



CALIFORNIA ENVIRONMENTAL QUALITY ACT
Notice of Exemption

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

From: Contra Costa County
Department of Conservation and
Development
30 Muir Road
Martinez, CA 94553

[x] County Clerk, County of Contra Costa

Project Title: Pacheco Creek Levee Breach, Project #: WO9M17, CP#: 23-33

Project Applicant: Contra Costa County Flood Control District, 255 Glacier Drive, Martinez CA 94553
Main: (925) 313-2000, Contact: Izaac Tompkins (925) 313-2176

Project Location: South side of Pacheco Creek Levee, east of I-680 and south of Waterfront Road in
unincorporated Martinez, 38.019749°, -122.078605°

Lead Agency: Department of Conservation and Development, 30 Muir Road, Martinez, CA 94553
Main: (925) 655-2705, Contact: Syd Sotoodeh (925) 655-2877

Project Description: The project involves the repair of a section of an existing levee that failed during
severe 2022-2023 winter storms. The levee is located within the Contra Costa County Flood Control and
Water Conservation District (District) jurisdiction. The failure was caused by the presence of pipes
maintained by the IT Environmental Liquidating Trust (ITELT) and therefore they are responsible for the
repair. The scope of work includes the removal of existing non-functional pipelines, scarification, and re-
compaction of the remaining levee subgrade, and backfilling the levee void with imported fill soils. The
total depth to be backfilled is approximately 8 feet, and the work will cover an area of approximately 150
feet linear channel length by 70 feet levee width. The proposed repair work is focused on the restoration
of the existing levee within its original footprint, with no encroachment into the Pacheco Creek channel.
Best Management Practices (BMPs) such as silt fence and fiber rolls will be installed to prevent soil from
entering into the adjacent creek. The California Department of Fish and Wildlife has been notified of this
emergency repair. The repair will occur in dry weather and will take approximately seven days to
complete.

The District issued an encroachment permit to ITELT for temporary access to District property for the
repair and continued maintenance of the pipes.

Exempt Status:

- [] Ministerial Project (Sec. 21080[b][1]; 15268) [] Categorical Exemption (Sec.)
[x] Declared Emergency (Sec. 21080[b][3]; 15269[a]) [] General Rule of Applicability (Sec. 15061[b][3])
[x] Emergency Project (Sec. 21080[b][2][4]; 15269[b][c]) [] Other Statutory Exemption (Sec.)

Reasons why project is exempt: The activity is not subject to CEQA as it consists of the immediate
repair to public facilities and preventing a hazard to public safety, life, or property pursuant to Article 19,
Section 15269(a)(b)(c) of the CEQA Guidelines.

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 [] Yes [] No
project?

Signature: Syd Sotoodeh Date: 12/28/2023 Title: Senior Planner

Contra Costa County Department of Conservation and Development

- [x] Signed by Lead Agency [] Signed by Applicant

AFFIDAVIT OF FILING AND POSTING

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

Title

Applicant

Public Works Department
255 Glacier Drive
Martinez, CA 94553
Attn: Izaak Tompkins
Environmental Services Division
Phone: 313-2176

Department of Fish and Wildlife Fees Due

- De Minimis Finding - \$0
- County Clerk - \$50
- Conservation and Development - \$25

Total Due: \$75

Receipt #: _____

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS on March 1, March 8, March 12, March 14, and March 28, 2023, I proclaimed a State of Emergency to exist in 47 counties, cumulatively, as a result of a series of ongoing winter storms that initially struck California beginning in late February and continue to significantly impact the counties identified in my Proclamations; and

WHEREAS starting around February 21, 2023, this Late Winter Storms event resulted and continues to result in significant impacts to the State including, but not limited to, record snowfall accumulation, widespread flooding and power outages, downed trees, hazardous debris flows, mudslides, landslides, swelling of waterways, dam overflows, and levee failures; and

WHEREAS hundreds of homes, structures, and roadways, including multiple major highways, have been destroyed or damaged; and

WHEREAS on March 9, 2023, I requested a Presidential Emergency Declaration related to this Late Winter Storms event, which was expeditiously approved by President Joseph R. Biden; and

WHEREAS on March 28, 2023, I also requested a Major Disaster Declaration related to this Late Winter Storms event, which was expeditiously approved by President Biden; and

WHEREAS the State of California and local governments, in collaboration with the Federal government, continue sustained efforts to respond to and recover from the effects of this Late Winter Storms event; and

WHEREAS Contra Costa, Riverside, San Diego, and Yolo counties have experienced significant storm-related impacts, including heavy rainfall, high winds, flooding, downed trees, and damage to roads and critical infrastructure; and

WHEREAS under the provisions of Government Code section 8558(b), I find that conditions of extreme peril to the safety of persons and property exist due to these storms; and

WHEREAS under the provisions of Government Code section 8558(b), I find that the conditions caused by these storms, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to appropriately respond; and

WHEREAS under the provisions of Government Code section 8625, I find that local authority is inadequate to cope with the magnitude of the damage caused by these storms; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations covered by this Proclamation would prevent, hinder, or delay the mitigation of the effects of this Late Winter Storms event.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in Contra Costa, Riverside, San Diego, and Yolo counties.

