

# **Contra Costa Water District**

## **CANAL REPLACEMENT PROJECT**

### **CEQA Addendum MITIGATED NEGATIVE DECLARATION (MND)**

**March 18, 2009  
Contra Costa Water District  
Planning Department**

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# SECTION 1

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## BACKGROUND AND PURPOSE OF THIS ADDENDUM

### 1.1 BACKGROUND

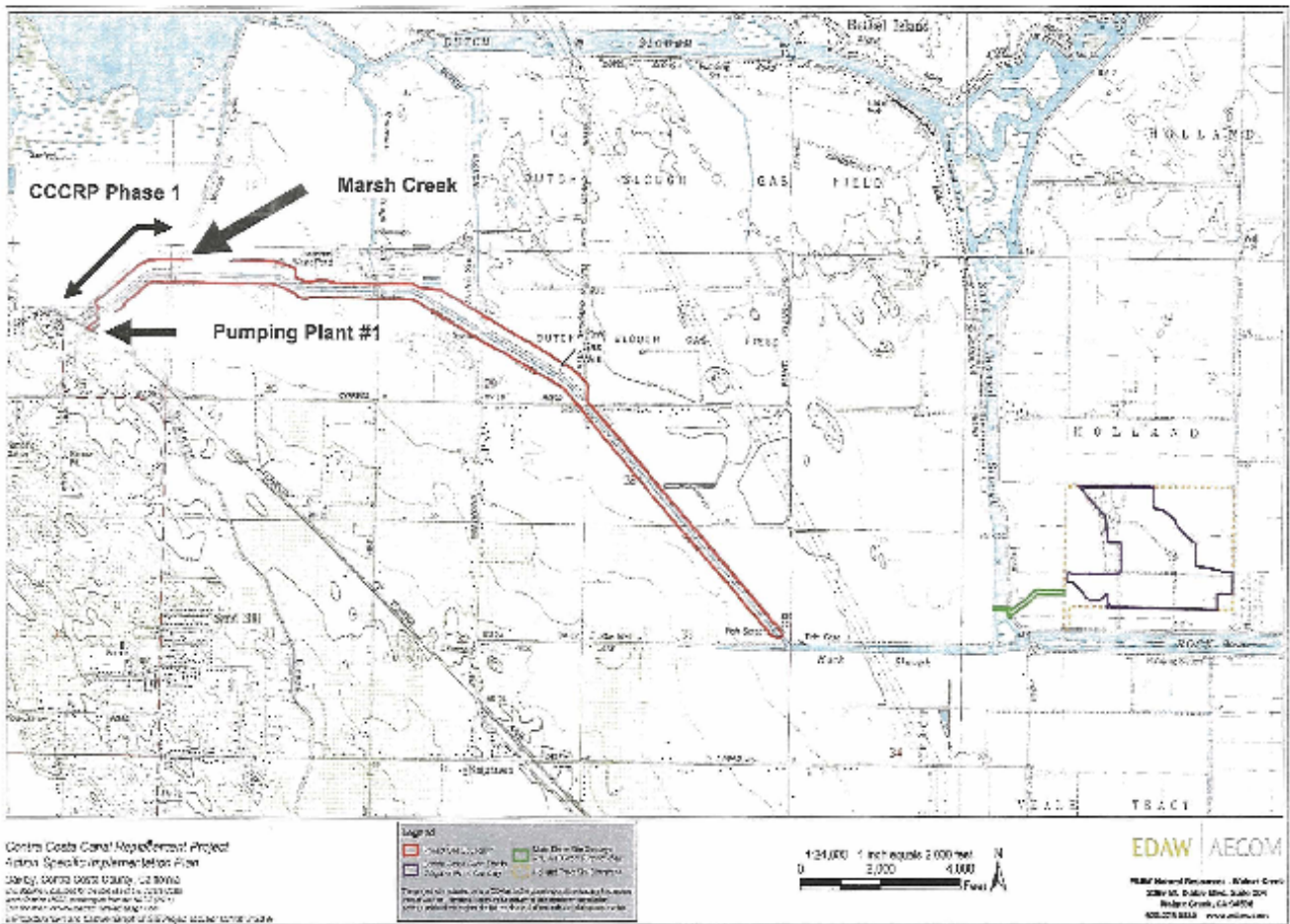
Contra Costa Water District (CCWD, or District) and the U.S. Bureau of Reclamation (USBR or Reclamation) were lead agencies in developing the Contra Costa Canal Replacement Project (CCCRP) Mitigated Negative Declaration (MND) (SCH # 200604082) and National Environmental Policy Act (NEPA) Environmental Assessment/Finding of No Significant Impact (FONSI No. 07-05-MP). The Draft MND was published in April, 2006. The CCWD Board of Directors certified the CCCRP Final MND as complete and adequate under the California Environmental Quality Act (CEQA) on November 30, 2006. Reclamation approved the NEPA on July 11, 2007.

