

Notice of Exemption

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To:
Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
Sacramento, CA 95814

From:
California Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov



Project Title: Tomato Stand Fish Passage Project (Request No. 1652-2025-080-001-R3)

Project Applicant: Bert Mulchaey, East Bay Municipal Utility District

Project Location: The Project is located within Pinole Creek on the south side of Alhambra Valley Road within the Town of Pinole, in unincorporated Contra Costa County (see Figure 1). The Project is located approximately 1.75 miles east of the intersection of Alhambra Valley Road and Castro Ranch Road, at approximately latitude 37.96987, longitude -122.21614, Assessor Parcel Number (APN) 365-010-001 and 362-100-004.

Project Description: Pursuant to Fish and Game Code section 1652, the California Department of Fish and Wildlife has approved the Tomato Stand Fish Passage Project submitted by East Bay Municipal Utility District.

The Project will remove a corrugate metal culvert and associated concrete and rock riprap at the inlet and outlet. A new 50-foot channel-spanning bridge will be placed in the same location and new concrete abutments will be constructed outside the creek channel. Rock slope protection will be placed adjacent to the abutments under the bridge. Approximately 150 feet of stream channel will be graded to create a gradually sloped natural stream bottom, and the site will be planted with approximately 400 native riparian plants. The primary purpose of the Project is to enhance aquatic and riparian habitat and to remove a fish passage barrier to provide access to approximately 1.4 miles of spawning and rearing habitat for CCC steelhead.

Public Agency Approving Project: California Department of Fish and Wildlife

Person or Public Agency Carrying Out Project: East Bay Municipal Utility District

Exempt Status:

☒ Categorical Exemption. Type – Class 33 California Code of Regulations, title 14, section 15333

Reasons why project is exempt: Class 33 consists of small projects not to exceed 5 acres in size to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife.

CDFW Contact Person: Desiree Dela Vega, Environmental Scientist (707) 815-6856,
Desiree.Delavega@wildlife.ca.gov

DocuSigned by:
Erin Chappell
Signature: _____
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Date: 5/12/2025

Erin Chappell, Regional Manager
Region 3, Bay Delta Region

Date received for filing at OPR: _____