure and within the Easement Area, provided that the utility facilities and appurtenances do not unreasonably interfere with the use of the overcrossing structure for its intended purpose.

5. DAMAGE TO COUNTY PROPERTY: Any and all COUNTY Property, facilities, landscaping or other improvements, removed or damaged as a result of the use of the easement area by GRANTEE, or any other person or entity acting under GRANTEE's direction or control, shall, at COUNTY's discretion and direction, be repaired or replaced by COUNTY, with all reasonable costs and expenses to be paid by GRANTEE (including but not limited to engineering costs and legal costs of collecting any unpaid expenses) or shall be repaired or replaced by GRANTEE, at the sole cost and expense of GRANTEE, equivalent to or better than their existing condition. In the event that GRANTEE fails to commence the required work within thirty days after being directed to do so by COUNTY, or such reasonable extension as COUNTY may agree to in writing, or fails to complete the required work within a

reasonable time thereafter, COUNTY may perform or complete the work at the expense of GRANTEE, which expense GRANTEE agrees to pay to COUNTY promptly upon demand, including but not limited to engineering costs and any legal expenses incurred to collect such costs.

6. DAMAGE TO GRANTEE'S FACILITIES: COUNTY shall have no responsibility for the protection, maintenance, damage to, or removal of GRANTEE's facilities, appurtenances or improvements, caused by or resulting from COUNTY's use of the Property or work or operation thereon. It shall be the sole responsibility of the GRANTEE to provide and maintain adequate protection and surface markings for its own facilities. If the COUNTY determines that damage to or deterioration of GRANTEE's facilities presents a risk to members of the public or interfere with the use of the Property for the Primary Uses, GRANTEE, at its sole expense, shall repair or remove the damaged facilities from the Easement area.
  
7. NON-EXCLUSIVE EASEMENT: The easement granted hereunder is non-exclusive. In addition to being subject to and subordinate the Primary Uses described in Section 1, this easement is subject and subordinate to all existing rights, rights of way, licenses, reservations, franchises and easements of record, or that would be evident from a physical inspection or accurate survey of the Property, in and to the Property. GRANTEE agrees to take all precautions required to avoid damage to the facilities of the existing users. If GRANTEE damages the facilities or improvements of any existing user, GRANTEE shall repair or replace such facilities at GRANTEE's sole cost and expense. Nothing contained herein shall be construed to prevent COUNTY from granting other easements, franchises, licenses or rights of way over said lands, provided however, that said subsequent uses do not unreasonably prevent or obstruct GRANTEE's easement rights hereunder.
  
8. INDEMNIFICATION, AS-IS CONDITION OF PROPERTY: (a) In the exercise of all rights under this easement, GRANTEE shall be responsible for any and all injury to the public, to persons and to property arising out of or connected with GRANTEE's use of the Property. GRANTEE shall indemnify, defend, save, protect and hold harmless, COUNTY, its officers, agents, employees and contractors from and against any and all threatened or actual loss, damage (including foreseeable and unforeseeable consequential damages), liability, claims, suits, demands, judgments, orders, costs, fines, penalties or expense of whatever character, including but not limited to those relating to inverse condemnation, and including attorneys' fees, (hereinafter collectively referred to as "Liabilities") to persons or property, direct or consequential, directly or indirectly contributed to or caused by the granting of this easement, GRANTEE's operations, acts or omissions pursuant to this easement, or the GRANTEE's use of the easement, save and except Liabilities arising through the sole negligence or sole willful misconduct of the COUNTY, its officers or employees. GRANTEE acknowledges that Property subject to this easement is in a flood control area. GRANTEE agrees that GRANTEE shall never have, claim or assert any right or action against COUNTY or the County of Contra Costa in the event of damage to or disruption of GRANTEE's facilities caused or contributed to by flooding or water, and shall indemnify, defend, save, protect and hold COUNTY harmless from all Liabilities resulting from such damage or disruption.

b) GRANTEE further agrees to defend, indemnify, save, protect and hold harmless, COUNTY from any and all actual or threatened claims, costs, actions or proceedings to attack, set aside, void, abrogate or annul this grant of easement or any act or approval of COUNTY related thereto.

c) GRANTEE accepts the easement area in an "as is" physical condition, with no warranty, guarantee, representation or liability, express or implied on the part of the COUNTY as to any matter, including but not limited to the physical condition of the Property and/or the condition and/or possible uses of the land or any improvements thereon, the condition of the soil or the geology of the soil, the condition of the air, surface water or groundwater, the presence of known and unknown faults, the presence of any hazardous substance, materials, or other kinds of contamination or pollutants of any kind in the air, soil, groundwater or surface water, or the suitability of the Property for the construction and use of the improvements thereon. It shall be the sole responsibility of GRANTEE, at its sole cost and expense, to investigate and determine the suitability of the soil, water, geologic, environmental and seismic conditions of the Property for the intended use contemplated herein, and to determine and comply with all building, planning and zoning regulations relative to the Property and the uses to which it can be put. GRANTEE relies solely on GRANTEE's own judgment, experience and investigations as to the present and future condition of the Property or its suitability for GRANTEE's intended use and is not relying in any manner on any representation or warranty by COUNTY. GRANTEE agrees that neither GRANTEE, its heirs, successors or assign shall ever claim have or assert any right or action against COUNTY for any loss, damage or other matter arising out of or resulting from the presence of any hazardous substance or any other condition of the Property at the commencement of the easement or from the release of any hazardous substance in, on or around any part of the Property or in the soil, water, subsurface strata or ambient air by any person or entity other than the COUNTY following the commencement of this easement. As used herein, "hazardous substance" means any substance, material or waste which is or may become designated, classified or regulated as being "toxic," "hazardous" or a "pollutant" under any federal, state or local law, regulation or ordinance. Nothing in this section is intended in any way to restrict the right of GRANTEE to seek contribution or indemnity from any person or entity other than COUNTY whose activities are a cause of any discharge, leakage, spillage or emission of hazardous materials on or to the Property.

d) To the extent permitted by law, GRANTEE shall indemnify, defend, save, protect and hold the COUNTY harmless from and against any and all claims, demands, Liabilities, expenses (including without limitation attorneys fees and consultants fees), penalties, damages, consequential damages and losses, and costs (including but not limited to the costs of any required or necessary testing, remediation, repair, removal, cleanup or detoxification of the Property and surrounding properties and from and against the preparation of any cleanup, remediation, closure or other required plans whether such action is required or necessary prior to or following the termination of the easement), of any kind or nature, to the extent caused or contributed to by GRANTEE's operation or performance under this easement, or GRANTEE's use, release or disposal of any hazardous substance, including all costs, claims, damages (including property and

personal injury) caused by the uncovering, release or excavation of hazardous materials (including petroleum) as a result of GRANTEE's construction, reconstruction, maintenance, use, replacement, or removal of its facilities, to the extent that such activities increase the costs attributable to the cleanup or remediation of such hazardous materials.

e) The obligations contained in this section shall survive the expiration or other termination of this easement.