The Final MND was adopted November 30, 2006. This document is an addendum to the Final MND, which is incorporated herein by reference. The Mitigation Monitoring and Reporting Program (MMRP), prepared in accordance with CEQA Guidelines Sections 15074 and 15075, are also incorporated by reference. The MMRP outlines mitigation measures that would reduce potentially significant impacts to less-than-significant levels.

The CCCRP consisted of the following: installing up to 3.97 miles (approximately 21,000 feet) of buried ten foot diameter pipeline in place of the existing unlined portion of the Contra Costa Canal (Canal) between the bar rack near Rock Slough and Pumping Plant No. 1 within the USBR 300-foot wide Canal right-of-way. Chapters 1 and 2 of the Draft MND describe the purpose of and need for the project, project background, and project description.

The CCCRP Addendum is consistent with the project description described above. The purpose of the CCCRP Addendum is to include the diversion of Canal water from upstream of the Canal coffer dam (two five by seven-foot steel plates) located on the upstream side of the Contra Costa Canal Marsh Creek siphons via pipeline(s) to the lined portion of the Canal (downstream of PP1). To be protective of sensitive aquatic species, fine mesh block nets will screen the area where the pumps would be drawing water from the unlined Canal. Unlined Canal water would be diverted to the lined Canal via a pipeline(s) that would rest mostly above ground. The size of the pipeline(s) will be determined based on flow requirements and material availability (likely two or three 36-inch pipes). The pipeline(s) will be set on top of the existing unlined Canal's south berm to minimize interference with the Canal Replacement Project construction.

The location of the project site is shown in **Figure 1**. The project area for the pump around project is within the City of Oakley jurisdiction and ordinances. The pump around plan is shown in **Figure 2**.



