



**Contra
Costa
County**

To: Board of Supervisors

From: Brian M. Balbas, Interim Public Works Director/Chief Engineer

Date: January 16, 2018

Subject: Approve Assignment of Easements to Contra Costa County Flood Control and Water Conservation District, Walnut Creek area.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the conveyance of two Assignment of Easements (Assignments) on behalf of Contra Costa County (County) to Contra Costa County Flood Control and Water Conservation District (District), pursuant to Government Code Section 25365, as recommended by the Interim Public Works Director, Walnut Creek area. Project No.: 7520-6B8315.

DETERMINE that the easements being assigned to the District are not required for County use.

AUTHORIZE the Chair, Board of Supervisors, to execute said Assignments on behalf of the County.

DIRECT the Real Estate Division of the Public Works Department to cause said Assignment of Easements to be recorded in the Office of the County Clerk-Recorder.

FISCAL IMPACT:

No fiscal impact.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/16/2018** ☒ 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
Federal D. Glover, District V
Supervisor

ABSENT: Karen Mitchoff, District IV
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: January 16, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Angela Bell (925)
313-2337

cc:

BACKGROUND:

The County acquired certain real property by Easement Deeds on June 23, 1954 as Book 2336 Page 327 of Official Records, and on February 28, 1955 as Book 2484 Page 187 of Official Records in the Walnut Creek area for Las

BACKGROUND: (CONT'D)

Trampas Creek, as described in said Easement Deeds, in accordance with approved plans and specifications. Said property rights are being transferred to properly vest these interests with the District.

The California Environmental Quality Act (CEQA) applies to those activities that are considered “projects” under the law. A project is defined as an action that has the potential for direct physical change in the environment or reasonably foreseeable indirect physical change in the environment (Section 15378, CEQA Guidelines). Simple transfer of ownership from the County to the District where operation and maintenance of the property remains the same has no potential for direct physical change in the environment or reasonably foreseeable indirect physical change in the environment; therefore the action (transfer of ownership) would not be considered a project and would not be subject to CEQA.

CONSEQUENCE OF NEGATIVE ACTION:

Title to these rights within the Las Trampas Creek will continue to vest incorrectly with the County.

ATTACHMENTS

Assignment of Easement

Assignment of Easement.2