9. NO WARRANTIES: GRANTEE understands and acknowledges that COUNTY makes no representations, warranties or guarantees of any kind or character, express or implied, with respect to the Property, and GRANTEE is entering into this transaction without relying in any manner on any such representation or warranty by COUNTY.
10. ABANDONMENT: In the event GRANTEE shall cease to use the easement herein continuously for a period of one year, or in the event GRANTEE abandons its facilities or fails to use the easement for the purpose for which it is granted, then all rights of GRANTEE in and to said lands shall thereupon cease and terminate and shall immediately revert to and vest in COUNTY or its successors. Upon any such termination of GRANTEE's rights, GRANTEE shall, upon request by COUNTY, and at GRANTEE's sole cost and expense, remove all of its facilities from the easement area and restore said Property to its original condition. Upon the failure of GRANTEE to do so, this work may be performed by COUNTY at GRANTEE's expense, which expense GRANTEE agrees to pay to COUNTY upon demand. GRANTEE shall execute any Quitclaim Deeds required by COUNTY in this regard.
11. NO ASSIGNMENT OF EASEMENT: No rights granted hereunder shall be transferred, apportioned or assigned without the prior written consent of COUNTY.
12. NO SECONDARY RIGHTS: Nothing herein contained shall be deemed to construe that access or other secondary rights are conveyed by this document over any of COUNTY's adjacent lands lying outside of the aforesaid strip of land above described.
13. ENTIRE AGREEMENT: This grant of easement contains the entire agreement between the parties hereto and shall not be modified in any manner except by an instrument in writing executed by the parties or their respective successors in interest.
14. CONSTRUCTION: This grant of easement shall not be construed as if it had been prepared by one of the parties, but rather as if both parties have prepared it. The parties to this grant of easement and their counsel have read and reviewed this grant of easement and agree that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply to the interpretation of this grant of easement.

THIS SECTION LEFT BLANK INTENTIONALLY

15. SUCCESSORS AND ASSIGNS: This indenture and all of the covenants herein contained shall inure to the benefit of and be binding upon the heirs, successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, this Grant of Easements is signed and executed this 17<sup>th</sup> day of MAY 2022.

CONTRA COSTA COUNTY

GRANTEE  
CITY OF SAN RAMON

By Karen Mitchoff  
Karen Mitchoff  
Chair, Board of Supervisors

By \_\_\_\_\_  
David E. Hudson  
Mayor

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
COUNTY OF CONTRA COSTA ✓)

On MAY 17, 2022 before me, Stacey M. Boyd Clerk of the Board of Supervisors, Contra Costa County, personally appeared Karen Mitchoff, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Stacey M. Boyd  
Deputy Clerk, Stacey M. Boyd

JT:  
G:\realprop\Iron Horse Corridor\City of San Ramon\EA.17PA-Mwork3 Grant of Easement - Final 5-5-22.doc  
09/01/15

APPROVED AS TO FORM  
by County Counsel  
July, 1999



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: May 17, 2022

**Subject:** Adopt Resolution 2022/176 Establishing Measure X Local Housing Trust Fund as a Local Housing Trust Fund

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2022/176 codifying the Board action of November 16, 2021 establishing the Measure X affordable housing fund of \$10 million in FY 2022-23 and \$12 million annually thereafter as a Local Housing Trust Fund for the purposes of eligibility for grant programs.

**FISCAL IMPACT:**

There is no fiscal impact to establishing the Local Housing Trust Fund by resolution, since it was previously approved at the same funding levels by the Board on November 16, 2021.

**BACKGROUND:**

On November 16, 2021, the Board of Supervisors approved funding allocations for the revenue stream created by Measure X, the sales tax that went into effect in April 2021. Affordable housing was allocated \$10 million from year one of Measure X, and \$12 million in Measure X sales tax revenue thereafter as ongoing revenue, as a new program called "Local Housing Trust Fund" (Attachment A). One of the eligible activities identified for this allocation was grant-writing to augment the housing funds. In pursuing grant opportunities, staff has found that the Measure X housing fund needs to be codified by resolution in order to be considered a "local housing trust fund" for the purposes of qualifying for the State of California's Local Housing Trust Fund matching grant program. Accordingly, it is recommended the Board approve Resolution No. 2022/176, which reaffirms the earlier allocation in a format that meets the State's criteria to be a local housing trust fund and allows access to the grant opportunity. There is no change proposed to anything approved as part of the earlier Board action creating the fund.

Authorization to take the next step and apply for the State Local Housing Trust Fund program is a separate item on the May 17 Board meeting agenda.

**CONSEQUENCE OF NEGATIVE ACTION:**

If Resolution No. 2022/176 is not approved, Contra Costa County will not have a local housing trust fund by the State's definition and will not be eligible for the State's Local Housing Trust Fund grant program.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Amalia Cunningham,  
925-655-2881

By: Stacey M. Boyd, Deputy

cc:

AGENDA ATTACHMENTS

Resolution 2022/176

Measure X Local Housing Trust Fund description (approved by Board of Supervisors Nov. 16, 2021)

MINUTES ATTACHMENTS

Signed: Resolution No. 2022/176



**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**  
**and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 05/17/2022 by the following vote:

		<b>John Gioia</b>
		<b>Candace Andersen</b>
<b>AYE:</b>	<input type="text" value="5"/>	<b>Diane Burgis</b>
		<b>Karen Mitchoff</b>
		<b>Federal D. Glover</b>
<b>NO:</b>	<input type="text"/>	
<b>ABSENT:</b>	<input type="text"/>	
<b>ABSTAIN:</b>	<input type="text"/>	
<b>RECUSE:</b>	<input type="text"/>	



**Resolution No. 2022/176**

Establishing a Local Housing Trust Fund by Codifying the Board of Supervisors' Allocation of Annual Measure X Revenue to Support Affordable Housing in Contra Costa County

