

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
Contact: Tami Schane
Email: Tami.Schane@wildlife.ca.gov
Phone: (415) 710-0711



Lead Agency

Contra Costa County Flood Control and Water Conservation District
255 Glacier Drive, Martinez, CA 94553
Contact: Paul Detjens
Email: paul.detjens@pw.cccounty.us
Phone: (925) 313-2394

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

State Clearinghouse Number: 2019099043

Project Title: Pacheco Marsh Public Access Project (Project) (Lake or Streambed Alteration Agreement No. EPIMS-CCA-36852-R3)

Project Location (Contra Costa County): The proposed Project site is located at two unnamed tributaries to the mouth of Walnut Creek, at an unincorporated area along Suisun Bay, approximately three miles east of the city of Martinez. The Project entrance is at Waterfront Road and the Project site extends between Waterfront Road and Suisun Bay just south of Lower Walnut Creek.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement (EPIMS-CCA-36852-R3), pursuant to Fish and Game Code section 1602, the project Applicant, Linus Eukel/John Muir Land Trust.

The Project is limited to a subset of elements of the public access phase of the previously constructed Lower Walnut Creek Restoration Project. The Project will consist of the replacement of an entry bridge near Waterfront Road over an unnamed channel connecting to Lower Walnut Creek, a gravel water access ramp at an unnamed channel connecting to Lower Walnut Creek, and replanting/reseeding of disturbed areas. Depending on the bid selected, either a wildlife viewing screen or a pedestrian bridge will be constructed over a tidal channel connecting to Lower Walnut Creek.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on July 6, 2023 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 **Mitigated Negative Declaration** 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 not** adopted by CDFW for this project.
5. A Statement of Overriding Considerations was not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to California Code of Regulations section 15091.

The Mitigated Negative Declaration 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.

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DocuSigned by:

Signature: _____

Melissa Farinha

Date: 7/11/2023

Melissa Farinha, Environmental Program Manager

Date Received for filing at OPR: _____