

## Notice of Exemption

---

**To:**

Office of Planning and Research  
[CEQA Submit](#)

**From:**

Department of Fish and Wildlife  
Bay Delta Region  
2825 Cordelia Road, Suite 100  
Fairfield, CA 94534



**Project Title:** Diablo Community Services District Channel Mitigation Project (Notification of Lake or Streambed Alteration, No. EPIMS-CCA-46880-R3)

**Project Location (Contra Costa County):** The project is located at Dan Cook Creek, in the County of Contra Costa, State of California; Latitude [37.842586], Longitude [-121.950625].

**Project Description:** The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement EPIMS Notification No. EPIMS-CCA-46880-R3, pursuant to Section 1602 of the Fish and Game Code to the Diablo Community Services District (Permittee)].

The project is limited to removal of three 24-inch diameter culverts, underlying geotextiles/filter fabric, and concrete pads from Dan Cook Creek, where Kay Trail intersects with the channel. Once the culverts, geotextiles/filter fabric, and concrete are removed, the channel will be recontoured to a more stable gradient. In order to remove the culverts, six cubic yards of fill material will be removed from the channel. Once culverts are removed, approximately three cubic yards of rock substrate will be replaced in the channel to restore the creek to a more stable contour. An existing fence that crosses the channel and concrete footings for the fence will also be removed. Project equipment includes hand tools, and small earth moving equipment..

**Public Agency Approving Project:** CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

**Person or Public Agency Carrying Out Project:** Diablo Community Services District

**Exempt Status:**

- Statutory Exemption.
- Categorical Exemption. Type – Class 33, Small Habitat Restoration Projects; California Code of Regulations, title 14, section (15333)

**Reasons why project is exempt:** The project will not exceed five acres in size and will perform maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife. There would be no significant adverse impact on endangered, rare or threatened species or their habitat; 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

**CDFW Contact Person:** Sabrina Dunn, Environmental Scientist, at (707) 428-2069 or [Sabrina.Dunn@wildlife.ca.gov](mailto: Sabrina.Dunn@wildlife.ca.gov).

Signature: *Gina VanKlombenburg for* Date: 9/17/2024  
7D3DEC0F785B4C3...  
Melissa Farinha, Environmental Program Manager

Date received for filing at OPR: \_\_\_\_\_