WHEREAS, the voters of Contra Costa County approved Measure X, a 20-year, half-cent sales tax, on November 3, 2020, and the collection of the tax began on April 1, 2021; and

WHEREAS, on November 16, 2021, the Board of Supervisors approved a Measure X Allocation Plan that included a "Local Housing Trust Fund" at \$10 million in Year 1 and \$12 million annually thereafter; and

WHEREAS, the eligible activities for the Local Housing Trust Fund include but are not limited to permanent affordable housing for households with incomes up to 50% of Area Median Income; and

WHEREAS, the Board unanimously approved the Board Order establishing the Local Housing Trust Fund but did not adopt by resolution at that time; and

WHEREAS, the State of California has a Local Housing Trust Fund competitive grant program that offers matching grants to Local Housing Trust Funds that are established by legislation, ordinance, or resolution, and that have a dedicated source of Ongoing Revenue;

NOW, THEREFORE, BE IT RESOLVED THAT the Contra Costa County's Local Housing Trust Fund, first approved on November 16, 2021, is hereby established by resolution, with Measure X sales tax revenue as the source of Ongoing Revenue.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**Contact: Amalia Cunningham,**  
**925-655-2881**

**ATTESTED: May 17, 2022**  
Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

**cc:**

**Local Housing Trust Fund (Including Funding for Homeless Housing/Services): \$12,000,000 (On-going)**

Staff from the Housing Authority, Health Services-Health, Housing, and Homeless Services, and Department of Conservation and Development request that a new Housing Trust Fund be funded with \$12 million annually, with the top priority of building permanent housing for people earning less than 50% of the Area Median Income.

The concept of a local, flexible housing fund has been discussed in Contra Costa County for more than 20 years and establishing a dedicated source of revenue to fund it would create many opportunities for matching other housing grants from the State and philanthropic sources.

If approved at this funding level, a process to determine an allocation plan and business plan would follow. Details to be developed include program structure, funding guidelines, balance of funding priorities, staffing plan, and success metrics. The initial interdisciplinary staff team would work through a designated Board committee to bring a full proposal and annual/multi-year allocations to the Board for review and approval. This program fulfills Strategy #2 under the Measure X Community Advisory Board's Goal #3 (as reported to the Board on Oct. 12, 2021).

Elements of the Housing Trust Fund are anticipated to include:

- Direct funding for the construction, acquisition, preservation, and rehabilitation of permanent affordable housing for people earning less than 50% of the Area Median Income;
- Strategic use (lease, sale, or joint ventures) of County-owned surplus land and other underutilized land;
- Technical assistance to build capacity of non-profit housing developers and homeless service providers to expand to underserved geographic areas. This could include "housing innovation" pilot programs for creative solutions and concepts new to the Contra Costa housing market like land trusts;
- Dedicated funds for homelessness prevention, such as legal services and rental assistance as well as homeless crisis response solutions including emergency and interim housing;
- On-going funding for supportive services necessary to maintain housing, including operating subsidies;
- Active grant-writing to leverage resources for construction and preservation of affordable housing.

The estimated annual cost to fund a program, including staff support to administer grants and directly implement housing priorities, is \$12 million, with an approximate 6-9 month timeframe to develop the detailed proposal for full Board review and approval.

**Recommendation:**

The County Administrator's recommendation is that the program be funded at \$10,000,000 for year-one and an on-going annual allocation beginning July 1, 2023, of \$12,000,000. The Department of Conservation and Development would be the County host agency.

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**  
**and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 05/17/2022 by the following vote:

**AYE:**  5 **John Gioia**  
**Candace Andersen**  
**Diane Burgis**  
**Karen Mitchoff**  
**Federal D. Glover**

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**



**Resolution No. 2022/176**

Establishing a Local Housing Trust Fund by Codifying the Board of Supervisors' Allocation of Annual Measure X Revenue to Support Affordable Housing in Contra Costa County

WHEREAS, the voters of Contra Costa County approved Measure X, a 20-year, half-cent sales tax, on November 3, 2020, and the collection of the tax began on April 1, 2021; and

WHEREAS, on November 16, 2021, the Board of Supervisors approved a Measure X Allocation Plan that included a "Local Housing Trust Fund" at \$10 million in Year 1 and \$12 million annually thereafter; and

WHEREAS, the eligible activities for the Local Housing Trust Fund include but are not limited to permanent affordable housing for households with incomes up to 50% of Area Median Income; and

WHEREAS, the Board unanimously approved the Board Order establishing the Local Housing Trust Fund but did not adopt by resolution at that time; and

WHEREAS, the State of California has a Local Housing Trust Fund competitive grant program that offers matching grants to Local Housing Trust Funds that are established by legislation, ordinance, or resolution, and that have a dedicated source of Ongoing Revenue;

NOW, THEREFORE, BE IT RESOLVED THAT the Contra Costa County's Local Housing Trust Fund, first approved on November 16, 2021, is hereby established by resolution, with Measure X sales tax revenue as the source of Ongoing Revenue.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: Amalia Cunningham,  
925-655-2881

ATTESTED: May 17, 2022  
Monica Nino, County Administrator and Clerk of the Board of Supervisors

*Stacey M. Boyd*  
By: Stacey M. Boyd, Deputy

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 17, 2022

**Subject:** APPROVE the Basket Removal with CPS Replacement & Trash Capture Augmentation Project and take related actions under CEQA

---

**RECOMMENDATION(S):**

APPROVE the Basket Removal with Connector Pipe Screen (CPS) Replacement and Trash Capture Augmentation Project (Project) and AUTHORIZE the Public Works Director, or designee, to advertise the Project, Countywide. [County Project No. 0662-6U4167, DCD-CP#22-11] (All Districts)

DETERMINE the Project is a California Environmental Quality Act (CEQA), Class 2(c) Categorical Exemption, pursuant to Article 19, Section 15302 of the CEQA Guidelines, and

DIRECT the Director of Department of Conservation and Development, or designee, to file a Notice of Exemption with the County Clerk, and

AUTHORIZE the Public Works Director, or designee, to arrange for payment of a \$25 fee to the Department of Conservation and Development for processing, and a \$50 fee to the County Clerk for filing the Notice of Exemption.

