

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 H2O
Concord, CA 94524
925-688-8000
Lead Agency/Project Applicant
Filing Agency**PROJECT TITLE:** Los Vaqueros Dam Toe Drain Rehabilitation Project

PROJECT LOCATION AND ACCESS: This project is in the Los Vaqueros Watershed on property owned by CCWD, along the first 150 feet of the Los Vaqueros Dam outfall area within Kellogg Creek. The project site is in unincorporated Contra Costa County. Access to the site will occur from Walnut Boulevard, which leads into a paved access road to the base of the dam. See Figure 1 for a vicinity map and Figure 2 for a project footprint map.

PROJECT DESCRIPTION:

CCWD proposes to rehabilitate the Los Vaqueros Dam's toe drain outfall that discharges seepage water into Kellogg Creek. The existing 24-inch diameter toe drain outfall is located on the western bank of Kellogg Creek as shown in Figure 2 and was installed in the late 1990's as part of the original Los Vaqueros Reservoir construction project. Over time, vegetation growth and sedimentation into Kellogg Creek has raised the elevation of the creekbed, leading to the submergence of the toe drain outlet. Currently, there remains positive flow through the toe drain, but the outlet remains at risk of complete blockage due to ongoing sedimentation and vegetative growth. Rehabilitation of the toe drain outfall to remove this obstruction is a requirement of the California Division of Safety of Dams (DSOD).

At the project site, the existing toe drain outfall is nearly completely submerged in sediment within Kellogg Creek. CCWD proposes to redirect the alignment of the toe drain outfall into an underground pump package system/vault that would pump seepage water out of a new 10-inch pipeline alignment that outfalls into Kellogg Creek. The new outfall pipeline would exit the creek's embankment at a higher elevation than the existing outfall and curve downwards, eliminating the sedimentation issue.

The new pump package system will consist of 3 concrete structures (valve vault, manhole, and sump) extending a maximum of 15 feet underground. The structures will be constructed using a combination of pouring concrete in place and using pre-cast vaults. The exposed surface area of the concrete pump station vault is expected to be 10 ft by 10 ft, the vault will have a 6 ft diameter, and the valve vault will be 4 ft by 6 ft. In addition, an aboveground pump control panel adjacent to the pump system will be installed that will have a 6 ft by 8 ft concrete base.

The new 10-inch outfall discharge pipe will be trenched underground at a depth of 3 ft. CCWD will install a concrete base pad underneath where the new discharge pipeline to prevent erosion issues. Before

June 4, 2025

installing the concrete pad, vegetation within the top of bank and within Kellogg Creek will need to be removed using weed whackers and other hand tools. The use of excavators or backhoes may be needed to remove vegetation from the channel, but this equipment will only be operated from the bank of Kellogg Creek. Once vegetation is removed and the work area is dewatered, the area will be excavated to a depth of 1.5 feet. Afterwards, approximately 30 ft by 30 ft of concrete will be poured in place at a depth of 6 inches over a layer of aggregate base consisting of small rocks and gravel. The total volume of both aggregate base and concrete is approximately 50 cubic yards (17 cubic yards of concrete and 33 cubic yards of aggregate base).

Once the project is completed, the existing 24-inch outfall pipeline will be disconnected from other drainage facilities, plugged, and remain in place.

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 3 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 minor facility maintenance and construction activities. 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.

Construction Schedule and Staging:

Equipment storage and staging will occur at the pre-disturbed gravel lot at the base of the Los Vaqueros Dam. This staging area is identified in Figure 2.

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

- Excavators
- Backhoes
- Generators
- Concrete pumper trucks
- Dump trucks
- Utility trucks

The project is estimated to begin in spring 2026 and end in fall 2026, with construction estimated to be about 6 months total. Construction activities occurring within the top of bank of Kellogg Creek is estimated to take approximately 4 weeks and would occur between June 15 and October 31. No night work will occur. CCWD will first construct the underground pump station and trench the new realigned outfall pipeline, clear vegetation within Kellogg Creek, then proceed to excavate and pour concrete within the top of bank. Road closures are not required for this project.

ANALYSIS:

The concrete at the new discharge pipeline will be implemented within Kellogg Creek's ordinary high water (OHW) mark and top of bank. All other work will occur outside of the top of bank. Concrete at the creek embankment will affect approximately 0.007 acres of perennial wetland and 0.012 acres of annual grassland, for a total footprint of 0.019 acres. No tree removal will occur as a result of the project.

