

## Notice of Determination

**To:**  
Office of Planning and Research  
[CEQA Submit](#)

**From:**  
Department of Fish and Wildlife  
Bay-Delta Region  
2825 Cordelia Road, Suite 100  
Fairfield, CA 94535  
Email: [AskBDR@wildlife.ca.gov](mailto:AskBDR@wildlife.ca.gov)  
Phone: (707) 815-5059



Lead Agency  
Contra Costa Water District  
P.O. Box H2O  
Concord, Ca 94524  
Contact: Mark Quady  
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Phone: (925) 688-8312

**SUBJECT:** Filing of Notice of Determination pursuant to Public Resources Code section 21108

**State Clearinghouse Number:** 2006012037

**Project Title:** Los Vaqueros Reservoir Dam Outfall Routine Maintenance (Long-term Routine Maintenance Agreement No. EPIMS-CCA-48050-R3)

**Project Location:** The project is located at Kellogg Creek, in the County of Contra Costa, State of California; Latitude 37.838906, Longitude -121.725644. The project occurs in the channel at the toe of the Los Vaqueros Dam, east of Walnut Boulevard in the Los Vaqueros Watershed on property owned by Contra Costa Water District.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Long-term Routine Maintenance Agreement (EPIMS-CCA-48050-R3), pursuant to Fish and Game Code section 1602, to the project Applicant, Contra Costa Water District as represented by John Howard.

The project is limited to routine maintenance comprised of two components: 1.) Annual vegetation clearing within Lower Kellogg Creek outfall channel downstream of Los Vaqueros Dam (Dam) and 2.) Emergency discharge cone valve exercise. The purpose of annual vegetation clearing within Lower Kellogg Creek is to create and maintain an unobstructed 745-foot stretch of the Dam’s outfall channel. The vegetation within the stream channel will be cleared to ground level by workers using weed whackers and other hand tools only once per year between September 1 and October 15 and is estimated to take up to two weeks. Applicant will exercise Los Vaqueros Dam’s emergency discharge cone valve once per year in the month of October after the vegetation clearing is completed and prior to or concurrent with the first winter rainfall event. The exercise activities involve releasing up to approximately 150 cubic feet per second of water from the Los Vaqueros Reservoir into Lower Kellogg Creek for five minutes. In total, up to approximately 336,000 gallons of water may be discharged from the emergency simulation exercise. The project will result in annual temporary disturbance of approximately 0.67 acres of Lower Kellogg Creek downstream of Los Vaqueros Dam.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on September 27, 2024, and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project **will not** have a significant effect on the environment. This determination is limited to effects within CDFW’s permitting jurisdiction as a Responsible Agency.
2. CDFW considered the environmental impact report prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures **were** made a condition of CDFW’s approval of the project.
4. A Mitigation Reporting or Monitoring Plan **was** adopted by CDFW for this project.
5. A Statement of Overriding Considerations **was not** adopted by CDFW for this project.
6. Findings **were** made by CDFW pursuant to California Code of Regulations section 15091.

The Final EIR prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW’s record of project approval as a Responsible Agency is available at CDFW’s regional office.

Signature:

*Todd Gardner*

Date:

9/27/2024

**Notice of Determination**

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Todd Gardner, Acting Environmental Program Manager

Date Received for filing at OPR: \_\_\_\_\_