

2019070893

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: (Public Agency): East Bay Regional Park District
2950 Peralta Oaks Court
Oakland, CA 94605

County Clerk
County of: Contra Costa
555 Escobar Street
Martinez, Ca A 94553

(Address)

Project Title: Upper San Leandro Creek Restoration

Project Applicant: East Bay Regional Park District

Project Location - Specific:

Huckleberry Botanical Regional Preserve near Lower Pinehurst Trail

Project Location - City: unincorporated Project Location - County: Contra Costa

Description of Nature, Purpose and Beneficiaries of Project:

To enhance fish passage, improve wildlife habitat, increase the extent of riparian habitat along the stream, and restore sediment and water transport by removing a failing culvert and replacing it with a clear span arch bridge.

Name of Public Agency Approving Project: East Bay Regional Park District

Name of Person or Agency Carrying Out Project: East Bay Regional Park District

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
Categorical Exemption. State type and section number:
Statutory Exemptions. State code number:

Reasons why project is exempt:

Project not to exceed five acres in size to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife provided that the project warrants no significant adverse impact on endangered, rare or threatened species or their habitat pursuant to section 15065. Project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures.

Lead Agency
Contact Person: Brian Holt Area Code/Telephone/Extension: 510-544-2623

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Date: 07/17/19 Title: Chief of Planning/GIS

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 1083 and 21110, Public Resources Code. Date Received for filing at OPR:
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

STATE CLEARINGHOUSE

JULY 18 2019

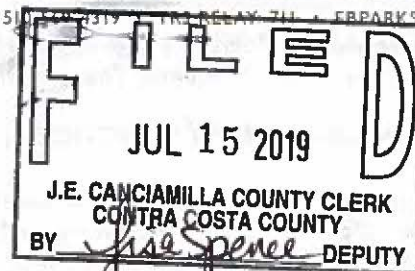
Office of Planning & Research



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Contra Costa County Clerk Recorder's Office
555 Escobar Street
Martinez, CA 94553



Wednesday, July 10, 2019

SUBJECT: NOTICE OF EXEMPTION
PROJECT TITLE: UPPER SAN LEANDRO CREEK RESTORATION
PROJECT LOCATION: HUCKLEBERRY BOTANIC REGIONAL PRESERVE
CONTRA COSTA COUNTY
LEAD AGENCY: EAST BAY REGIONAL PARK DISTRICT
PROJECT DESCRIPTION

Project Location & Purpose - The project site is located on Upper San Leandro Creek near the Pinehurst Road Walk-in Entrance of Huckleberry Botanic Preserve, a park in Contra Costa County managed by East Bay Regional Park District (Park District). The site is most easily accessed by following Lower Pinehurst Trail approximately 800 feet from Pinehurst Road (Latitude: 37° 50' 29.29" Longitude: 122° 11' 11.87") – see Figure 1. The purpose of this restoration project is to enhance fish passage for resident rainbow trout, improve wildlife habitat, increase the extent of riparian habitat along the stream, and restore sediment and water transport by removing a failing culvert and replacing it with a clear span arch bridge. The proposed project would result in the creation of 0.015 acre of stream channel habitat and 0.055 acre of riparian habitat. A summary of the work to be accomplished is provided below;

Project Staging - All materials will be staged on the existing dirt access road and in previously disturbed areas. The hours of work shall be any 8-hour block as mutually agreed upon between the Contractor and the East Bay Regional Park District ("Park District") between 7:30 a.m. and 5:00 p.m., Monday through Friday. The project area will be closed to the public during the period of construction, which is anticipated to be September 1 to October 31, either in 2019 or 2020; the trail will not be rerouted during construction.

Removal and Replacement of Damaged Structures – The existing 48-inch diameter corrugated metal culvert and failing concrete sack headwall will be replaced with a clear span arch bridge that is approximately 34 feet long and 16 feet wide. The proposed clear span width is generally wider than the existing average 2-year flow high water width of 9'-10' and will allow for an estimated 650 square feet of additional stream channel area to be created and restored as part of this project. The clear span arch bridge bottom will be constructed with a natural substrate and be designed to mimic the existing channel bed. The replacement bridge will be delivered on a semitruck and then transferred to the project site via a crane/heavy equipment as decided by the contractor. The crane/heavy equipment will access the site from the trail approach, and it will not enter the stream area. Equipment may be used in the stream area after the stream is dewatered, as the project includes re-grading the stream channel. The damaged structure will be disposed of in compliance with the Park District's adopted sustainability policy including recycling of any lumber, metal, or concrete.

Creek Restoration - The channel including areas downstream of the crossing will be restored with features such as low rock steps, woody debris, and reduced bank slopes to improve lotic conditions for fish passage and enhance the aquatic and riparian habitat. A series of buried boulders will provide bed stability in the active channel and create a series of small 6-inch steps that will reduce flow velocities for easier fish passage. The new enhanced channel will have a small low flow channel, 3 to 4 feet wide and 6 to 8 inches deep, to increase flow depth and facilitate fish movement during low flows but will also allow for expanding flow width to help create velocity refugia during the short duration high flow periods. Channel capacity will not be compromised during large events, and the estimated flows in San Leandro creek are not expected to exceed the design capacity of the structure.

