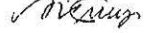


2024-00340

FILED

October 1, 2024

KRISTIN B. CONNELLY
CLERK-RECORDER

By 

A. Cruz
Deputy Clerk

NOTICE OF EXEMPTION

TO: Contra Costa County
County Recorder
555 Escobar Street
Martinez, CA 94553

FROM: Contra Costa Water District (CCWD)
P.O. Box H20
Concord, CA 94524
925-688-8000
Lead Agency/Project Applicant
Filing Agency

PROJECT TITLE: Phase 2 Storm Damage Repair of Los Vaqueros Road and Culvert 24 within the Los Vaqueros (LV) Watershed – FEMA 4683

PROJECT LOCATION AND ACCESS: This project is in the Los Vaqueros Watershed on property owned by CCWD, along Los Vaqueros Road south of the Los Vaqueros Reservoir. The project site is about 930 feet north of the Reservoir’s south entrance gate along Vasco Road. The project site is in unincorporated Contra Costa County. Access to the site will occur from Vasco Road to the south. See Figure 1 for a vicinity map and Figure 2 for a project footprint map.

PROJECT DESCRIPTION:

Summary:

CCWD proposes to perform permanent repairs of Los Vaqueros Road, the roadway embankment, and Culvert 24, which were damaged by the storm events of January 2023. This project is Phase 2 of the Emergency Storm Damage Repair Project of Los Vaqueros and Culvert 24. CCWD completed temporary emergency winterization measures (Phase 1) in November 2023 ahead of the 2023-2024 winter season to prevent further damage.

Culvert 24 is 72 inches in diameter and crosses underneath Los Vaqueros Road conveying flows from Kellogg Creek, which runs along Los Vaqueros Road and crosses the road at several points through culverts. At the project site, the storm events caused significant bank erosion and soil displacement upstream and downstream of the culvert and roadway. The compromised upstream inlet (Culvert 24) and continuing storm events caused flooding and overtopping of the roadway on the inlet side towards a low point along the roadway downstream of the outlet side of the culvert (see Photo 1). This caused slope failure along the northbound (NB) lane, undermining the existing pavement and leading to the closure of the NB lane. Within the NB lane there is major road cracking from the edge of pavement towards the centerline of the road (see Photo 2). Phase 1 included cleaning the culvert of debris, stabilizing the eroded embankment around the culvert inlet and along the NB lane with Visqueen and rock slope protection (rip rap), and placing water-filled traffic barriers along the edge of travel way for safety purposes.

Currently, Culvert 24 still remains undersized and damaged, and the roadway embankment along NB Los Vaqueros Road remains eroded and has the potential to further undermine the existing pavement during future storm events.

October 1, 2024

Background:

Construction of the Los Vaqueros Reservoir was completed in December 1997. The Reservoir was expanded from 100,000 to 160,000-acre feet in 2012. The project site is in a conservation easement recorded with the California Department of Fish and Wildlife (CDFW). Figure 4 shows the areas in existing conservation easements and those submitted to CDFW but not yet recorded.

Operation and maintenance activities at the Los Vaqueros Watershed are primarily governed by the Programmatic Biological Opinion (PBO) on the Los Vaqueros Watershed Long-Term Operations and Maintenance Program issued by the U.S. Fish and Wildlife Service (USFWS) in 2012 and the California Endangered Species Act (CESA) Incidental Take Permit (ITP) for the Los Vaqueros Reservoir Expansion Project issued by CDFW in 2011. These requirements are reflected in the 2016 Los Vaqueros Resource Management Plan. Both the PBO and ITP cover culvert maintenance activities including cleaning debris and sediment, replacing culvert piping, etc. for approximately 0.10 acres, or 15 culverts, per year. CCWD will still adhere to the environmental commitments required by the regulatory permits needed for the project and will follow the relocation procedures within CCWD's Sensitive Species Relocation Plan for the Los Vaqueros Watershed and Conservation Lands should sensitive species be encountered.

Kellogg Creek is an intermittent stream and has been determined to be U.S. Army Corps of Engineers jurisdictional for environmental reviews and permitting related to the construction of Los Vaqueros Reservoir, the Los Vaqueros Expansion in 2012.