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. **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. **Seasonal Work Window** – Work within the top of bank of Kellogg Creek will occur between June 15 and October 31.
6. **Work Period in Dry Weather** – Project work shall be restricted to dry weather. CCWD shall monitor the National Weather Service 72-hour forecasted precipitation. Construction activities shall cease when the National Weather Service 24-hour weather forecast indicates a 30% chance or higher of ¼-inch or more of precipitation.
7. **Screened Dewatering** – Dewatering of the work area in Kellogg Creek will use pumps with screens to prevent the entrainment and unintentional injury/mortality of any amphibian species present (screens will not exceed 3/32-inch in size)
8. **Lighting Restriction** - No artificial night lighting of any kind is permitted for the work proposed herein.
9. **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.
10. **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.
11. **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.
12. **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.
13. **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.

14. **Access Route Restriction** - No new access roads are authorized for construction to allow heavy equipment access to the project area.
15. **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.
16. **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: 6/4/2025

Cody Ericksen
Associate Planner

Figure 1. Vicinity Map

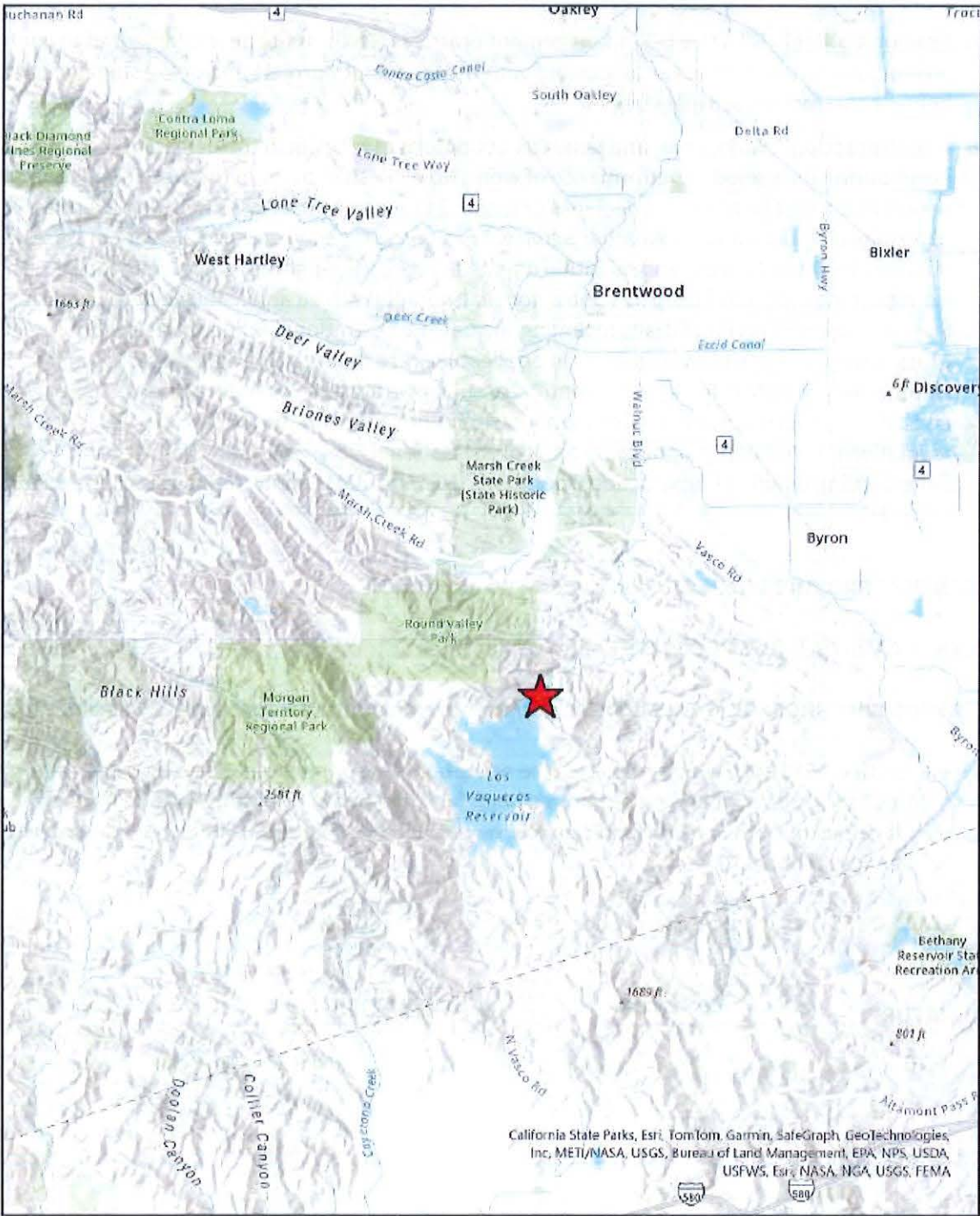


