

**FILED****June 4, 2025**KRISTIN B. CONNELLY  
CLERK-RECORDERBy *L. Fallas*L. Fallas  
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:** Storm Damage Repair of Buckeye Canyon Road (Sites 2, 3, and 4) within the Los Vaqueros (LV) Watershed – FEMA 4683**PROJECT LOCATION AND ACCESS:** This project is in the eastern Los Vaqueros Watershed on property owned by CCWD, along Buckeye Canyon Road, a gravel access road that runs north-south utilized by CCWD staff and other easement holders. The project site is in unincorporated Contra Costa County. Access to the site will occur from a gravel access road that leads from Walnut Boulevard to the north. See Figure 1 for a vicinity map and Figures 2 and 3 for project footprint maps.**PROJECT DESCRIPTION:**

CCWD proposes to perform storm damage repairs of Buckeye Canyon Road, a gravel access road, at three sites (damage Sites 2-4) which were damaged by the storm events of January 2023. At these three sites, heavy storm flows resulted in significant erosion of the embankment downslope of the road. Portions of the gravel road adjacent to the downslope embankment also eroded. Buckeye Canyon Road is an important access road utilized by both CCWD staff and easement holders and remains at risk of further degradation or collapse during future storm events.

At each of the three damage sites, storm flows resulted in erosion of the road's downslope embankment. The repair at each site will consist of excavating loose soils, placing a layer of geotextile fabric, and installing riprap to stabilize the embankment. The specific improvements at each damage sites are described below:

**Damage Site 2:**

- Dimensions of rip rap will be approximately 65 feet long by 76 feet wide, at a depth of 6.5 feet (1,189 cubic yards).
- Soil will backfill a portion of the rip rap. The square footage of exposed riprap after backfilling will be 4,940 square feet.
- Approximate depth of excavation below existing grade is 12 feet.

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**Damage Site 3:**

- Dimensions of rip rap will be approximately 47 feet long by 80 feet wide, at a depth of 7 feet (974 cubic yards).
- Soil will be used to backfill a portion of the riprap. The exposed area of riprap after backfilling will be 37 feet by 80 feet (2,960 square feet).
- Approximate depth of excavation below existing grade is 10 feet.
- Minor trimming of 2 trees may be needed to implement repairs at this location.

**Damage Site 4:**

- Dimensions of riprap will be approximately 28 feet long by 50 feet wide, at a depth of 5 feet (259 cubic yards).
- Soil will be used to backfill a portion of the riprap. The exposed area of riprap after backfilling will be 13 feet by 50 feet (650 square feet).
- Approximate depth of excavation below existing grade is 6 feet.

At each of the damage sites, dewatering is not anticipated to be needed. In addition, no creek access will be needed.

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

**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 5 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 road maintenance and minor facility construction activities. CCWD 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.

**Construction:**

Equipment storage and staging will occur at the Kellogg Creek Overflow Parking Lot, a gravel lot near the Los Vaqueros Watershed Office off Walnut Blvd. The staging area is identified in Figure 4.

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

- One (1) excavator
- One (1) backhoe

- One (1) water truck
- Five (5) utility trucks
- One (1) dump truck
- One (1) boom truck
- One (1) flatbed truck
- One (1) drill rig

Construction is estimated to occur between June 15, 2026 and October 15, 2026, with the construction period estimated to be about twelve weeks. Tree trimming that is anticipated at Buckeye Site 3 will need to occur as early as June 15<sup>th</sup>. No night work will occur throughout the project duration.

**ANALYSIS:**

The rip rap repairs at Buckeye Sites 2, 3, and 4 will encroach into the top of bank of the unnamed ephemeral stream at the base of Buckeye Canyon. However, all repairs will be above the creek's ordinary high water mark (OHWM). No tree removal is required for any of these repairs. The repairs are necessary to stabilize the slides and prevent future erosion of the access road. 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.

**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 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. **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.
3. **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.
4. **Lighting Restriction** - No artificial night lighting of any kind is permitted for the work proposed herein.
5. **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.
6. **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.
7. **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.
8. **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.
9. **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.
10. **Access Route Restriction** - No new access roads are authorized for construction to allow heavy equipment access to the project area.
11. **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.