Project Details:

CCWD completed Phase 1, the temporary emergency winterization repairs of Los Vaqueros Road and Culvert 24, in November 2023. See Photos 3 and 4 for photos of the temporary winterization repairs at the culvert inlet and NB lane, respectively. Phase 2 is described below and the footprint is shown in Figure 2.

Culvert Replacement: CCWD proposes to remove and replace the existing 72-inch corrugated metal pipe (CMP) culvert with a larger 84-inch culvert. The new culvert will be approximately 100 feet long. Rip rap and geotextile fabric that was laid on the culvert inlet side as part of the temporary winterization effort will be removed. The roadway above the culvert will be removed and repaved after the culvert installation. On the inlet side of the new culvert, CCWD will install an angled debris trash rack to help prevent future clogging of the culvert and allow for easier cleaning and maintenance of the culvert inlet. The debris rack will be poured in place and founded on a cast-in-place footing. An example of the angled debris rack is shown in Photo 5. Approximately 2,280 square feet of rip rap (340 tons) will be installed at the replacement culvert's inlet and outlet. A portion of the rip rap needed for the culvert inlet and outlet may be reused from the emergency winterization effort.

Retaining Wall: CCWD plans to restore the shoulder of the NB lane of Los Vaqueros Road and stabilize the roadway by constructing a soldier pile retaining wall with pre-cast concrete lagging along the length of the eroded embankment. Visqueen that was laid along the NB lane embankment as part of the temporary winterization effort will be removed. The NB lane pavement along the damaged embankment area will also be removed and will be repaved after construction of the wall. The wall will be placed approximately 6 feet away from the edge of pavement and will be approximately 200 feet in

length. The maximum estimated depth of disturbance will be 28 feet when drilling for the wall's soldier piles. After holes are pre-drilled into the soil, steel I-beam piles will be inserted and concrete casings will be poured. Next, pre-cast concrete lagging will be placed between the I-beams. The concrete lagging will be placed about 4 feet below grade with 7 feet exposed height, for a total lagging height of 11 feet. The area between the wall and edge of pavement will be backfilled with engineered fill and a Midwest guardrail system will be constructed along the NB lane. A concrete v-ditch along part of the retaining wall will also be constructed. The concrete v-ditch will be approximately 2 feet wide from edge of pavement and will be 105 feet in length. Rip rap that was applied along the NB lane embankment during the emergency winterization project may remain but may be moved to allow for construction of the soldier pile wall. The rip rap may remain to protect the base of the retaining wall. Approximately 500 square feet of additional rip rap (75 tons) will cover the entire length of the retaining wall. See Photo 6 for an example of a similar retaining wall implemented elsewhere at the Watershed.

Equipment storage and staging will occur at the shoulder of southbound Los Vaqueros Road and at the County Line Staging Area, a gravel lot near the kiosk at the southern entrance of the Watershed along Los Vaqueros Road. These staging areas are identified in Figures 2 and 3. Wildlife exclusionary fencing will be installed around the staging areas to the extent feasible.

The types of equipment that are expected to be present on site consist of the following:

- One (1) excavator with a bucket capacity of one cubic yard
- One (1) backhoe with a bucket capacity of one cubic yard
- One (1) water truck
- Five (5) utility trucks
- One (1) dump truck
- One (1) boom truck
- One (1) flatbed truck
- One (1) drill rig

Phase 2 is estimated to begin in summer 2025 and end in fall 2025, with construction estimated to be about eight weeks. No night work will occur. CCWD will first perform the culvert replacement then proceed to construct the soldier pile wall along the NB lane. The culvert replacement will require a temporary full closure of the roadway that is anticipated to last approximately 5 days. During construction of the retaining wall, the road will be reopened to one-way traffic controlled by flaggers. After the project has been completed, Los Vaqueros Road will be reopened to two-way traffic with no safety restrictions.

ANALYSIS:

The culvert replacement and rip rap at the culvert inlet and outlet will be implemented within the ordinary high water (OHW) mark but when this area is dry. Work along the NB lane embankment along Kellogg Creek is expected to be conducted outside of the ordinary high-water mark and avoid any permanent wetland impacts. Rip rap at the culvert inlet and outlet will affect less than 0.02 acres of the dry Creek and is necessary to prevent future erosion of Culvert 24.