IT IS HEREBY ORDERED THAT:

All operative provisions contained in my March 1, March 8, March 12, March 14, and March 28, 2023, State of Emergency Proclamations and any related Executive Order(s) are hereby incorporated and applicable, as appropriate, to Contra Costa, Riverside, San Diego, and Yolo counties as a result of the storms identified in this and those previous Proclamations.

I FURTHER DIRECT that as soon as hereafter possible, this Proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Proclamation.

This Proclamation is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

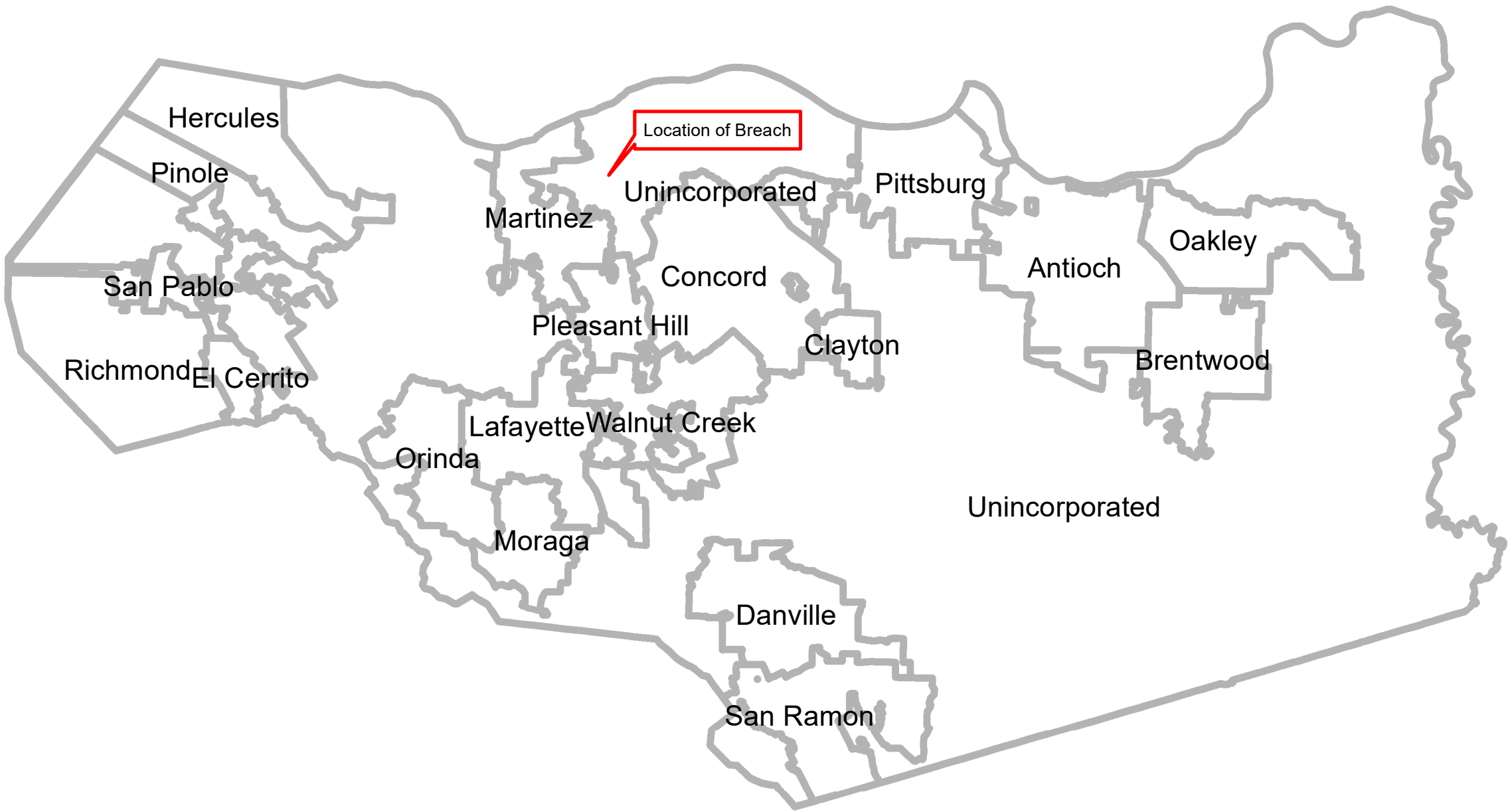
IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 20th day of April 2023.