- 
- APPROVE  OTHER
  - RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE
- 

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Laura Cremin, (925) 313-2015

cc:

**FISCAL IMPACT:**

Estimated Project cost: \$91,600. (67% Stormwater Utility Assessment Funds and 33% Local Road Funds)

**BACKGROUND:**

The purpose of this Project is to install new trash capture devices and replace existing trash capture devices to reduce trash flow into creeks and reduce maintenance costs. The County is a permittee of the Regional Water Quality Control Board's Municipal Regional Stormwater Permit (MRP 2.0 and Tentative Order MRP 3.0). Under this permit, the County is required to reduce the amount of trash that reaches San Francisco Bay by 90% in 2023. Full trash capture is one of the control measures used to reduce trash from a moderate, high, or very high level, as specified on the County's trash generation maps, to a low trash rate.

The two types of trash capture devices that will be installed are connector pipe screens (full trash capture device) and automatic retractable screens (partial trash capture device). The connector pipe screens are installed in storm drains in front of the outlet pipe of the drain's catch basin to prevent trash from flowing out. The automatic retractable screens are installed in front of curb inlets to prevent trash from entering the catch basin of the storm drain system. The screens automatically retract during large storms to prevent flooding. The County will also remove existing trash capture devices, referred to as baskets, and replace them with connector pipe screens.

**CONSEQUENCE OF NEGATIVE ACTION:**

The inability to proceed with the Project will seriously impede the County's ability to comply with the trash load reduction requirements of the next re-issuance of its Municipal Regional Stormwater Permit (MRP 3.0), which is scheduled to go into effect July 1, 2022.

**ATTACHMENTS**

CEQA



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  
Department of Conservation and  
Development  
30 Muir Road  
Martinez, CA 94553

County Clerk, County of Contra Costa

**Project Title:** Basket Removal with CPS Replacement and Trash Capture Augmentation Project, Project #0662-6U4167, CP#22-11

**Project Applicant:** Contra Costa County Public Works Dept., 255 Glacier Drive, Martinez CA 94553  
Main: (925) 313-2000, Contact: Laura Cremin, (925) 313-2015

**Project Location:** Countywide at various unincorporated locations

**Lead Agency:** Department of Conservation and Development, 30 Muir Road, Martinez, CA 94553  
Main: (925) 655-2705, Contact: Syd Sotoodeh (925) 655-2877

**Project Description:** The County will install new trash capture devices (affixed to existing storm drain systems) and replace existing trash capture devices with more efficient types of devices. The purpose of this project is to reduce trash flow into creeks and reduce maintenance costs. The County is a permittee of the Regional Water Quality Control Board's Municipal Regional Stormwater Permit (MRP 2.0 and Tentative Order MRP 3.0). Under this permit the County is required to reduce the amount of trash that reaches San Francisco Bay by 90% in 2023. Full trash capture is one of the control measures used to reduce trash from a moderate, high, or very high level, as specified on the County's trash generation maps, to a low trash rate.

The two types of trash capture devices that will be installed are connector pipe screens (full trash capture device) and automatic retractable screens (partial trash capture device). The connector pipe screens are installed in storm drains in front of the outlet pipe of the drain's catch basin to prevent trash from flowing out. The automatic retractable screens are installed in front of curb inlets to prevent trash from entering the catch basin of the storm drain system. The screens automatically retract during large storms to prevent flooding.

The County will identify new strategic locations to install connector pipe screen devices and automatic retractable screens in areas with moderate or greater trash generation. The County will also remove existing trash capture devices, referred to as baskets, and replace them with connector pipe screens. There are approximately 98 baskets in the Bay Point, El Sobrante, and Pacheco areas. These baskets will be replaced with approximately 40 connector pipe screens, which have a larger drainage area (fewer units provide the same level of trash load reduction) and are easier to maintain. Five of the catch basins associated with these replacements will also have automatic retractable screens installed.

The County will install the trash capture devices in areas where the County has property rights (i.e., fee title ownership or existing easements); therefore, the project will not require right-of-way acquisition or easements. No excavation or vegetation/tree removal will be necessary. The project will not require utility adjustments or relocations. Temporary traffic control may be necessary.

**Exempt Status:**

- Ministerial Project (Sec. 21080[b][1]; 15268)  Categorical Exemption (Sec. 15302[c])  
 Declared Emergency (Sec. 21080[b][3]; 15269[a])  General Rule of Applicability (Sec. 15061[b][3])  
 Emergency Project (Sec. 21080[b][4]; 15269[b][c])  Other Statutory Exemption (Sec. )

**Reasons why project is exempt:** The project consists of the replacement or reconstruction of existing facilities in the same location and with the same purpose and capacity as the facility replaced or reconstructed involving negligible or no expansion of capacity, pursuant to Article 19, Section 15302(c) of the CEQA Guidelines.

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: Sybil Sotzweh Date 04/14/2022 Title Planner II

**Contra Costa County Department of Conservation and Development**

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: Laura Cremin *cg*  
Environmental Services Division  
Phone: 313-2015

**Department of Fish and Wildlife Fees Due**

- De Minimis Finding - \$0
- County Clerk - \$50
- Conservation and Development - \$25