Tree trimming along the NB lane will be needed. Several trees may also need to be removed during installation of the soldier pile wall and during rip rap placement at the culvert inlet and outlet:

- A 28-inch willow tree
- An 8-inch oak tree
- A 12-inch oak tree
- An 18-inch oak tree
- A 12-inch oak tree
- A 12-inch oak tree
- A 10-inch willow tree

If feasible, CCWD will avoid removing any trees. This project will not result in the expansion or widening of existing facilities or roadways.

Sensitive species with potential to occur at the Los Vaqueros Watershed include California red-legged frog, California tiger salamander, Western Pond turtle, Alameda whipsnake, San Joaquin kit fox, Valley elderberry beetle, and Diamond-petaled California poppy. CCWD will conduct pre-construction surveys and implement the avoidance and minimization measures described in the Environmental Commitments section.

Anticipated Permits/Agreements Required:

The following table summarizes the permits that CCWD anticipates obtaining for this project:

Anticipated Permit	Regulatory Agency
Lake or Streambed Alteration Agreement (LSAA)	California Department of Fish and Wildlife
Clean Water Act Section 404	United States Army Corps of Engineers (USACE), Sacramento Division
Clean Water Act Section 401 Certification	Central Valley Region Water Quality Control Board (CVRWQCB)

CCWD plans to seek Federal Emergency Management Agency (FEMA) reimbursement for this project through FEMA's Public Assistance Program.

Environmental Commitments:

CCWD will use the following conditions as measures to protect the environment. These conditions will avoid and minimize any impacts to the previously described sensitive species with potential to occur. Take of any sensitive species is not anticipated.

1. **Pre-Construction Surveys and Monitoring** - CCWD or its contractors will conduct an environmental clearance on each of the work sites ahead of construction activities that will determine that environmental resources, including but not limited to, burrowing animals, nesting raptors, sensitive plant species and/or plant communities, wetlands, special status reptiles and amphibians, or cultural materials do not occur or have been removed from a given area. A qualified biologist shall survey the project area for species, including special-status species, no more than 48 hours prior to the start of work. If needed, CCWD will delineate habitat of the

Phase 2 Storm Damage Repair of Los Vaqueros Road and Culvert 24 within the LV Watershed

special-status species around each work area with posted signs, posting stakes, flags, and/or rope or cord, and shall place fencing as necessary to minimize disturbance of habitat. CCWD will obtain any necessary environmental permits as required. CCWD will provide a biological monitor who will conduct daily clearance surveys for the presence of sensitive species in work areas and staging areas before the start of any work activity or equipment operation. If a special status species is found at a particular site, work will be halted until the special status species has left the area and all required agencies are notified of the event.

2. **Permit Conditions** – CCWD will follow all conditions included within the required regulatory permits.
3. **Pre-Construction Biology Training** - CCWD will conduct a worker environmental training program prior to construction for all work sites. This will be done by a qualified biologist, and the program will include species identification, natural history, habitat, and protection methods.
4. **Work Limit (Time)** - No project activity of any kind shall occur until thirty (30) minutes after sunrise and all project activity shall conclude thirty (30) minutes prior to sunset. No night-time work will be conducted for this project.
5. **Lighting Restriction** - No artificial night lighting of any kind is permitted for the work proposed herein.
6. **Equipment** – Contractor shall not operate any equipment that is gasoline or diesel-powered within streambeds or banks. Manual or electric equipment is acceptable. The contractor shall not operate equipment in wet areas (including ponded, flowing, or wetland areas) without prior CCWD approval.
7. **Equipment Maintenance** - The earthwork contractor shall maintain all equipment or vehicles driven and/or operated in proximity to surface water bodies in good working order to prevent the release of contaminants that if introduced to water could be deleterious to aquatic life, wildlife, or riparian habitat. The earthwork contractor shall fuel and perform maintenance on vehicles and other equipment as far as possible from any riparian habitat or water body and will follow the CCWD's approved spill prevention plan. The spill prevention plan will be discussed and documented in writing with the contractor prior to the start of work.
8. **Trash** - All trash will be properly contained, removed from the work site, and disposed of daily. CCWD will ensure that all raw construction materials, wastes, temporary fences, barriers, and/or flagging are removed and properly disposed of from the Project Area immediately following the completion of construction.
9. **Staging** - Staging and storage areas for equipment, materials, fuels, lubricants and solvents, shall be located outside of waters, stream banks, and riparian areas within a paved or gravel-lined site. Stationary equipment such as motors, pumps, generators, compressors and welders, located within or adjacent to the stream channels shall be positioned over drip-pans. Any equipment or vehicles driven and/or operated within or adjacent to the stream channels must be checked and maintained daily, to prevent Class 1, 2, or 3 spills of materials that if introduced to water could be deleterious to aquatic life. Vehicles must be moved away from the stream prior to refueling and lubrication. Exclusionary fencing will be installed around equipment laydown and staging areas.
10. **Hazardous Materials** - The storage and handling of hazardous materials within the Project Sites is prohibited and any unused or leftover hazardous products shall be properly contained and