Figure 2. Project Footprint and Habitat Map

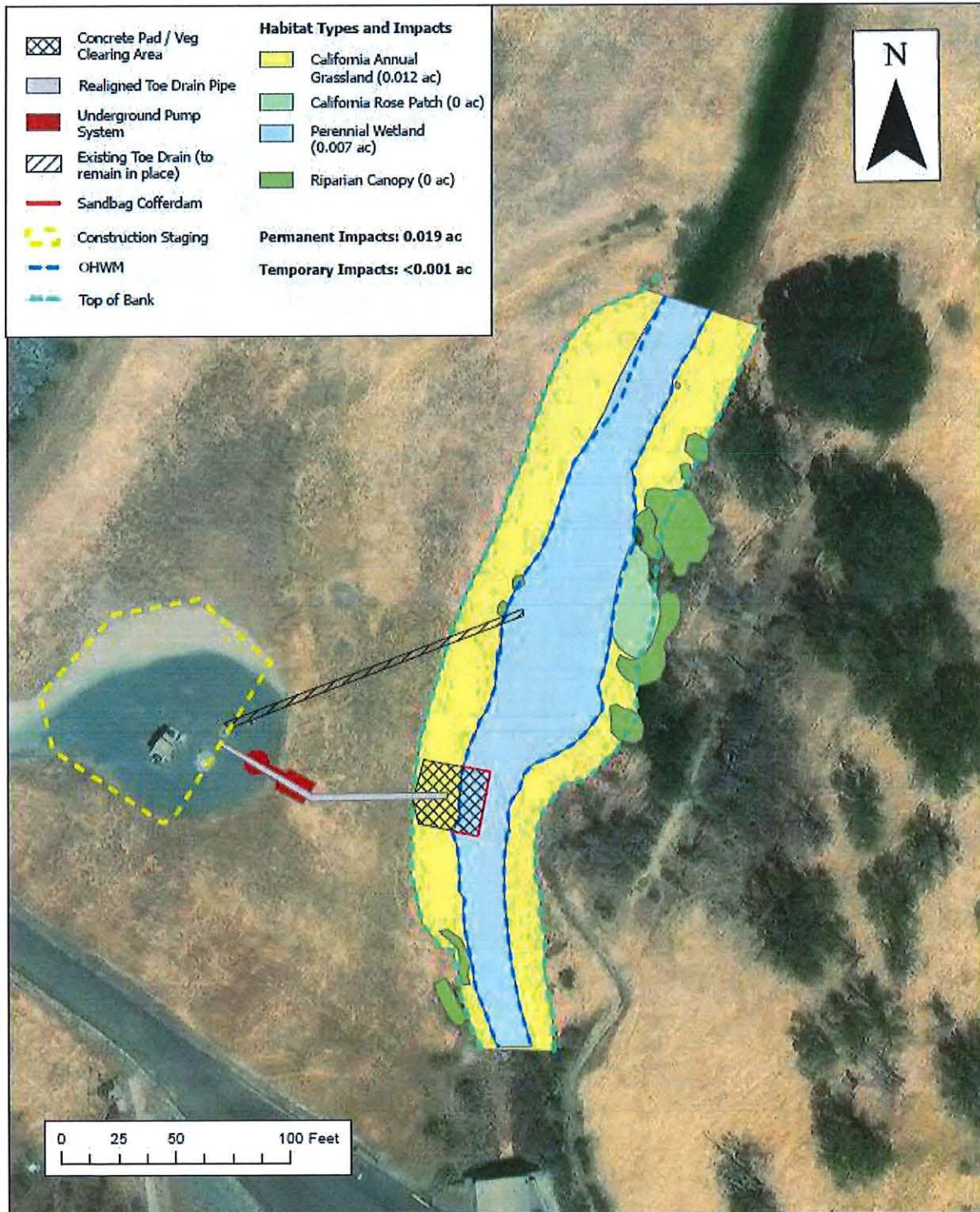
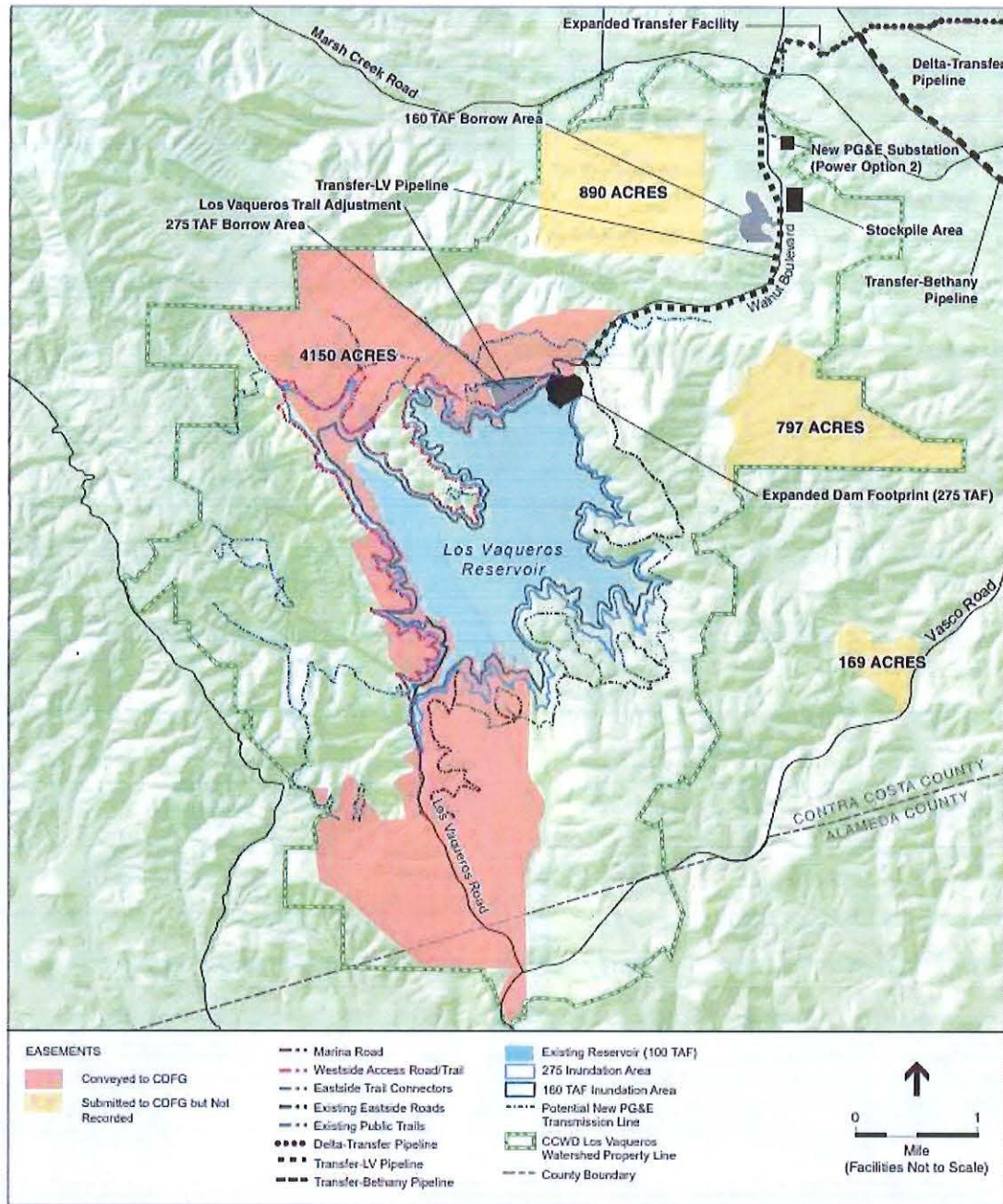


Figure 3. Map of Conservation Easements Conveyed to CDFW





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

Print StartOver Save

RECEIPT NUMBER:
 07-08/04/2025-160
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CONTRA COSTA WATER DISTRICT (CCWD)	LEAD AGENCY EMAIL	DATE 08/04/2025
COUNTY/STATE AGENCY OF FILING CONTRA COSTA COUNTY	DOCUMENT NUMBER 2025-00159	

PROJECT TITLE

LOS VAQUEROS DAM TOE DRAIN REHABILITATION PROJECT

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 X <i>L. Fallas</i>	AGENCY OF FILING PRINTED NAME AND TITLE Leonardo Fallas Deputy Clerk
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R# 56529