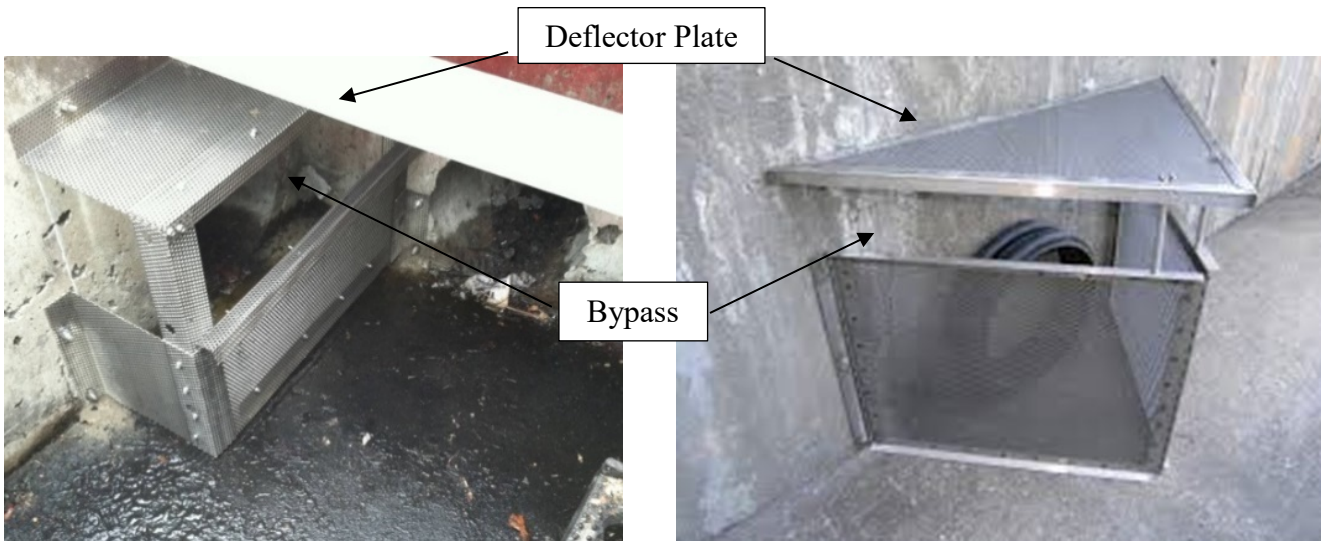
Total Due: \$75

Receipt #: \_\_\_\_\_





Example baskets (top hats and crescent types). Approximately 98 baskets to be removed in Bay Point, El Sobrante, and Pacheceo areas.



Example connector pipe screens. To be installed Countywide in strategic locations, including to replace the baskets (40 connector pipe screens would service the same drainage area as 98 basket devices)



Example automatic retractable screens. To be installed Countywide in strategic locations.

---

**Basket Removal with CPS Replacement and Trash Capture Augmentation Project**  
**FIGURE 1: Example Photos of Trash Capture Devices**



Contra  
Costa  
County

To: Board of Supervisors  
From: Russell Watts, Treasurer-Tax Collector  
Date: May 17, 2022

Subject: Local Agency Investment Fund (LAIF) Resolution

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2022/177, to supersede Resolution No. 2012/129 authorizing Russell Watts in the capacity of Treasurer-Tax Collector and Belinda Zhu in the capacity of Assistant County Treasurer to deposit and withdraw money in the Local Agency Investment Fund (LAIF), as recommended by the Treasurer-Tax Collector.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

Local governmental agencies may participate in LAIF by filing a resolution adopted by the agency's governing board with the State Treasurer's Office.

In 2009, the Contra Costa County Board of Supervisors adopted Resolution No. 2009/25 authorizing and acknowledging a change in authorized persons to deposit or withdraw monies in LAIF.

Resolution No. 2012/129 updated officers authorized to deposit or withdraw monies in LAIF as applicable.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Ronda Boler (925) 608-9506

cc:

BACKGROUND: (CONT'D)

Resolution No. 2022/177 shall further update officers authorized to deposit or withdraw monies in LAIF as applicable.

CONSEQUENCE OF NEGATIVE ACTION:

None. Resolution No. 2009/25 is valid and provides that the officers or their successors in office shall be authorized to order the deposit or withdrawal of monies in the LAIF. Resolution No. 2012/129 supersedes Resolution No. 2009/25 updating the names of current officers authorized. However, Resolution No. 2022/177 will supersede Resolution No. 2009/25 updating the names of current officers authorized.

AGENDA ATTACHMENTS

Resolution 2022/177

MINUTES ATTACHMENTS

Signed: Resolution No. 2022/177

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**  
**and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 05/17/2022 by the following vote:

		<b>John Gioia</b>
		<b>Candace Andersen</b>
<b>AYE:</b>	<input type="text" value="5"/>	<b>Diane Burgis</b>
		<b>Karen Mitchoff</b>
		<b>Federal D. Glover</b>
<b>NO:</b>	<input type="text"/>	
<b>ABSENT:</b>	<input type="text"/>	
<b>ABSTAIN:</b>	<input type="text"/>	
<b>RECUSE:</b>	<input type="text"/>	



**Resolution No. 2022/177**

Resolution No. 2022/177 Resolution of Contra Costa County an in accordance with California Government Code Section 16429.1 Authorizing Investment of Monies in the Local Agency Investment Fund (Account #99-07-000)

WHEREAS, Pursuant to Chapter 730 of the statutes of 1976 Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the Board of Supervisors does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein as in the best interests of the CONTRA COSTA COUNTY.

NOW THEREFORE, BE IT RBSOLVED, that the Board of Supervisors does hereby authorize the deposit and withdrawal of CONTRA COSTA COUNTY monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429. 1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard.

BE IT FURTHER RESOLVED, that Russell V. Watts, Treasurer-Tax Collector and Belinda Zhu, Assistant County Treasurer of CONTRA COSTA COUNTY or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**Contact: Ronda Boler (925) 608-9506**

**ATTESTED: May 17, 2022**

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

**cc:**

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**  
**and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 05/17/2022 by the following vote:

**AYE:**  5 **John Gioia**  
**Candace Andersen**  
**Diane Burgis**  
**Karen Mitchoff**  
**Federal D. Glover**

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**



**Resolution No. 2022/177**

Resolution No. 2022/177 Resolution of Contra Costa County an in accordance with California Government Code Section 16429.1 Authorizing Investment of Monies in the Local Agency Investment Fund (Account #99-07-000)

WHEREAS, Pursuant to Chapter 730 of the statutes of 1976 Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the Board of Supervisors does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein as in the best interests of the CONTRA COSTA COUNTY.

NOW THEREFORE, BE IT RBSOLVED, that the Board of Supervisors does hereby authorize the deposit and withdrawal of CONTRA COSTA COUNTY monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429. 1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard.

BE IT FURTHER RESOLVED, that Russell V. Watts, Treasurer-Tax Collector and Belinda Zhu, Assistant County Treasurer of CONTRA COSTA COUNTY or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**ATTESTED: May 17, 2022**

Monica Nino, County Administrator and Clerk of the Board of Supervisors

*Stacey M. Boyd*  
By: Stacey M. Boyd, Deputy

Contact: Ronda Boler (925) 608-9506

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: May 17, 2022

**Subject:** Adopt Resolution No 2022/175 Authorizing Application to State Local Housing Trust Fund Program for \$5 Million and Committing \$5 Million Matching Funds

**RECOMMENDATION(S):**

ADOPT Resolution No. 2022/175 to authorize the County to submit a State Local Housing Trust Fund grant application for \$5 million, and COMMIT \$5 million in Measure X Local Housing Trust Fund as a match, to support permanent affordable housing for extremely low income households (income no more than 30-50% Area Median Income) and very low income households (income no more than 50% Area Median Income).