disposed of off-site. Best management practices (BMPs) shall be employed to accomplish these requirements.

11. **Access Route Restriction** - No new access roads are authorized for construction to allow heavy equipment access to the project area.
12. **Erosion Control** - Effective best management practices (BMPs) must be implemented to control erosion and runoff from areas associated with the emergency project, including staging areas, before construction activities begin.
13. **Fire Protection** – Wind, heat, and humidity conditions may result in the declaration of a Red Flag event during the period of performance of work. No work shall occur in the Watershed during the period that a Red Flag Event is declared or within 24 hours of a predicted Red Flag Event as determined by the National Weather Service. The contractor shall perform all work in a fire-safe manner. They shall supply and maintain on-site adequate fire-fighting equipment capable of extinguishing incipient fires. The contractor shall comply with all applicable Federal, local and State fire-prevention regulations including the Cal Fire Operational Guide for Use of Equipment in Grass, Brush, or Forest Covered Areas in applicable areas during a Red Flag Warning or Fire Weather Watch notice. In all cases, contractor shall operate and maintain all portable generators and other ignition sources in a safe manner within the CCWD’s watershed properties. Where such regulations do not apply, applicable parts of the National Fire Prevention Standards for Safeguarding Building Construction Operations (NFPA No. 241) apply, the more stringent shall be followed.

AGENCY APPROVING PROJECT: Contra Costa Water District

AGENCY CARRYING OUT PROJECT: Contra Costa Water District

REASONS WHY PROJECT IS EXEMPT: The project is exempt under the following CEQA guidelines:

1. Section 15301 (b), which exempts "the operation, repair, maintenance ... or minor alternation of existing public or private structures [and] facilities", where "existing facilities" are defined as "facilities of both investor-and publicly owned utilities that are used to provide public utility services."; and