**Figure 1- Location Map- Canal Replacement Project Pump-Around Plan**

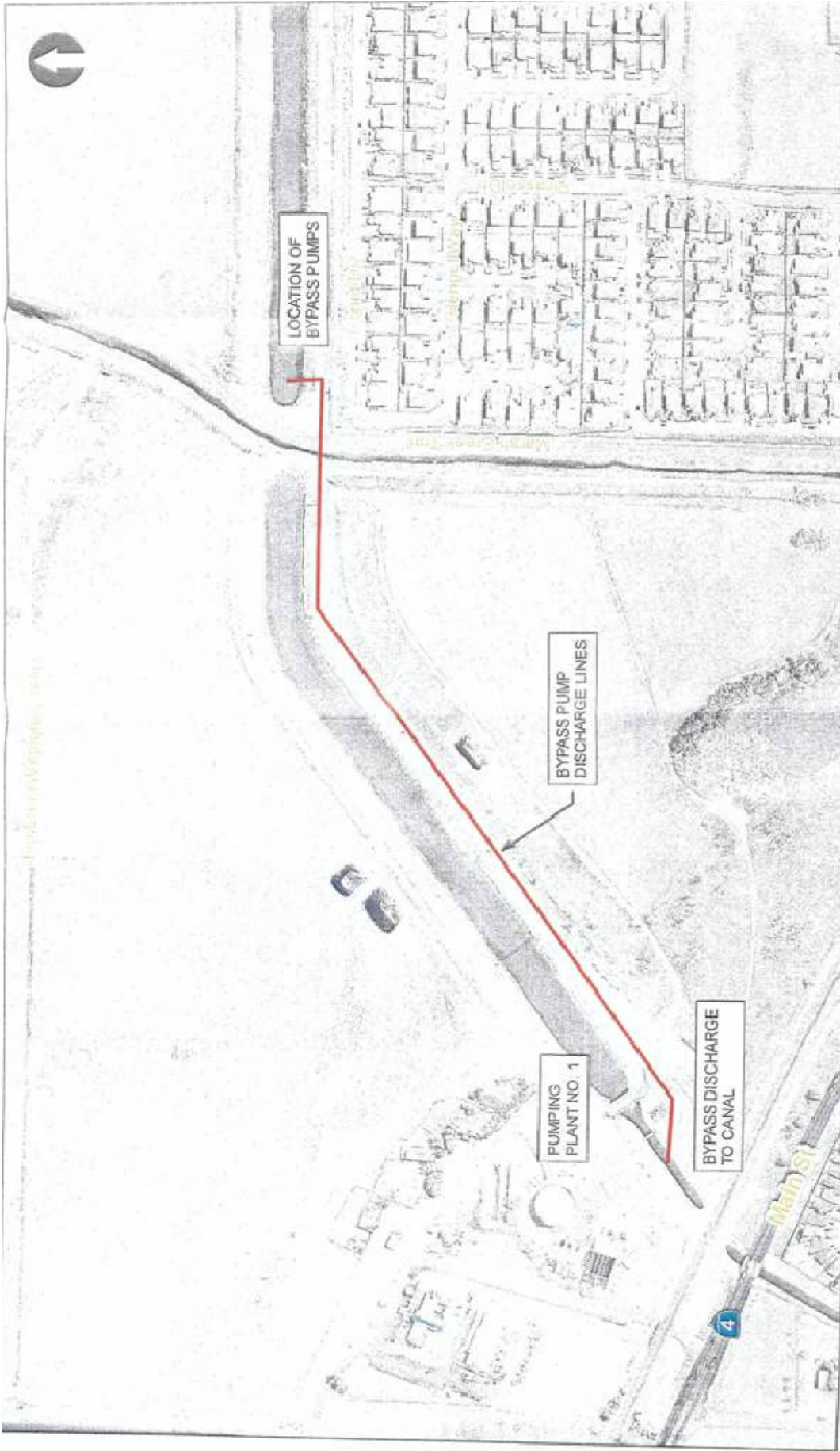


Figure 2- Site Plan- Canal Replacement Project Pump-Around Plan

**CONTRA COSTA CANAL AT PROJECT AREA**

NOT TO SCALE

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## 1.2 PURPOSE OF THIS ADDENDUM

The CEQA Guidelines (Sections 15162 and 15164) require that a lead agency prepare an addendum to a previously certified EIR or Negative Declaration if some changes or additions to the environmental evaluation of a project are necessary but none of the following occurs:

1. There are no substantial changes in the project which require major revisions to the Negative Declaration or a substantial increase in the severity of previously identified significant effects;
2. There are no substantial changes with respect to the circumstances under which the project is undertaken which require major revisions to the Negative Declaration; or
3. No new information of substantial importance, which could not have been known with the exercise of reasonable diligence at the time of Negative Declaration certification, shows any of the following:
  - (i) the project will have one or more significant effects not discussed in the Negative Declaration,
  - (ii) the project will result in impacts substantially more adverse than those disclosed in the Negative Declaration,
  - (iii) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt it, or
  - (iv) mitigation measures or alternatives that are considerably different from those analyzed in the Negative Declaration would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt it.

This Addendum documents that the pump around plan for the CCCRP does not trigger any of the conditions described above.

## 1.3 PREVIOUS ADDENDA

There have been no previous addenda for the CCCRP.

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## SECTION 2

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### DESCRIPTION OF PROPOSED CCCRP PUMP-AROUND-PLAN

#### 2.1 PROJECT DESCRIPTION

The CCCRP Pump-Around-Plan anticipates using water from the unlined portion of the Contra Costa Canal to provide needed water supply in 2009 while Phase 1 of the Canal Replacement Project is under construction. Steel plates on the Canal siphon upstream of Marsh Creek presently isolate the unlined portion of the Contra Costa Canal east of Marsh Creek from Pumping Plant No. 1 (PP1). Absent the pump-around-plan during construction of the CCCRP untreated water can only be obtained from CCWD's Old River intake or from the Los Vaqueros Reservoir. The pump around allows more of the Old River intake water to be used to fill the Los Vaqueros Reservoir in May through July 2009 while the Contra Costa Canal supports ongoing water demands.

In the fall of 2008 CCWD cleared, grubbed and isolated a 2,000-foot portion of the unlined Canal between PP1 and Marsh Creek to satisfy environmental preconstruction requirements associated with the Canal Replacement Project. The first 2,000 feet of the unlined Canal are under contract to be replaced starting in the spring of 2009. In order for the Canal Replacement Project to proceed in 2009, CCWD must have the ability to pump water from Rock Slough while construction is ongoing.