**FISCAL IMPACT:**

This recommendation would reserve \$5 million from the previously-approved Measure X housing allocation of \$10 million (Year 1) as a one-time match for the State's Local Housing Trust Fund program, leaving \$5 million to allocate on other eligible activities for Year 1. It would need to be set aside for the duration of the grant evaluation period and, if the grant application is successful, expended as part of the grant activities. If the competitive grant is not approved, the \$5 million from Measure X would become available once again for locally-eligible activities.

**BACKGROUND:**

On November 16, 2021, the Board of Supervisors approved a Local Housing Trust Fund (LHTF) as part of the Measure X Allocation Plan. (The Board is asked to codify the establishment of the LHTF by resolution as a separate item on the May 17, 2022 Board agenda.) Leveraging scarce local dollars was a key factor in the formation of the LHTF. The Board's action identified building permanent affordable housing for households with incomes of no more than 50% Area Median Income (AMI) as the top priority. Grantwriting to augment the fund is specified as an eligible use. Since that time, an interdepartmental staff team has been meeting to plan community engagement and outreach and ultimately develop guideline recommendations to bring to the Board this summer.

Meanwhile, in April 2022, the State of California released a Notice of Funds Available for its Local Housing Trust Fund Grant Program (Program), which is a competitive matching grant with a focus on providing housing for extremely low and very low income households. At least 30% must be spent towards units reserved for households earning no more than 30% AMI; the balance net of allowed administrative costs will be spent towards units reserved for households earning no more than 50% AMI. The Program maximum award is a one-time \$5 million, and applicants must show capacity to match the award. Since the LHTF was created with \$10 million in Year 1 and \$12 million in Year 2, the County has the ability to match if the Board determines to set aside \$5 million of the initial allocation to match the grant if received. If received,

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Amalia Cunningham,  
925-655-2881

By: Stacey M. Boyd, Deputy

cc:



BACKGROUND: (CONT'D)

the total amount for affordable housing for extremely low and very low income households would be \$10 million (\$5 million LHTF and \$5 million State grant), leaving \$5 million for additional funding for any other locally-eligible activities as ultimately determined by the Board. Applicants are allowed up to 5 percent of Program Funds and additionally up to 5 percent of Matching Funds for administrative expenses. If the grant application is not successful, the \$5 million match would return to the LHTF for all eligible activities.

If the grant is received and the new set-aside amount of \$10 million is available for affordable housing for income-targeted households, the County would then make funding recommendations and awards through a public process such as the established annual awards cycle for State and Federal housing funds administered by the Department of Conservation and Development, and approved by the Board of Supervisors in a public hearing. The State would then provide funds to the County for the approved projects on a reimbursement basis. Funds may not be awarded to a project in a jurisdiction that is not in compliance with the Housing Element cycle in effect at the time.

Resolution No. 2022/175 contains the State-required language to authorize the grant application, and must be accompanied by Attachment 1 per the State's requirements.

CONSEQUENCE OF NEGATIVE ACTION:

If the Resolution is not adopted and the commitment of a matching \$5 million is not made, the County would not be able to submit an application for the State's Local Housing Trust Fund Program.

AGENDA ATTACHMENTS

Resolution 2022/175

Attachment 1: Eligible Project and Use of Program Funds and Matching Funds

MINUTES ATTACHMENTS

Signed: Resolution No. 2022/175



## **Attachment 1: Eligible Project and Use of Program Funds and Matching Funds**

The proposed Eligible Project is award of funds for construction or rehabilitation of housing affordable to low-income households anywhere in Contra Costa County. Not less than 30% of the total funds (Program Funds and Matching Funds) will be spent towards units reserved for households with incomes of not more than 30% of Area Median Income (AMI). No more than 5% of the Program Funds and 5% of the Matching Funds will be spent on administration of the Eligible Project. The balance of total funds (an anticipated 60%) will be spent towards permanent housing reserved for households with incomes not more than 50% AMI in line with the approved Local Housing Trust Fund.

Contra Costa County's Local Housing Trust Fund is funded by a countywide local sales tax measure (Measure X), therefore affordable housing projects meeting the award criteria may be located anywhere in Contra Costa County, cities and unincorporated communities alike. However, housing proposals located in a jurisdiction within the County that is out of compliance with the sixth cycle Housing Element may not be eligible for an award of Local Housing Trust Fund monies.

The funds will be awarded through a public process such as a Notice of Funds Available or Request for Proposals, as is already the standard procedure for County-administered affordable housing funds, and approved by the Board of Supervisors following a public hearing in accordance with the State program guidelines. All other program guidelines will be followed in the administration of the Eligible Project and funding awards.

This Attachment is incorporated into Resolution 2022/175 by reference.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA  
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 05/17/2022 by the following vote:

AYE:  5       
John Gioia  
Candace Andersen  
Diane Burgis  
Karen Mitchoff  
Federal D. Glover

NO:      
ABSENT:      
ABSTAIN:      
RECUSE:



Resolution No. 2022/175

In the matter of authorization to apply for, receive, and use matching funds for a State of California Local Housing Trust Fund award in the amount of \$5 million, the Board of Supervisors of Contra Costa County ("Applicant"), a county government, hereby consents to, adopts, and ratifies the following resolution:

WHEREAS, the Department is authorized to provide up to \$57 million under the Local Housing Trust Fund ("LHTF") Program from the Veterans and Affordable Housing Bond Act of 2018 (Proposition 1) (as described in Health and Safety Code section 50842.2 et seq. (Chapter 365, Statutes of 2017 (SB 3)) ("Program"); and

WHEREAS, the State of California (the "State"), Department of Housing and Community Development ("Department") issued a Notice of Funding Availability ("NOFA") dated 4/5/2022 under the LHTF Program; and

WHEREAS Applicant is an eligible Local or Regional Housing Trust Fund applying to the Program to administer one or more eligible activities using Program Funds; and

WHEREAS the Department may approve funding allocations for the LHTF Program, subject to the terms and conditions of H&S Code Section 50842.2, the LHTF Program Guidelines, NOFA, Program requirements, the Standard Agreement and other related contracts between the Department and LHTF award recipients;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Contra Costa County Local Housing Trust Fund is hereby authorized to act as the manager in connection with the Department's funds to Eligible Projects pursuant to the above described Notice of Funding Availability in an amount not to exceed \$5 million (the "LHTF Award").
2. Applicant hereby agrees to match on a dollar for dollar basis the LHTF Award pursuant to Guidelines Section 104.
3. Applicant hereby agrees to utilize matching funds on a dollar-for-dollar basis for the same Eligible Project for which Program Funds are used, as required by HSC Section 50843.5(c). The Eligible Project and proposed uses of Program Funds and Matching Funds are detailed in Attachment 1.
4. Pursuant to Attachment 1 and the Applicant's certification in this resolution, the LHTF funds will be expended only for Eligible Projects and consistent with all program requirements.
5. Nonprofit Housing Trust Funds and Native American Tribe Housing Trust Funds agree to use Program Funds only for Eligible Projects located in cities and counties that submitted an adopted Housing Element that was found by the Department to be in compliance and that have submitted their Housing Element Annual Progress Report (APR) for the current year or prior year by the application due date.
6. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, H&S Section 50842.2 and LHTF Program Guidelines.
7. The Director of the Department of Conservation and Development is authorized to execute the LHTF Program Application, the LHTF Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the LHTF Award to Applicant, as the Department may deem appropriate.