CONTACT PERSON: Cody Ericksen, Associate Planner, (925) 688-8223

SIGNATURE: Cody Ericksen

DATE: 10/1/2024

Cody Ericksen
Associate Planner

Figure 1. Vicinity Map

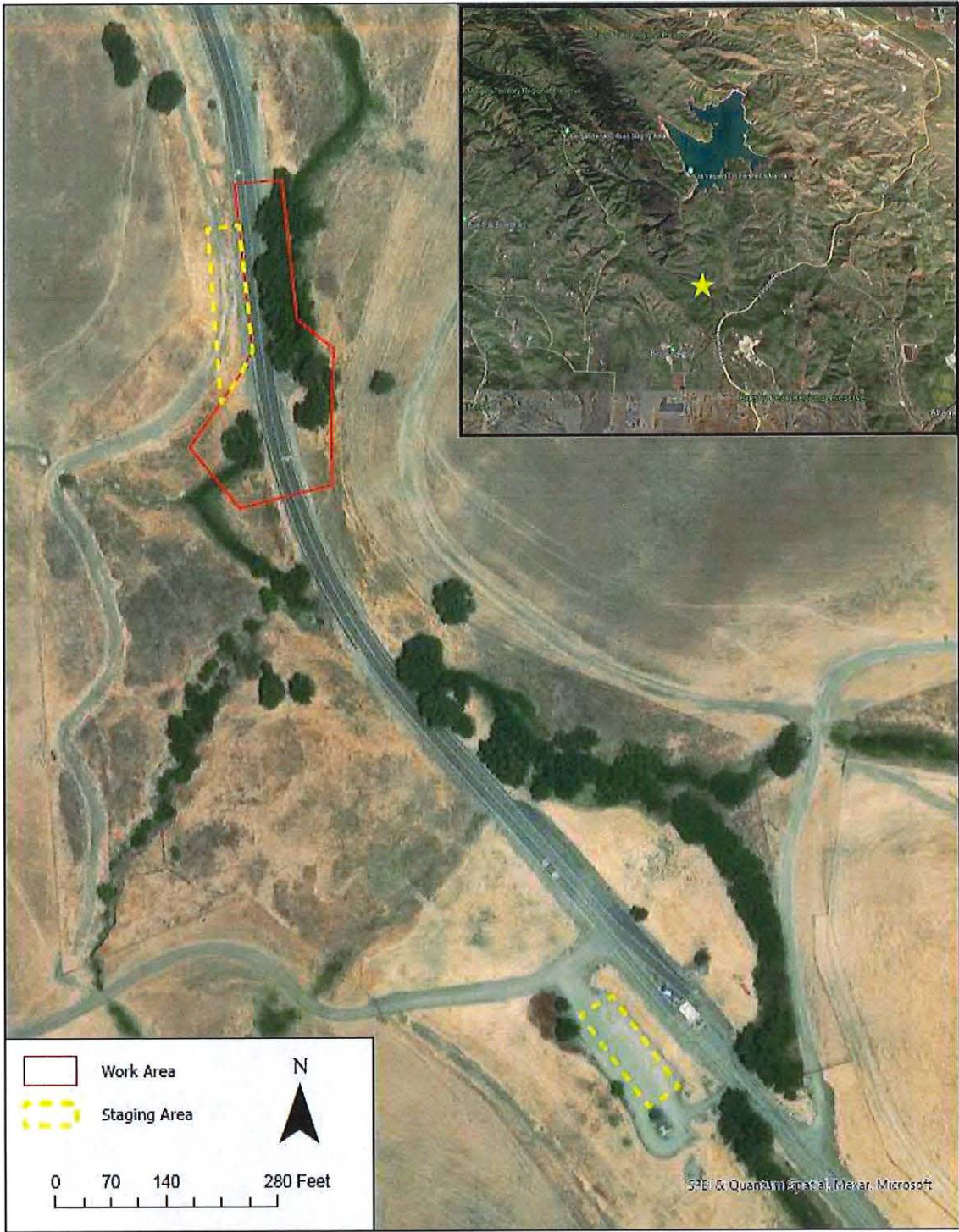


Figure 2. Project Footprint and Habitat Map



Figure 3. County Line Staging Area

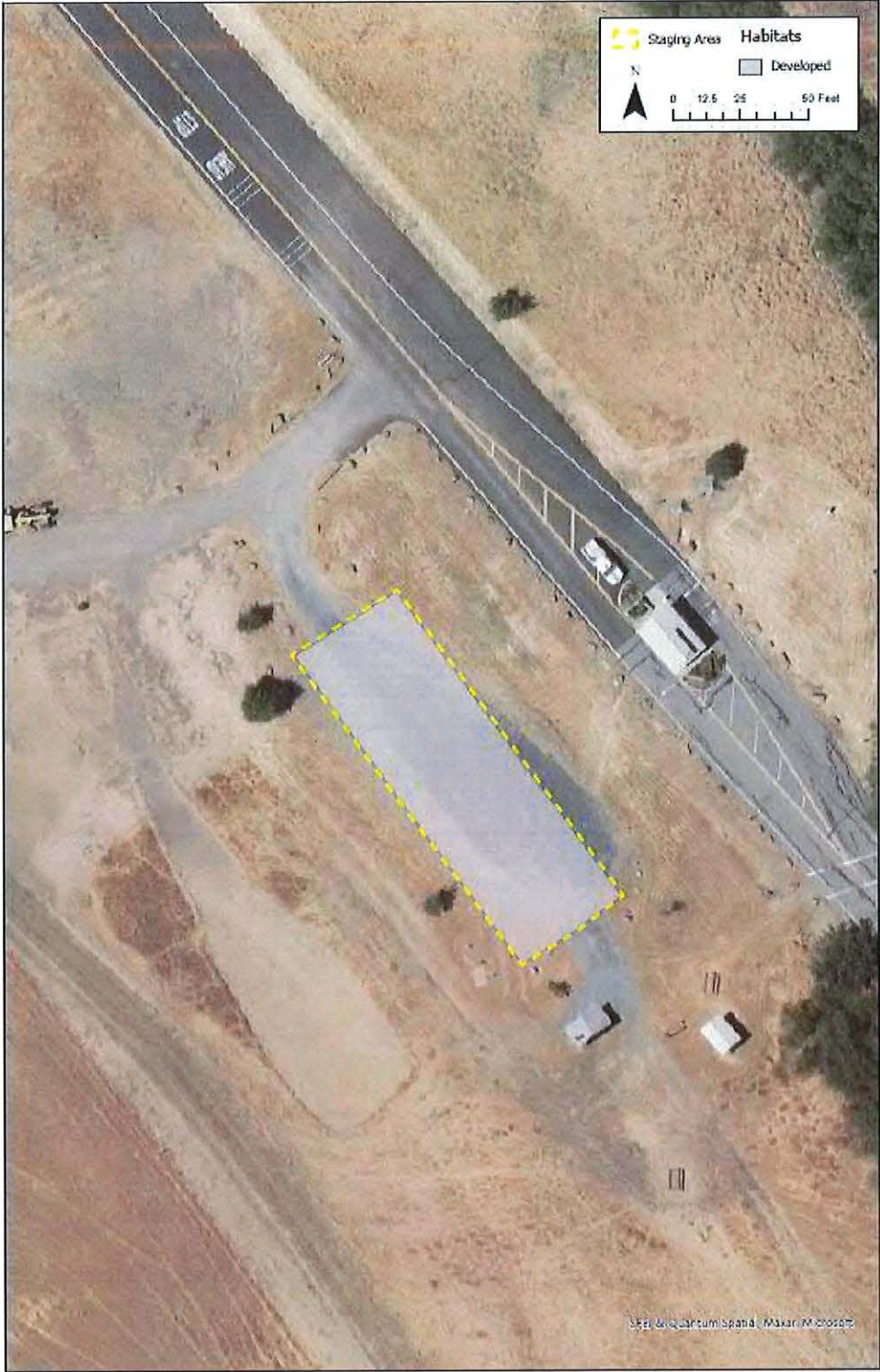


Figure 4. Map of Conservation Easements Conveyed to CDFW

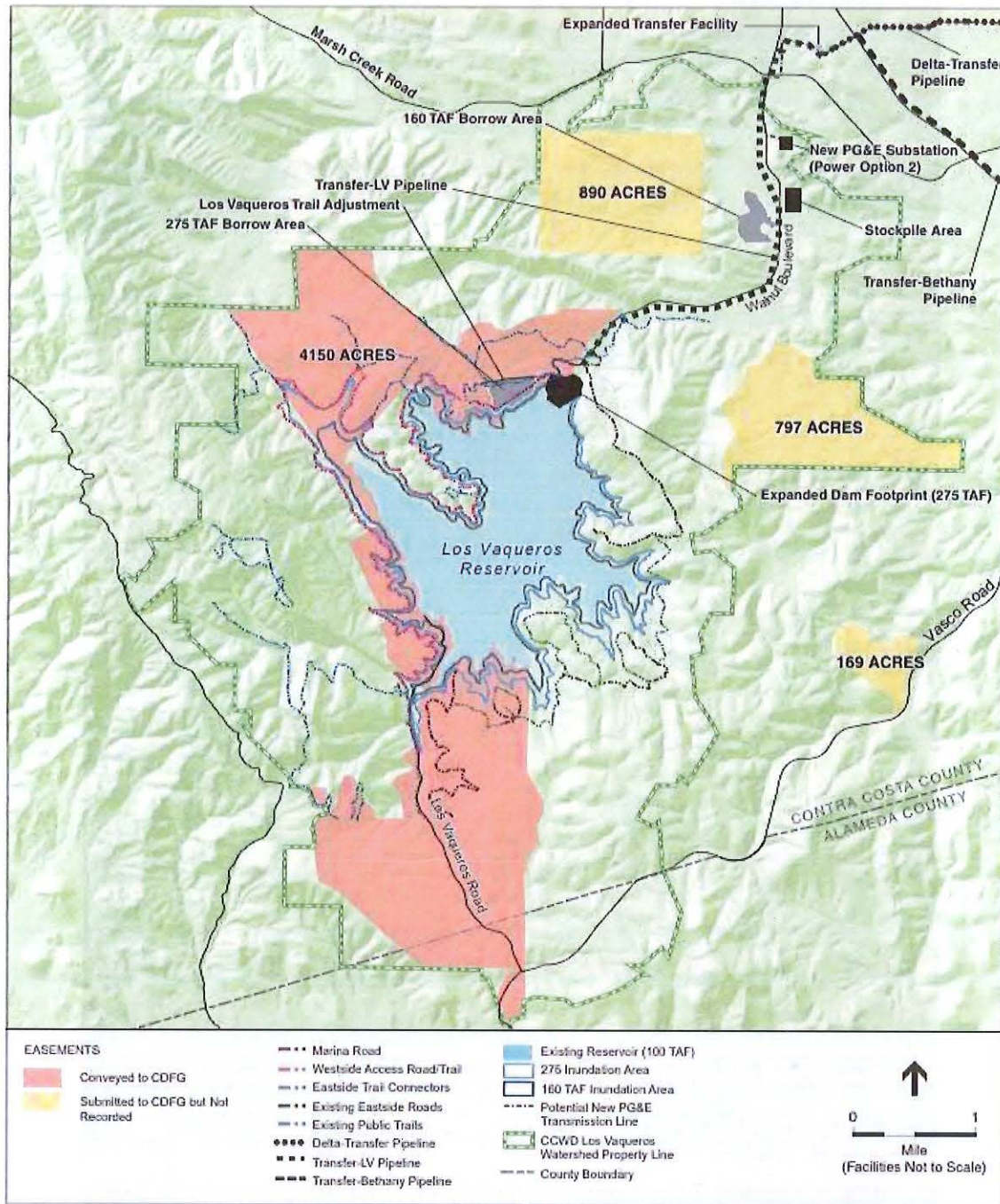


Photo 1. Damage to Culvert 24 (upstream side, taken from southbound Los Vaqueros Road)



Photo 2. Damage along Northbound Los Vaqueros Road (facing north)



Photo 3. Temporary Winterization Repair at Culvert Inlet



Photo 4. Temporary Winterization Repair at NB Lane



Photo 5. Example of Angled Debris Rack at Culvert Inlet



Photo 6. Example of Retaining Wall Solution along Los Vaqueros Road





State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER:
