



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Interim Public Works Director/Chief Engineer  
Date: December 12, 2017

Subject: Approve the Notice of Intention to Sell 26.76 acres of the Marsh Creek Channel, and take related actions under CEQA, Oakley area.

**RECOMMENDATION(S):**

As the Governing Body of the Contra Costa County Flood Control and Water Conservation District (District):

DETERMINE that the Project is not subject to the California Environmental Quality Act (CEQA), pursuant to Article 19 Section 15312(b) of the CEQA Guidelines. FS11-00120, DCD-CP#17-31.

DIRECT the Director of the Department of Conservation and Development (DCD) to file a Notice of Exemption with the County Clerk, and

AUTHORIZE the Interim Public Works Director, or designee, to arrange for payment of the \$50 fee to the County Clerk for filing the Notice of Exemption, and a \$25 fee to DCD for processing the Notice of Exemption.

APPROVE the Notice of Intention to Sell Property, identified as Department of Water Resources (DWR) Parcel No. CF-07-04, consisting of approximately 26.76 acres of Marsh Creek, in relation to the Dutch Slough Tidal Marsh Restoration Project in Oakley,

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **12/12/2017** ☒ 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: December 12, 2017

David Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Carmen Piña-Delgado,  
925.313-2012

By: Stacey M. Boyd, Deputy

cc:

California, for the sum of \$59,500, pursuant to Government Code Section 25365 and FCD Act, Section 31 (Project No. WL72RP FS11-00120)

DECLARE that this Board will meet on January 9, 2018, at 9:30 a.m. or thereafter, in the Board's Chambers,

RECOMMENDATION(S): (CONT'D)

County Administration Building, 651 Pine Street, Martinez, California, to consummate the conveyance.

DIRECT the Real Estate Division of the Public Works Department to publish the NOI in the East Bay Times pursuant to Government Code Section 6061

FISCAL IMPACT:

100% funded by Reclamation District 2137.

BACKGROUND:

On February 14, 1968, the District acquired the real property identified as the Marsh Creek Channel in Oakley, California, described in Exhibit "A" attached hereto, for flood control purposes. Currently, the State of California, through the Department of Water Resources is implementing the Dutch Slough Tidal Marsh Restoration Project (Project), which entails wetland and upland restoration and public access to the 1,178 acre Dutch Slough property owned by DWR. The Project seeks to restore habitat for native fishes and other aquatic and wetland species. (SCH#2006042009)

CONSEQUENCE OF NEGATIVE ACTION:

DWR will not have sufficient land rights to construct the Project.

ATTACHMENTS

Exhibit A

CEQA Documents

Notice of Intention