Contact: Amalia Cunningham,  
925-655-2881

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

*Stacey M. Boyd*  
By: Stacey M. Boyd, Deputy



Contra  
Costa  
County

To: Board of Supervisors  
From: Deborah R. Cooper, Clerk-Recorder  
Date: May 17, 2022

**Subject:** Approve Permit for Use of the John Muir National Historic Site for Civil Wedding Ceremonies on May 27, 2022

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Clerk-Recorder or designee to execute a one-day use permit with the National Park Service for the use of the John Muir National Historic Site, 4202 Alhambra Avenue, Martinez, on May 27, 2022 to conduct civil wedding ceremonies.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Clerk-Recorder Division will be conducting civil wedding ceremonies at the John Muir National Historic Site on May 27, 2022. Use of the site requires a permit agreement, in which the County agrees to indemnify and hold the grantor harmless for any claims arising out of the County's performance under this agreement.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Clerk-Recorder Division will be unable to conduct ceremonies at the John Muir National Historic Site.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **05/17/2022**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 17, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Joseph Barton, 925-335-7928

cc:

ATTACHMENTS

Special Use  
Permit

**SPECIAL USE PERMIT**



**John Muir National Historic Site**  
440 Civic Center Plaza, Suite 300  
Richmond, CA 94804  
(510) 232-5050 x6632



Name Joseph Barton, Acting Clerk-Recorder Services Manager			
Company/Organization Contra Costa County Clerk-Recorder			
Street Address 555 Escobar Street			
City Martinez	State CA	Zip Code 94553	Country USA
Telephone Number 925-335-7928	Cell Phone Number		
Fax Number 925-335-7926			
Email Address Joseph.Barton@cr.cccounty.us			

Park Alpha Code  
JOMU  
Type of Use  
WCR - Wedding Ceremony/Reception  
Permit #  
10-8510-22-002

is hereby authorized to use the following described land or facilities in John Muir National Historic Site:  
The portion of the Homesite known as Carriage Loop, situated within JOMU Tracts 01-101 and 01-104, portions of parcel (APN) 370-050-041 (see Exhibit A).

The area must be restored to its original condition at the end of the permit.

The permit begins at 10:00 am on Friday 5/27/2022.

The permit expires at 4:00 pm on Friday 5/27/2022.

SUMMARY OF PERMITTED ACTIVITY: (see attached sheets for additional information and conditions)

The National Park Service ("NPS") hereby permits the Contra Costa County Clerk-Recorder ("Permittee") and its duly authorized agents, representatives, and contractors (collectively, "Permittee's Agents") to perform up to 14 "Destination Wedding" ceremonies ("Destination Weddings"). Those portions of the Destination Weddings which occur at John Muir NHS are comprised of:

- 14 Wedding Ceremonies for couples and up to 5 guests, scheduled every 20 minutes (excluding lunch times of 12:00 pm and 12:20 pm)
- 1 Check-in station near the Visitor Center
- Set up and break down of amenities for support of the above listed elements, including:
  - 5 folding plastic chairs
  - 1 folding wood podium
  - 1 folding plastic table
  - 1 free-standing instant canopy

Person on site responsible for adherence to the terms and conditions of the permit (include contact information)

All activities undertaken by the Permittee or Permittee's Agents shall be overseen by the following person(s), who shall be the primary on-site liaison(s) and point of contact for the Permit:

Primary Contact:		Secondary Contact:	
Name	Joseph Barton	Name	
Cell Phone		Cell Phone	
Email	Joseph.Barton@cr.cccounty.us	Email	

NPS Point of Contact for oversight of Permit conditions and activities shall be:

Primary Contact:		Secondary Contact:	
Name	Ives Humphrey	Name	Gretchen Stromberg
Phone	925-228-8860	Cell Phone	
Email	stevan_humphreys@nps.gov	Email	gretchen_stromberg@nps.gov

Authorizing legislation or other authority  
54 USC 100101; 54 USC 100751(a); 54 USC 103104; Pub. L. 88-547; Pub. L. 100-563; Pub. L. 108-385

APPLICATION FEE	<input type="checkbox"/> Received	Amount
	<input checked="" type="checkbox"/> Not Required	\$ 0
PERFORMANCE BOND	<input type="checkbox"/> Required	Amount
	<input checked="" type="checkbox"/> Not Required	\$

LIABILITY INSURANCE	<input checked="" type="checkbox"/> Required	Amount
	<input type="checkbox"/> Not Required	\$ 1,000,000.00
COST RECOVERY	<input type="checkbox"/> Required	Amount
	<input checked="" type="checkbox"/> Not Required	\$
LOCATION FEE	<input type="checkbox"/> Required	Amount
	<input checked="" type="checkbox"/> Not Required	\$

ISSUANCE of this permit is subject to the attached conditions. The undersigned hereby accepts this permit subject to the terms, covenants, obligations, and reservations, expressed or implied herein.