The proposed "pump-around" diverts water from upstream of the existing isolation plates (located on the Marsh Creek siphons) via pipeline to the lined portion of the Canal (downstream of PP1). (See **Figure 2**). To be protective of sensitive aquatic species, CCWD proposes to use fine mesh block nets to screen the area where the pumps would be drawing water from the unlined Canal. Unlined Canal water would be diverted to the lined Canal via a pipeline that would rest mostly above ground. The size of the pipeline will be determined based on flow requirements and material availability (likely two or three 36-inch pipes). The pipeline(s) will be set south of the existing unlined Canal berm to avoid obstructing Canal Replacement Project construction (see **Figure 2**).

Consistent with USFWS Biological Opinion (BO) Conservation Measure 13 (on page 14 of the BO 1-1-07-F-0149), a block net has been maintained upstream of the isolation plates (located at the Marsh Creek siphon). This block net will be moved approximately 100 to 200 feet further upstream (approximately 150 to 250 feet from the Marsh Creek Siphon). If necessary a log boom will be installed upstream of the net to keep larger objectives and debris from impacting the net. A tandem net will be installed for added fish protection and to support net maintenance. The nets will be angled across the Canal rather than perpendicular to reduce loading impacts. Pumping will be done from the area between the Marsh Creek siphon and the nets. CCWD would resume fish monitoring at the Rock Slough headworks consistent with the existing Dept. of Fish & Game Contra Costa Canal monitoring requirements. CCWD does not expect that it will be possible to monitor downstream of PP1 since the discharge pipeline extends beyond the fish monitoring bridge. Fish monitoring will provide ongoing information regarding any sensitive species within the unlined Canal during the pump-around.

It is estimated from 50 to 150 cfs could be delivered to the lined Canal using the pump-around. Pumping would begin as early as May and could extend until October when Phase 1 of the Canal Replacement Project would be completed and the Canal could operate using PP1. The degree to which the pump-

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around would be used depends on water quality in the Delta. While Rock Slough is typically used year round, its maximum utilization is generally from June through August when CCWD's Old River Intake is used to fill the Los Vaqueros Reservoir.

Construction of the pump-around will entail approximately 2,600 linear feet of parallel 36-inch pipe. Portions of this pipeline could be placed within the Reclamation fee owned right-of-way or on the construction easement associated with the Ironhouse Sanitary District property. The pipeline would originate just upstream of the Marsh Creek siphon and terminate just downstream of PP1 (see **Figure 2**).

The pump around would employ electric motors and pumps. Power for the pump around would be used from the WAPA system at PP1 at 2.4kV or tapped from a nearby 69kV WAPA power line. There will be a temporary transformer at the pump location to step the voltage down to 480V. The pumps will likely be on skids adjacent to the Canal right-of-way within a fenced area. Hay bales and/or enclosures will be used to limit noise impacts. The electric motors used for the pump around will be insulated as necessary.

CCWD environmental documents did not project that a "pump-around" would be necessary. Instead, the documentation discussed obtaining a waiver to the "no-fill, no-diversion period" if the Canal was shut down for construction. While the waiver to the no-fill, no diversion was reviewed and discussed in the Action Specific Implementation Plan (ASIP), National Marine Fisheries Service (NMFS) concurrence letter and United States Fish and Wildlife Service (USFWS) Biological Opinion (BO), the Resource agencies have not been willing to waive the no-fill, no diversion requirements for implementation of the Canal Replacement Project.

Absent the pump-around it is likely that CCWD will not proceed with the Canal project in 2009. In this event, the Canal isolation plates at the Marsh Creek siphons would be removed and pumping via Reclamation PP1 would resume shortly thereafter.

## **2.2 CONSTRUCTION**

### **CONSTRUCTION DURATION AND PROJECT OPERATIONS**

Construction of the temporary pump around facilities is anticipated to require approximately four weeks and will begin April 1. Pump around operations are expected for three months but could be extended until approximately October 1 (an additional eight weeks) if necessary. The temporary pump around facilities can be removed within three weeks.

