



**Contra  
Costa  
County**

To: Contra Costa County Flood Control District Board of Supervisors

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

Date: August 10, 2021

Subject: Approve the Conveyance of a Roadway Easement and a Temporary Construction Easement to Contra Costa County, Brentwood area.

### **RECOMMENDATION(S):**

As the Governing Body of the Contra Costa County Flood Control and Water Conservation District (District), APPROVE the conveyance of a Roadway Easement and a Temporary Construction Easement (Easements) identified as portions of APN 007-380-019, located along Marsh Creek Road in unincorporated Contra Costa County to Contra Costa County (County) in accordance with the Right of Way Contract and Temporary Construction Easement and pursuant to Government Code Section 25526.6 and Section 31 of the Contra Costa County Flood Control and Water Conservation Act. (Project No. 0662-6R4083, Federal Project No.: BRLS 5928(125) (CP# 15-41) (SCH# 2020040312)

DETERMINE that the conveyance of these Easements are in the best interest of the public and that they will not substantially conflict or interfere with the use of the property by the District.

AUTHORIZE the Chief Engineer, or designee, to execute the Right of Way Contract and Temporary Construction Easement on behalf of the District.

AUTHORIZE the Chair, Board of Supervisors, to execute the Roadway Easement on behalf

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **08/10/2021** ☒ 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: August 10, 2021

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

Contact: Olivia Reynolds-Freeman  
925. 957-2462

By: Stacey M. Boyd, Deputy

of the District in consideration for the payment received in full in the amount of \$23,000.

## RECOMMENDATION(S): (CONT'D)

DIRECT the Real Estate Division of the Public Works Department to cause said Roadway Easement and a certified copy of this Board Order to be recorded in the office of the County Clerk-Recorder.

## FISCAL IMPACT:

88.5% Federal Highway Bridge Program Funds and 11.5% Local Road Funds.

## BACKGROUND:

Contra Costa County intends to replace two existing bridges (Bridge No. 28C-0143 and Bridge No. 28C-0145) and related roadway approaches on Marsh Creek Road, a County highway, in the Brentwood and Clayton areas of unincorporated Contra Costa County (Project). The Project includes replacing the bridge structures and reconstructing 600 to 1000 feet of road right of way on each side of each new bridge structure to reconnect the realigned bridge to the existing roadway. Project-related work will include drainage and creek work. In connection therewith, the County must acquire interests in certain real property, which consists of a Roadway Easement which is 45,036 square feet in size and a Temporary Construction Easement which 113,978 square feet in size.

On November 26, 2019, Caltrans approved a National Environmental Policy Act (NEPA) Categorical Exclusion, pursuant to Chapter 3 of Title 23, United States Code, Section 326. Caltrans determined that this project has no significant impacts on the environment as defined by NEPA, and that there are no unusual circumstances as described in 23 CFR 771.117(b). On August 4, 2020, this Board approved the proposed Project and adopted the Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program pertaining to this Project pursuant to the California Environmental Quality Act (CEQA). A Notice of Determination was filed by the County's Clerk Recorders Office on August 14, 2020 and posted at the State Clearinghouse on September 2, all in compliance with CEQA. SCH No.: 2020040312/DCD-CP #15-41.

## CONSEQUENCE OF NEGATIVE ACTION:

Contra Costa County will not have the necessary right of way to construct the project according to approved plans and specifications.

## ATTACHMENTS

Right of Way-Temporary Construction Easement  
Roadway Easement Deed