\_\_\_\_\_  
PERMITTEE Signature

\_\_\_\_\_  
Authorizing NPS Official

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

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

**CONDITIONS OF THIS PERMIT**

Failure to comply with any of the terms and conditions of this permit may result in the immediate suspension or revocation of the permit. [36 CFR 1.6(h)]

1. The permittee is prohibited from giving false information; to do so will be considered a breach of conditions and be grounds for revocation: [36 CFR 2.32(a)(3)].
2. This permit may not be transferred or assigned without the prior written consent of the Superintendent.
3. The permittee shall exercise this privilege subject to the supervision of the Superintendent or designee, and shall comply with all applicable Federal, State, county and municipal laws, ordinances, regulations, codes, and the terms and conditions of this permit. Failure to do so may result in the immediate suspension of the permitted activity or the revocation of the permit. All costs associated with clean up or damage repairs in conjunction with a revoked permit will be the responsibility of the permittee.
4. The permittee is responsible for making all necessary contacts and arrangements with other Federal, State, and local agencies to secure required inspections, permits, licenses, etc.
5. The park area associated with this permit will remain open and available to the public during park visiting hours. This permit does not guarantee exclusive use of an area. Permit activities will not unduly interfere with other park visitors' use and enjoyment of the area.
6. This permit may be revoked at the discretion of the Superintendent upon 24 hours notice.
7. This permit may be revoked without notice if damage to resources or facilities occurs or is threatened, notwithstanding any other term or condition of the permit to the contrary.
8. This permit is made upon the express condition that the United States, its agents and employees shall be free from all liabilities and claims for damages and/or suits for or by reason of any injury, injuries, or death to any person or persons or property of any kind whatsoever, whether to the person or property of the Permittee, its agents or employees, or third parties, from any cause or causes whatsoever while in or upon said premises or any part thereof during the term of this permit or occasioned by any occupancy or use of said premises or any activity carried on by the Permittee in connection herewith, and the Permittee hereby covenants and agrees to indemnify, defend, save and hold harmless the United States, its agents, and employees from all liabilities, charges, expenses and costs on account of or by reason of any such injuries, deaths, liabilities, claims, suits or losses however occurring or damages growing out of the same.
9. Permittee agrees to carry general liability insurance against claims occasioned by the action or omissions of the permittee, its agents and employees in carrying out the activities and operations authorized by this permit. The policy shall be in the amount of \$1,000,000.00 per Occurrence, \$1,000,000.00 Aggregate and underwritten by a United States company naming the United States of America as **additional insured**. The permittee agrees to provide the Superintendent with a Certificate of Insurance with the proper endorsements prior to the effective date of the permit.
  - a. Alternative Right of Self-Insure. Permittee shall have the right to self-insure with respect to any of the insurance requirements required under this Permit with the written approval of the NPS. In the event that Permittee elects to self-insure with respect to any of the insurance requirements required under this Permit, before the Permit Commencement Date, Permittee shall submit to the NPS a certificate of self-insurance signed by a duly authorized representative of Permittee, such certificate evidencing that Permittee's self-insurance program is in full force and effect and in compliance with and subject to all the terms, agreements, covenants, conditions, and provisions of this Permit.
10. Costs incurred by the park as a result of accepting and processing the application and managing and monitoring the permitted activity will be reimbursed by the permittee. Administrative costs and estimated costs for activities on site must be paid when the permit is approved. If any additional costs are incurred by the park, the permittee will be billed at the conclusion of the permit. Should the estimated costs paid exceed the actual costs incurred; the difference will be returned to the permittee.
11. The person(s) named on the permit as in charge of the permitted activity on-site must have full authority to make any decisions about the activity and must remain available at all times. He/she shall be responsible for all individuals, groups, vendors, etc. involved with the permit.
12. Nothing herein contained shall be construed as binding the Service to expend in any one fiscal year any sum in excess of appropriations made by Congress or administratively allocated for the purpose of this permit for the fiscal year, or to involve the Service in any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations.
13. If any provision of this permit shall be found to be invalid or unenforceable, the remainder of this permit shall not be affected and the other provisions of this permit shall be valid and be enforced to the fullest extent permitted by law.

### **PARK SPECIFIC CONDITIONS**

14. Permittee will comply with applicable public health and sanitation standards and codes.
15. A member of the park staff will supervise activities within the park boundaries. They will have the authority to make all supervisory decisions to assure compliance with the Permit and applicable regulations. The Permittee must comply with any special instructions received from this representative. Any additional information relating to the privilege granted in this Permit will be furnished upon request of the official in charge.
16. Utmost care will be exercised to see that no natural, historic, or cultural features are injured, and after completion of the work, as required by the official in charge, the area will either be cleaned up and restored to its prior condition, or after clean-up, left in a condition satisfactory to the official in charge.
17. Furnishings, artifacts, and other historic objects may not be touched or moved, except by park staff.
18. Digging, scraping, and moving natural features is prohibited.
19. Cutting of branches or ground cover is not permitted.
20. Photography or filming of resident wildlife will be permitted only when such wildlife will not be molested, harmed or disturbed thereby. Wildlife captured elsewhere will not be allowed in any filming, whether trained or untrained.
21. All trash and debris will be removed by the Permittee.
22. Cleanup will be to the satisfaction of the Superintendent or the Superintendent's representative.
23. Wedding receptions are not allowed at the site.
24. Loudspeakers and bullhorns are prohibited.
25. The use of rice birdseed, confetti, or other substances is prohibited.
26. No area of the site may be reserved for the exclusive use of the special event. Supplies, equipment, or individuals may not block passage ways, doorways, trails, or steps.
27. No portion of the event shall occur on the Muir House front porch or front lawn.
28. No cooking or fires are allowed on site.

### **EVENT SPECIFIC CONDITIONS**

29. All individuals participating in the permitted event or activity must wear masks in accordance with the current mask-wearing requirements in the Superintendent's compendium, which is available on the park's website or from the Superintendent's office.
30. Permittee shall inform all wedding ceremony participants of the conditions of this Permit.
31. Permittee shall coordinate with off-site parking providers, such as Chase Bank across the street for "overflow" parking, and communicate this to event participants.
32. As event promotion and public outreach strategy is developed for the event, Permittee shall notify the Public Information Officer (PIO), Armand Johnson, via email at [armand\\_johnson@nps.gov](mailto:armand_johnson@nps.gov) or by phone at 510-334-3167, of any promotions, press releases, communications, etc. for NPS awareness and to ensure the PIO can respond appropriately to public or media information requests.

### **PERMIT EXHIBITS**

Exhibit A – Authorized Permit Activity Location



This page left intentionally blank.



National Park Service  
U.S. Department of the Interior

John Muir National Historic Site

Special Use Permit #10-8510-22-002

EXHIBIT A

---

Authorized Permit Activity Location

This page left intentionally blank.

# JOMU - House Unit - Tracts Map

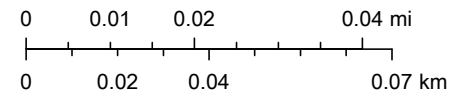


12/19/2019, 3:32:12 PM

NPS Boundaries NPS Tracts

 Lands  Federal Land (Fee)

1:1,834



© OpenStreetMap (and) contributors, CC-BY-SA