### **STAGING AND ACCESS**

Construction access to the Pump Around site will be from Sellers Avenue via Emerson Dairy for facilities upstream of Marsh Creek. Facilities downstream of Marsh Creek will be accessed via SR4 (Main Street in Oakley) near PP1. The temporary pumps and the discharge pipeline back into the Canal will be located within secured areas to ensure safe operations and to protect the public. The facilities and public will be protected utilizing existing and temporary security fencing. The pipe crossing over Marsh Creek will be secured against unauthorized access. CCWD Canal Patrol will monitor the area.



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## **SECTION 3**

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### **ANALYSIS OF POTENTIAL ENVIRONMENTAL EFFECTS**

The CCCRP MND (including the 2006 Draft & Final MND) focused on evaluation of environmental issues associated with project construction. These issues included: aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems. These issues are re-evaluated in this Addendum for the CCCRP. This evaluation determines whether these proposed changes to the CCCRP would result in any new significant impacts or substantially more severe impacts than identified in the MND. The MND (Chapter 3) describes the criteria used in determining the significance of environmental impacts.

#### **3.1 ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE CCCRP PUMP-AROUND-PLAN**

##### **AESTHETICS**

Chapter 3 of the MND identifies visual resources in the project area. Changes in scenic views and vistas caused by the project are temporary and are not considered significant. Eventual removal of the berms surrounding the existing Canal would improve aesthetics of the project area. The Cypress Grove residential development adjacent to the unlined Canal was completed in 2007. The CCCRP Pump-Around-Plan creates only short term visual impacts during Phase 1 construction. Temporary pumps, electrical equipment and pipeline(s) will be removed once Phase 1 construction is completed.

##### **AIR QUALITY**

Chapter 3 of the MND describes the project's environmental and regulatory setting with respect to air quality. Construction activities at the CCCRP Pump-Around Plan are expected to occur for approximately seven weeks while operations could extend as long as five months. The temporary pumps will be operated using electric power and will not increase air quality impacts. Implementation of Mitigation Measures AQ-1 with respect to short-term construction impacts would reduce the temporary dust impacts to less-than-significant levels during construction of the CCCRP Pump Around. Implementation of Mitigation Measure AQ-2 with respect to controlling construction generated toxic air contaminant emissions would keep toxic air contaminants to a less-than-significant level. Toxic air contaminants would be further mitigated by the proposed use of electric water pumps associated with the pump-around plan instead of diesel driven pumps.

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## AGRICULTURAL RESOURCES

Chapter 3 of the MND describes the project's proximity to Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. The CCCRP Project Pump-Around Plan would be located on top of the south berm immediately adjacent to the Canal within the USBR right-of-way. Thus, the pump-around plan would not be located in an area on or adjacent to Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. No significant impacts on agricultural resources impacts are anticipated.

## BIOLOGICAL RESOURCES

Chapter 3 of the MND describes the project's regulatory setting and potential significant impacts with respect to biological resources. The CCCRP Pump-Around Plan would be located on top of the south berm immediately adjacent to the Canal within the USBR right-of-way. Implementation of the existing Mitigation Measures, BIO-1 through BIO-8, reduce the impacts of the CCCRP on biological resources to a less-than-significant level. To be protective of sensitive aquatic species with respect to the Pump-Around Plan, CCWD proposes to use fine mesh block nets to screen the area where the pumps would be drawing water from the unlined Canal east of Marsh Creek. This device will exclude fish from the area where the pumps are located and therefore minimize and avoid impacts to sensitive aquatic species. CCWD will conduct fish monitoring during the pump around at the Rock Slough Headworks (bar rack).

## CULTURAL RESOURCES

Chapter 3 of the MND describes cultural resources in the project vicinity. Implementation of the CCCRP Pump -Around-Plan would not increase the areas that will be disturbed for Phase 1 construction of the CCCRP. Implementation of Mitigation Measures CR-1 through CR-3 would reduce potential impacts to cultural resources to a less-than-significant level.

## GEOLOGY, SEISMICITY, AND SOILS

Chapter 3 of the MND describes the geologic, seismic, and soil conditions within the project area. Implementation of the CCCRP Pump-Around-Plan would not result in increased exposure to geologic and seismic hazards such as liquefaction, land sliding, or ground shaking, as the project location is unchanged from Phase 1 of the CCCRP location. Implementation of previously identified Mitigation Measures of the CCCRP would reduce any potential geologic impacts to a less-than-significant level.

