



**Contra  
Costa  
County**

To: Contra Costa County Flood Control District Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 26, 2019

Subject: APPROVE and AUTHORIZE execution of an Access Agreement with American Rivers, Inc., for the Three Creeks Parkway Restoration Project.

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Engineer, Flood Control and Water Conservation District (District), or his designee, to execute an Agreement Regarding Access to and Use of Real Property in Order to Implement and Maintain a Habitat Restoration Project (Access Agreement), attached hereto, between the District and American Rivers, Inc. (American Rivers), pertaining to the Three Creeks Parkway Restoration Project, in the form attached hereto.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The District has partnered with American Rivers to implement the Three Creeks Parkway Restoration Project (Project), a multi-benefit flood management and ecosystem restoration project located along portions of Marsh Creek in the Brentwood area from the Union Pacific Railroad crossing near Sungold Park to Dainty Avenue. The Board approved the Project on March 27, 2018.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **02/26/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

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

ABSENT: Diane Burgis, District III 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: February 26, 2019

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

Contact: Angela Bell, Real Estate,  
(925) 957-2451

By: Stacey M. Boyd, Deputy

American Rivers has obtained and is in the process of obtaining grant funding to pay for a portion of the Project, including a grant from the Sacramento-San Joaquin Delta Conservancy (Conservancy). Attachment B of the Access Agreement

### BACKGROUND: (CONT'D)

is a copy of the Grant Agreement between American Rivers and the Conservancy. The Grant Agreement requires American Rivers to enter into a land tenure agreement with the District to ensure that American Rivers has permission to implement, monitor and maintain the Project on District property. Access under the Access Agreement will be subject to terms and conditions of an encroachment permit to be issued by the District prior to the start of construction.

### CONSEQUENCE OF NEGATIVE ACTION:

If the Access Agreement is not approved, American Rivers may not receive grant funding from the Conservancy under the Grant Agreement. Other sources of funding may be needed to complete the Project.

### ATTACHMENTS

Access Agreement