12. **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 (d), which exempts "the operation, repair, maintenance ... or minor alteration of existing public or private structures [and] facilities", including the "restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood;";

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

**SIGNATURE:** Cody Ericksen

**DATE:** 6/4/2025

Cody Ericksen  
Associate Planner



Figure 2. Project Footprint – Buckeye Sites 2 & 3

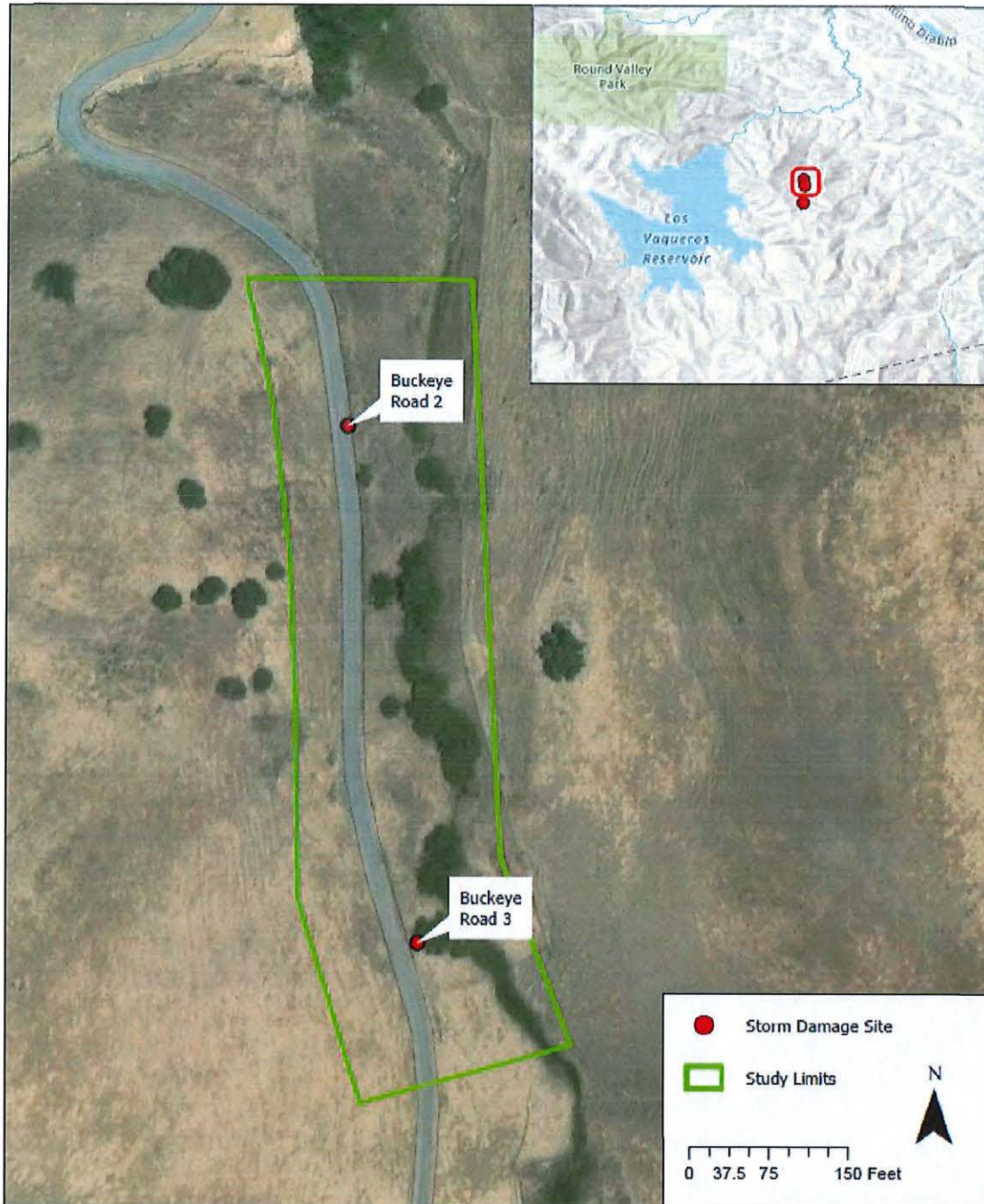


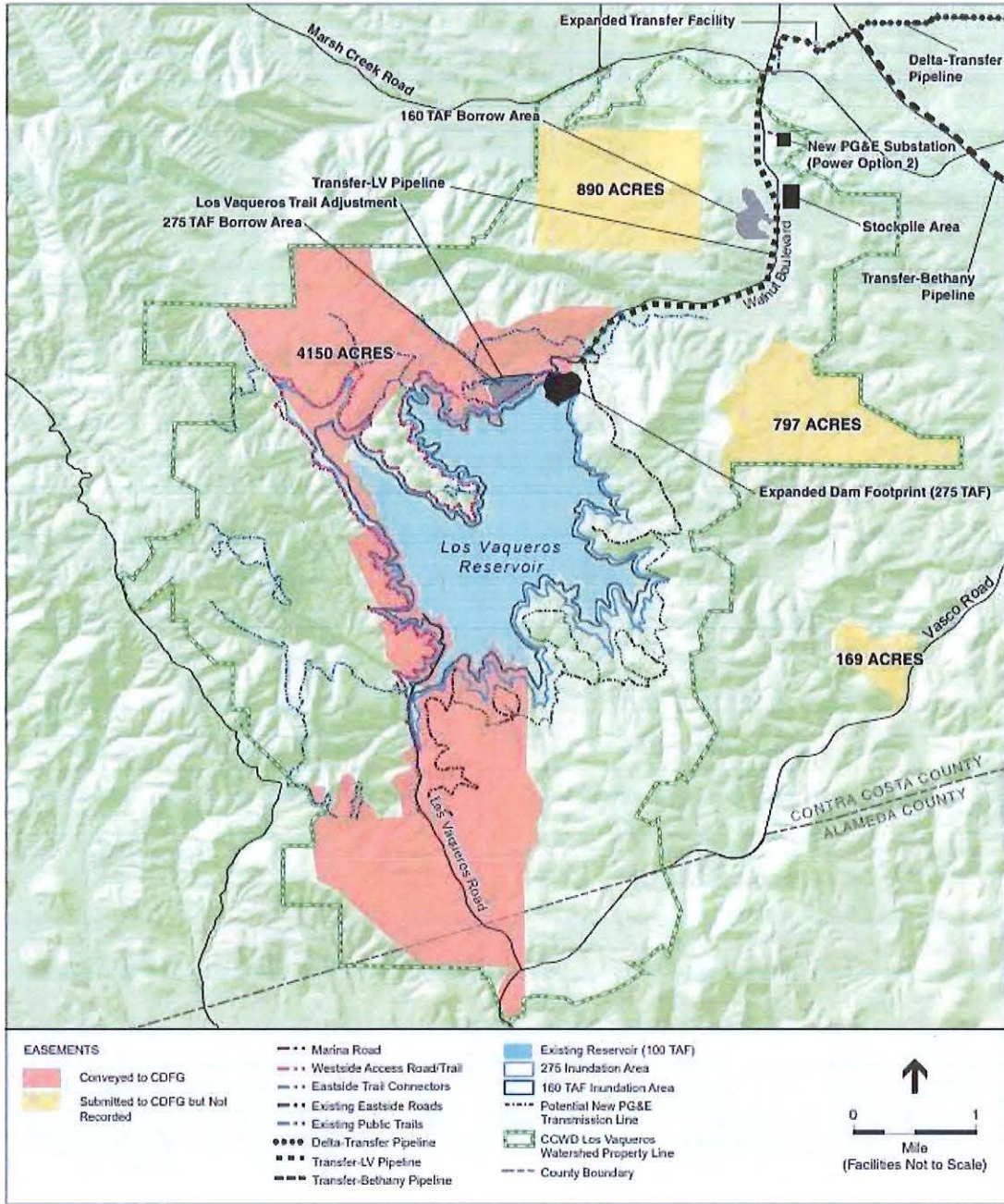
Figure 3. Project Footprint – Buckeye Site 4



Figure 4. Kellogg Creek Overflow Parking Staging Area



Figure 5. Map of Conservation Easements Conveyed to CDFW





State of California - Department of Fish and Wildlife  
**2025 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/25) Previously DFG 753.5a

RECEIPT NUMBER:  
 07-06/04/2025-161  
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CONTRA COSTA WATER DISTRICT (CCWD)	LEAD AGENCY EMAIL	DATE 06/04/2025
COUNTY/STATE AGENCY OF FILING CONTRA COSTA COUNTY	DOCUMENT NUMBER 2025-00160	

PROJECT TITLE  
 STORM DAMAGE REPAIR OF BUCKEYE CANYON ROAD (SITES 2, 3, AND 4) WITHIN LOS VASQUEROS (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) \$ 4,123.50 \$ \_\_\_\_\_
- Mitigated/Negative Declaration (MND)(ND) \$ 2,968.75 \$ \_\_\_\_\_
- Certified Regulatory Program (CRP) document - payment due directly to CDFW \$ 1,401.75 \$ \_\_\_\_\_

- 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 <b>X</b> <i>Ltallas</i>	AGENCY OF FILING PRINTED NAME AND TITLE Leonardo Fallas Deputy Clerk
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*R # 56538*