## HAZARDS & HAZARDOUS MATERIALS

Chapter 3 of the MND discusses the regulatory environment associated with hazardous materials. Table 9 of the CCCRP MND identifies known hazardous waste generators in the project vicinity. Because the Pump-Around Plan would not result in increased exposure to hazardous materials and would use electric pumps instead of diesel driven pumps, no increase in impacts associated with hazards and hazardous materials is anticipated. Any hazardous materials such as lubricants or solvents used for the electric motors will be stored in the construction staging area consistent with HAZ-1.

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## HYDROLOGY & WATER QUALITY

Chapter 3 of the MND describes the project's environmental and regulatory setting with respect to hydrology and water quality. CCWD will coordinate with Contra Costa County Flood Control regarding any project activities that pertain to Marsh Creek including the Pump-Around-Plan. CCWD is not required to obtain an encroachment permit from Contra Costa County for activities within the Flood Control Channel as indicated in HYD-3 since this portion of Marsh Creek is owned by Reclamation. Neither Marsh Creek nor the Marsh Creek levees will be adversely affected by the Pump-Around-Plan. The Pump-Around-Plan does not create any new hydrology and water quality impacts not already addressed.

## LAND USE AND PLANNING

Chapter 3 of the MND identifies sensitive receptors within the MPP area, including residences, schools, churches, hospitals, and fire stations. The Pump-Around Plan would not create any additional land use impacts from those previously identified in the MND, as the location of the CCCRP is unaltered.

## MINERAL RESOURCES

Chapters 3 of the MND describes the project's regulatory setting and impacts associated with mineral resources in the project area. The project site is not located in a mineral resource recovery area and no significant impacts to mineral resources are anticipated from the CCCRP Pump-Around Plan.

## NOISE

Chapter 3 of the MND describes the project's environmental and regulatory setting with respect to noise. Construction activities associated with the CCCRP Plan-Around Plan would occur for approximately 3 months causing a temporary noise impact. No long-term noise impacts would result from the CCCRP Plan-Around-Plan Project.

The nearest residence to the Plan-Around Plan site is approximately 75 feet away. CCWD anticipates using pumps with a combined 1,000 horsepower rating and would locate them on top of the south berm just east of Marsh Creek Trail. Noise from electric pumps at such a horsepower rating would be approximately 88 dB at the pumps, 63-68 dB at 100 feet from the pumps and 58-64 feet at 200 feet from the pumps. CCWD shall meet the City of Oakley's nighttime standard of 45  $L_{eq}$  dBA<sup>1</sup> (equivalent to 55  $L_{dn}$  noise level) for exterior noise by enclosing the pumps with hay bales to achieve a 55 dB  $L_{dn}$  noise level. To ensure that a 55  $L_{dn}$  noise level is achieved, CCWD contractor shall use a noise meter while pumps are operating to check the noise level reading just inside the property line of the nearest residence. If a noise level reading of 55  $L_{dn}$  is not achievable by enclosing the pumps with hay bales, then CCWD contractor shall fully enclose the pumps with hay bales or by other means (*e.g.*, framed plywood wall, block wall, or other walled and roofed structural enclosure) to achieve the 55  $L_{dn}$ .<sup>2</sup> CCWD will designate a disturbance coordinator for noise complaints. No short-term noise impacts would result from the CCCRP Plan-Around Plan Project with the implementation of the above mitigation measure.

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<sup>1</sup> Table 9-1 Noise Level Performance Standards for New Projects Affected By or Including Non-transportation Noise Sources, City of Oakley General Plan Noise Element, Table 9-1.

<sup>2</sup> Ballard George, Acoustical Engineer, Pers. Communication, March 16, 2009.

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## POPULATION & HOUSING

Chapter 3 of the MND evaluates the CCCRP's potential to cause changes in area population and housing. Implementation of the CCCRP Pump-Around Plan would not alter the conveyance capacity of the CCCRP or the Canal and, therefore, would not alter the conclusions presented in Chapter 3. No mitigation measures apply.

## PUBLIC SERVICES

Chapter 3 of the MND describes public service providers in the project area and evaluates impacts associated with project construction. The pump around pipeline will cross the East Bay Regional Park District Trail adjacent to Marsh Creek. A temporary ramp will be constructed over the pump around pipe so that the trail may continue to be used during construction. This is consistent with Mitigation Measure PS-2. No other impacts to public service providers are anticipated from the CCCRP Pump-Around-Plan.