Slope – As part of this project the left channel bank downstream of the new structure will be sloped back to a gentler slope that will vary from 2(H):1(V) to 3:1. Currently this bank is nearly vertical and experiencing scour along its toe. Upon reconfiguration, this bank will be protected by erosion control fabric, salvaged woody debris will be keyed into the slope and riparian vegetation will be established at the toe of the slope, under story plants will be planted on the slopes and riparian canopy tree will be established at the top of bank.

Board of Directors

Ayn Wieskamp President Ward 5	Ellen Corbett Vice-President Ward 4	Dee Rosario Treasurer Ward 2	Colin Coffey Secretary Ward 7	Whitney Dotson Ward 1	Dennis Waespi Ward 3	Beverly Lane Ward 6	Robert E. Doyle General Manager
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Trail Impacts - The existing trail (Lower Pinehurst Trail Crossing of the Upper San Leandro Creek) will be narrowed in some areas to accommodate the slope reconfiguration but a minimum width of 15 feet clear will be maintained.

Tree Removal - There is a large downed bay tree that has fallen and crosses the channel; this tree would be removed but no other tree removal is required. The tree will be recycled in accordance with green halo protocol.

BEST MANAGEMENT PRACTICES (BMPs) TO AVOID POTENTIAL ADVERSE EFFECTS

Stream Water Quality - The potential impacts to stream water quality will be avoided through best management practices which include a California Department of Fish and Wildlife-approved dewatering plan that consists of a flow bypass system that will collect all creek flow from upstream of the project site and deliver it to the stream just downstream of the project site. Construction will occur during the dry season, when natural stream flows are low. Any equipment or vehicles operated within or adjacent to the stream shall be checked and maintained daily to prevent leaks of materials that could be deleterious to the stream's ecosystem.

Special Status Species - The project location is not near a known pallid manzanita (*Arctostaphylos pallida*) population, the species was not detected during the rare plant survey conducted for the project, and construction site access is not through an area supporting the species. Therefore, the proposed restoration project would have no permanent or temporary impacts on pallid manzanita. All potential adverse impacts to fish and special-status wildlife species, including California red-legged frog, western pond turtle, Alameda whipsnake, and nesting birds would be avoided through the implementation of avoidance measures, which include:

- Biological awareness training for all construction personnel;
- A preconstruction survey (conducted by a qualified biologist) immediately prior to initial groundbreaking or vegetation clearing activities;
- A qualified fisheries biologist will be present for any required initial dewatering to relocate any native fish present.
- Daily clearance survey conducted by a qualified biologist;
- Biological monitoring during all construction activities that may result in harm to special-status species; and
- A preconstruction nesting bird survey.

Phytophthora - The construction work and any restoration plantings will follow Park District's Phytophthora BMPs to ensure vehicles and gear, tools and boots are free of potentially infected soil, weed propagules, seed or other debris.

EXEMPT STATUS & REASONING:

The Park District has reviewed the proposed project activities, along with its environmental setting, and has determined it to be exempt from California Environmental Quality Act (CEQA) requirements under *Article 19. Categorical Exemption of the State CEQA Guidelines*:

Section 15333 – Small Habitat Restoration Projects - Class 33 consists of projects not to exceed five acres in size to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife provided that the project: warrants no significant adverse impact on endangered, rare or threatened species or their habitat pursuant to section 15065; there are no hazardous materials at or around the project site that may be disturbed or removed; and the project will not result in impacts that are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

Section 15301 Existing Facilities - Class I consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. It includes restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety.

Prepared by:

