



DEPARTMENT OF PARKS AND RECREATION

Lisa Ann L. Mangat, Director

Diablo Range District  
15751 Tesla Road  
Livermore, CA 94550

6/15/2020

Governor's Office of Planning & Research

June 15, 2020

**Jun 16 2020**

East Contra Costa County Habitat Conservancy  
Attn: Joseph Lawlor  
30 Muir Road  
Martinez, CA 94553

**STATE CLEARINGHOUSE**

RE: California Department of Parks and Recreation's Comments on PG&E's NOTICE OF PUBLIC REVIEW AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Dear Mr. Lawlor;

California State Parks (CSP) offers the following comments on the Initial Study for the proposed PG&E Transmission Pipeline L-114 Replacement Project. Under the California Environmental Quality Act, CSP is both a Trustee and a Responsible Agency for this project given its location primarily occurring within the boundaries of Marsh Creek State Park (MCSP). Unfortunately, CSP only found out about the availability of the Initial Study by calling PG&E to inquire about its status, only to be told there was only one week remaining in which to comment.

We are concerned with the lack of reference to MCSP or California State Parks. The majority of the pipeline route is located within the boundaries of MCSP, but the park is not included in the location description or identified on the Figure 1 – Project Location map. In addition to the easement area, the project includes activities within a 3.5 acre parcel of land along Marsh Creek Road that is controlled by California State Parks through a public recreational use lease granted by the Contra Costa County Flood Control District. The MND should include a clear description of the project and potential impacts in relation to the MCSP boundary. Not until the Cultural Resources Section is MDSP even mentioned with much discussion.

The Project Description should describe the post construction conditions within Marsh Creek SP. Staff reviewing the MND saw no mention about post construction limits and how that might affect the eventual opening of the park to public. The project description should include a discussion about the limitations in constructing on or planting vegetation within easement areas.

CSP has conducted an extensive geoarcheological investigation to identify a suitable non-culturally sensitive location for an initial public facility for the park but the easement appears to go through the middle of it limiting how it can be developed. It is the location of the former Marsh Creek channel and as such is the least sensitive and the best place to locate subsurface infrastructure such as Parks restrooms. This area was identified during a geoarchaeological analysis of the landscape conducted in 2015 (Meyer 2015), and designated in the General Plan as a Visitor Facility Zone. Most everywhere else in the site area is very sensitive for buried cultural resources including human remains. If the PG&E gas line goes right under this spot it is our understanding that we will not be able to use it for future development.

The analysis should consider CSP's ability to implement other general plan goals and policies, such as with respect to restoration of riparian habitat in Marsh Creek. The report indicates the gas line will be 48' below the bottom of the channel so will that permit riparian revegetation efforts? CSP is proposing a riparian restoration project along the Marsh Creek corridor in the location of the easement. We need to be able to plant trees in this area. What is the likelihood of success of that project with a 30' gap in the vegetation?

State Parks would like some clarification of the slope of descent for the directional drilling (i.e. over what distance will the 48ft depth be reached). There is potential for buried archaeological deposits beyond the locations where ICF conducted testing.

We have no record of ICF obtaining an Archaeological Investigations Permit (DPR 412) prior to their testing work, a portion of which was conducted on State Park property. This permit is required for all archaeological work that will be conducted.

The report states that CCO-18H/548 is eligible for the National Register. The site was listed on the NR in 2012 and the report should properly state its NR status.

The discussion section for question a under the Cultural Resources Section V contains inaccuracies. For example, the referenced concrete dam said to be south of the stone house and constructed in 1962, is actually north of the stone house and was constructed in the 1920s. The John Marsh house is not managed by the John Marsh Historic Trust, but is in fact a unit of, and managed by California State Parks.

If you have any questions about this comment letter or would like to discuss project activities within Marsh Creek State Park, please contact Diablo Range District Environmental Coordinator Gina Benigno at 916-409-8392 or [gina.benigno@parks.ca.gov](mailto:gina.benigno@parks.ca.gov).

Sincerely,



Eduardo Guaracha  
Diablo Range District Superintendent