

# Notice of Determination

Appendix D

**To:**

Office of Planning and Research  
 U.S. Mail: Street Address:  
 P.O. Box 3044 1400 Tenth St., Rm 113  
 Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk  
 County of: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

**From:**

Public Agency: California State Coastal Conservancy  
 Address: 1515 Clay Street, 10th Floor  
Oakland, CA 94612

Contact: Avra Heller  
 Phone: 510-288-1212

Lead Agency (if different from above):  
Contra Costa County Dept. of Conservation & Development / Public Works Dept.

Address: 30 Muir Road  
Martinez, CA 94553

Contact: Environmental Services Division  
 Phone: 925-313-2192

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2016082008

Project Title: Three Creeks Parkway Restoration Project

Project Applicant: American Rivers / Contra Costa County Flood Control and Water Conservation District

Project Location (include county): Marsh Creek (Dainty Avenue to Union Pacific Railroad tracks), Brentwood, Contra Costa County

**Project Description:**

The project will restore 4,000 linear feet of riparian channel along Marsh Creek, setting back the creek to create 12.5 new acres of floodplain habitat which will be planted with native vegetation. The project also includes the relocation of Marsh Creek Regional Trail, the planting of large shade trees, and the construction of a bike/ped underpass at Central Avenue.

This is to advise that the California State Coastal Conservancy has approved the above  
 ( Lead Agency or  Responsible Agency)

described project on August 22, 2019 and has made the following determinations regarding the above  
 (date)  
 described project.

1. The project [ will  will not] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [ were  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
5. A statement of Overriding Considerations [ was  was not] adopted for this project.
6. Findings [ were  were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

[https://scc.ca.gov/webmaster/ftp/pdf/sccbb/2019/1908/20190822Board07\\_Three\\_Creeks\\_Parkway.pdf](https://scc.ca.gov/webmaster/ftp/pdf/sccbb/2019/1908/20190822Board07_Three_Creeks_Parkway.pdf)

Signature (Public Agency):  Title: Project Manager

Date: August 28, 2019 Date Received for filing at OPR: Governor's Office of Planning & Research

**AUG 28 2019**

# CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF DETERMINATION

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

From: Contra Costa County  
Dept. of Conservation & Development  
30 Muir Road  
Martinez, CA 94553

County Clerk  
County of: Contra Costa

**State Clearinghouse Number:** SCH# 2016082008

**Project Title:** Three Creeks Parkway Restoration  
Project No. 7562-6D8176, CP# 16-39

**Project Applicant:** Contra Costa County Flood Control and Water Conservation District

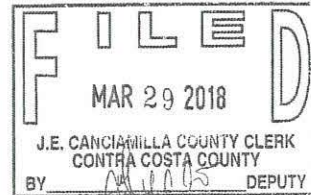
**Project Location:** Marsh Creek (Dainty Avenue to Union Pacific Railroad tracks), Brentwood, Contra Costa County

**Project Description** The Contra Costa County Flood Control and Water Conservation District (District) in partnership with American Rivers, a national non-profit organization that protects wild rivers, restores damaged rivers and conserves clean water for people and nature, proposes to improve flood conveyance capacity, to meet the District's standards for 100-year flood protection, and restore native vegetation along an approximately 4,000 linear foot section of Marsh Creek. When implementation is complete, the project would include up to 1.0 acre of frequently inundated floodplain (seasonal wetland), 1.87 acres of woody riparian vegetation, and 1.87 acres of grasslands and native scrub. The project would also enhance habitat and recreation within the watershed. The segment just upstream of Dainty Avenue (Phase I) was widened in 2000 by the District; native riparian vegetation may also be planted in this section as part of this project to provide a continuous riparian corridor with the existing riparian vegetation upstream of this segment. Placement of boulders and large woody debris would be placed in some portions of the low-flow channel to create in-stream habitat as well as rock to protect the banks and culvert outfalls. Real Property transactions, including right-of-way acquisition and temporary construction easements for access and staging areas and permanent easements for access and maintenance may be necessary in support of this project. Construction is anticipated to begin summer 2018 and may take up to two construction seasons to complete. Excavation and grading activities would occur during the dry season (July to October) with plant restoration occurring afterwards (November to December).

The District prepared an IS/MND which was adopted by the Contra Costa County Board of Supervisors on September 27, 2016. Since then, there have been a few additions to the original project design, including (1) the incorporation of an existing water quality basin adjacent to the lower reach of Marsh Creek and improvements to the adjacent City of Brentwood Sungold Park, (2) the use of an adjoining parcel adjacent to the middle reach as a staging area and to place excavated materials, (3) the construction of a clear-span pedestrian bridge, and (4) the use of temporary creek crossings during construction totaling approximately 13.45 acres on three parcels that abut the project segment. These proposed additions were re-evaluated under applicable sections of Appendix G of the CEQA Guidelines to determine if the additions resulted in a substantial change that would require major revisions of the IS/MND. Re-evaluation of the additions did not result in significant impacts that would warrant changes to the IS/MND and therefore a CEQA Addendum was prepared.

The project was approved on:

1. The project  will  will not have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures  were  were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan  was  was not adopted for this project.
5. A statement of Overriding Considerations  was  was not adopted for this project.
6. Findings  were  were not made pursuant to the provisions of CEQA.



Notice of Determination sent to Office of Planning and Research.\*

This is to certify that the Mitigated Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Contra Costa County Public Works Department  
255 Glacier Drive, Martinez, CA 94553

Signature (Contra Costa County): [Signature] Title: Principal Planner

Date: Jan 12, 2018 Date Received for filing at OPR: MAR 29 2018

Governor's Office of Planning & Research

MAR 29 2018

STATE CLEARINGHOUSE

<b>AFFIDAVIT OF FILING AND POSTING</b>	
MAR 29 2018	
I declare that on _____ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.	
Signature: <u>[Signature]</u>	Title: <u>Deputy Clerk</u>

<p><b>Applicant:</b> Public Works Department 255 Glacier Drive Martinez, CA 94553 Attn: <u>Claudia Gemberling</u> Environmental Services Division Phone: (925) 313-2192</p>	<p><b>Department of Fish and Game Fees Due</b></p> <p><input type="checkbox"/> EIR - \$3,168.00 <input checked="" type="checkbox"/> Neg. Dec. - \$2,280.75 <input type="checkbox"/> DeMinimis Findings - \$0 <input checked="" type="checkbox"/> County Clerk - \$50 <input checked="" type="checkbox"/> Conservation &amp; Development - \$25</p>	<p><b>Total Due: \$ 2,355.75</b> <b>Total Paid \$ 2,330.75</b> <b>Receipt #: 31756008</b></p>
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\*Notice of Determination may be sent by fax to (916) 323-3018, if followed up with a duplicate mailed copy.