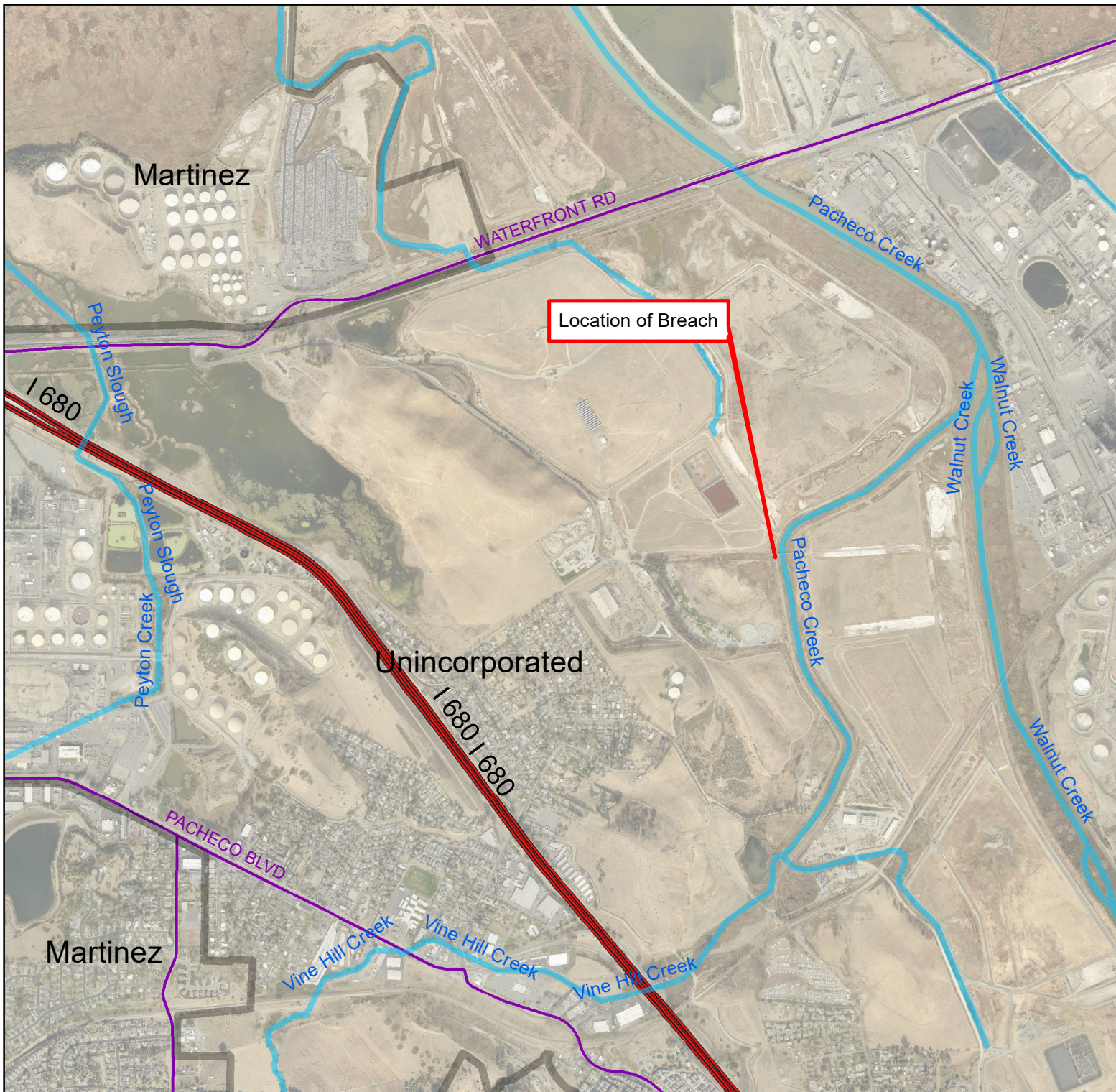


GAVIN NEWSOM
Governor of California

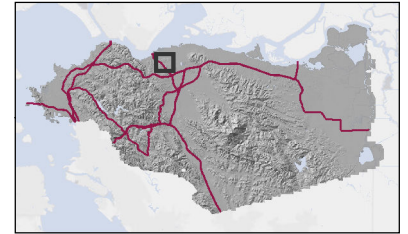
ATTEST:

SHIRLEY N. WEBER, Ph.D.
Secretary of State





Pacheco Creek Levee Breach Location







Data Sources: County GIS data
Orthophoto date: 2014

DRAFT



0 495 990 1,980
Feet

-  Creeks
-  City Limits
-  Major Roads
-  Highways

 **Contra Costa County**
Flood Control
& Water Conservation District

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