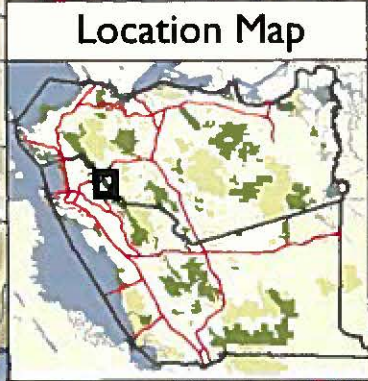
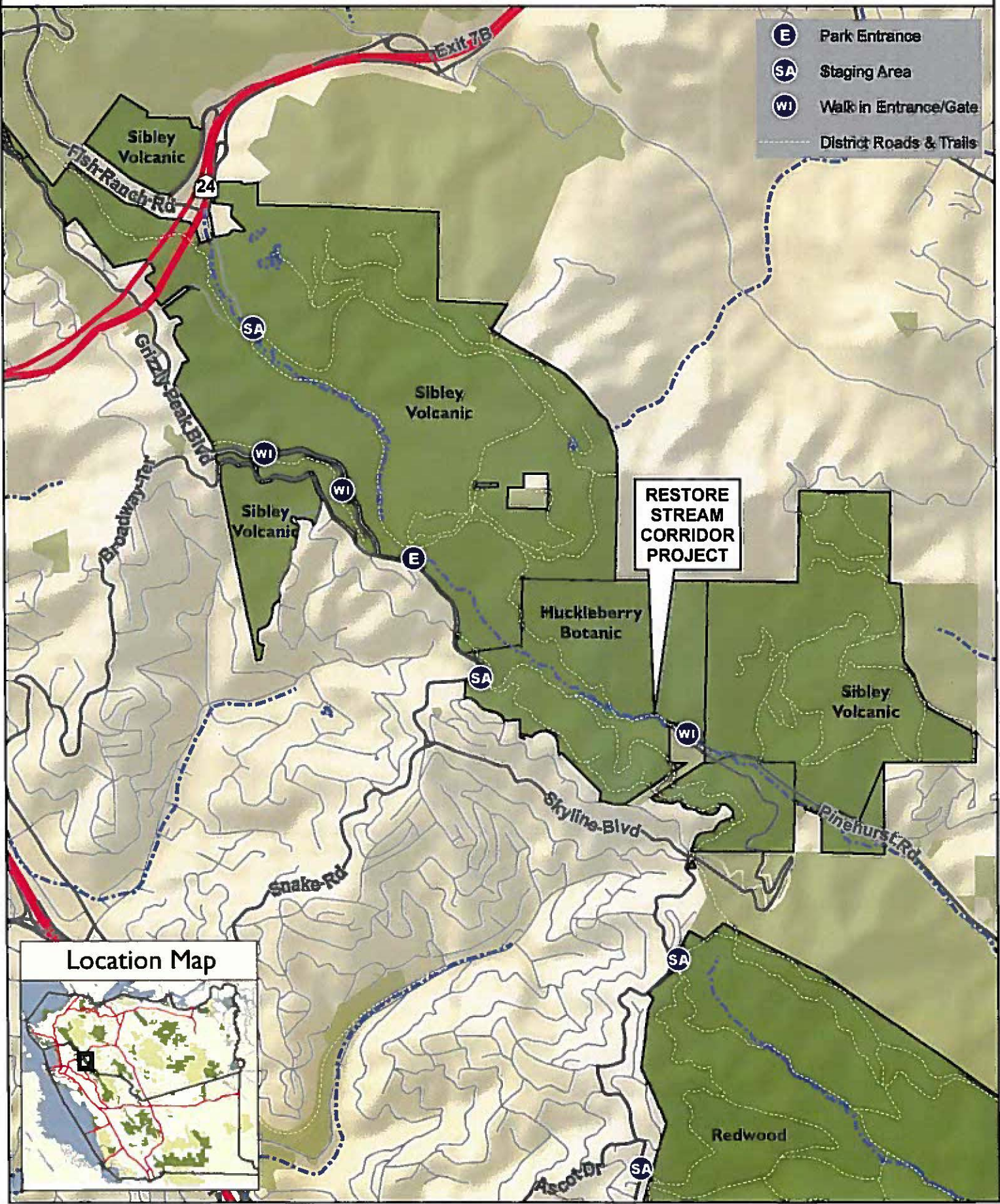

Brian Holt, Chief of Planning & GIS

bholt@ebparks.org

PROJECT APPLICANT



- E** Park Entrance
- SA** Staging Area
- WI** Walk in Entrance/Gate
- Dashed line District Roads & Trails





State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 12/01/18) Previously DFG 753.5a

StartOver

Print

RECEIPT NUMBER:
 07 — 7/15/19 — 249
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY EAST BAY REGIONAL PARK DISTRICT	LEAD AGENCY EMAIL BHOLT@EBPARKS.ORG	DATE 7/15/19
COUNTY/STATE AGENCY OF FILING Contra Costa		DOCUMENT NUMBER 19-290

PROJECT TITLE
UPPER SAN LEANDRO CREEK RESTORATION

PROJECT APPLICANT NAME EAST BAY REGIONAL PARK DISTRICT	PROJECT APPLICANT EMAIL BHOLT@EBPARKS.ORG	PHONE NUMBER (888) EBPARKS
PROJECT APPLICANT ADDRESS 2950 PERALTA OAKS CT	CITY OAKLAND	STATE CA
		ZIP CODE 94605

PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$3,271.00 \$ _____ 0.00
 - Mitigated/Negative Declaration (MND)(ND) \$2,354.75 \$ _____ 0.00
 - Certified Regulatory Program (CRP) document - payment due directly to CDFW \$1,112.00 \$ _____ 0.00
 - Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
 - Fee previously paid (attach previously issued cash receipt copy)
-
- Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ _____ 0.00
 - County documentary handling fee \$ _____ 50.00
 - Other \$ _____

PAYMENT METHOD:

Cash
 Credit
 Check
 Other #284903
 TOTAL RECEIVED \$ _____ 50.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE L. SPENCE, DEPUTY CLERK
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County Receipt Number **3515725**

STATE CLEARINGHOUSE
 JULY 18 2019
 Governor's Office of Planning & Research