 07-10/01/2024-340
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CONTRA COSTA WATER DISTRICT (CCWD)	LEAD AGENCY EMAIL	DATE 10/01/2024
COUNTY/STATE AGENCY OF FILING CONTRA COSTA COUNTY	DOCUMENT NUMBER 2024-00340	
PROJECT TITLE		

PHASE 2 STORM DAMAGE REPAIR OF LOS VAQUEROS ROAD AND CULVERT 24 WITHIN THE LOS VAQUEROS (LV) WATERSHED - FEMA 4683

PROJECT APPLICANT NAME CONTRA COSTA WATER DISTRICT (CCWD)	PROJECT APPLICANT EMAIL	PHONE NUMBER (925) 688-8000
PROJECT APPLICANT ADDRESS P.O. BOX H20	CITY CONCORD	STATE CA
		ZIP CODE 94524

PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$ 4,051.25 \$ _____
- Mitigated/Negative Declaration (MND)(ND) \$ 2,916.75 \$ _____
- Certified Regulatory Program (CRP) document - payment due directly to CDFW \$ 1,377.25 \$ _____

- Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

- Water Right Application or Petition Fee (State Water Resources Control Board only) \$ 850.00 \$ _____
- County documentary handling fee \$ 50.00 \$ _____ 50.00
- Other \$ _____

PAYMENT METHOD:

- Cash Credit Check Other TOTAL RECEIVED \$ _____ 50.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE Annaleah Cruz Deputy Clerk
-----------------------	-----------------------------------------------------------------------

REC# 91229

Kristin B. Connelly
Contra Costa
Clerk-Recorder
555 Escobar Street
Martinez, CA 94553
(925) 335-7900

Public

Finalization No.: 202400091229

Cashier: acruz

Register: WINDOW7

Date/Time: 10/01/2024 12:17 PM

Description	Fee
-------------	-----

NOTICE OF EXEMPTION

Filing Time: 12:17 PM

Filing Total: \$50.00

Filing Fee: \$50.00

Total Amount Due: \$50.00

Total Paid

Credit Card Tendered: \$50.00

#VC 6156

Amount Due: \$0.00

THANK YOU
PLEASE KEEP FOR REFERENCE