## RECREATION

Chapter 3 of the MND describes recreation providers in the project area. The CCCRP Pump-Around would include pipeline construction over Marsh Creek and the East Bay Regional Park District Marsh Creek Regional Trail that crosses over the Canal. A ramp will be constructed over the pump around pipe so that the trail may continue to be used during construction. There may be short periods where the trail is closed due to construction activities and when ramps over the pipeline are constructed and subsequently removed. No adverse impacts to the Marsh Creek Trail are anticipated from the CCCRP Project Plan-Around Plan Project.

## TRANSPORTATION/TRAFFIC

Chapter 3 of the MND identifies roadways in the CCCRP Pump-Around area. Traffic impacts associated with construction of the proposed pump-around facility would involve pickup and flatbed trucks hauling pipe to the site from the construction laydown area at Pumping Plant No. 1 as well as installing the pipes and pumps associated with the project. However, the traffic impacts associated with the CCCRP Pump-Around would not be substantially different from the traffic impacts of the CCCRP. Therefore, traffic impacts associated with the CCCRP Pump-Around would be less-than-significant.

## UTILITIES & SERVICE SYSTEMS

Chapter 3 of the MND describes public utility providers in the project area and evaluates impacts associated with project construction. CCWD has been coordinating its plans with other utility providers in the project area and in particular the Contra Costa County Flood Control that manages the Marsh Creek Flood Control Channel. No permanent facilities associated with the CCCRP Pump-Around will be constructed on easements associated with other utility providers. Therefore, no significant impacts are anticipated with respect to other utilities and service systems.

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## MANDATORY FINDINGS OF SIGNIIFICANCE

The CCCRP Pump-Around would be constructed and operated in an area that is already disturbed. The project will avoid impacts to trees and open space areas by virtue of its location on an existing Canal berm. Mitigation measures from the November 30, 2006 IS/MND adopted by the CCWD Board of Directors will minimize and avoid potentially significant impacts to biological and cultural resources.

Project impacts are short-term and related to construction and removal of the pump around facilities (up to 7 weeks) as well as operational impacts from running the pumps (three to five months), and are not anticipated to combine with effects of other projects to result in cumulatively considerable impacts.

Mitigation for short-term noise construction impacts is proposed, and with mitigation there would be no significant impacts.

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## **SECTION 4**

### **CONCLUSION**

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No important revisions are needed in the CCWD CCCRP MND. No further evaluation is required and no supplemental or subsequent MND is needed pursuant to state CEQA Guidelines Sections 15162 and 15164.

Based on the analysis and discussion in sections 2 and 3, there are no new significant impacts or substantially more severe impacts that would result from the CCCRP Pump-Around Plan. The project area's circumstances have not changed enough that new significant environmental impacts or substantially more severe impacts would result. Moreover, no new information has become known that would indicate the potential for new significant impacts or substantially more severe impacts than were discussed in the MND.

The CCCRP Pump-Around Plan with mitigation would result in impacts no greater than those attributable to the originally proposed project. CCWD will implement noise mitigation measures as described in Section 3 of this document and where appropriate would require implementation of the mitigation measures presented in the MND (identified by topic in Section 3 of this document and summarized in Section 5).

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## **SECTION 5**

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### **MITIGATION MEASURES FOR THE CCCRP PUMP-AROUND PLAN**

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Described below are measures identified for the CCCRP and for the CCCRP Pump-Around Plan that would be implemented as part of the proposed CCCRP Plan-Around Plan Project.

#### **Air Quality and Noise**

- During construction of the pump around CCWD shall require the contractors to implement a dust abatement program that would reduce fugitive dust generation (AQ-1) and that the contractors use measures to reduce toxic air quality (AQ-2).
- During operation of the pump around CCWD shall require that the pumps be operated using electric power only and not diesel driven pumps.
- To minimize noise associated with the operation of the pump around, CCWD will construct a hay bale structure to dampen sound from the pumps away from residences. CCWD will designate a disturbance coordinator for noise complaints consistent with N-4.

#### **Biological Resources**

- CCWD will follow all biological conditions to minimize and avoid impacts to sensitive resources associated with November 30, 2006 IS/MND, the March 31, 2007 ASIP, USFWS/NMFS BO's, USACE, CVRWQCB and DFG permits.
- The suction hoses associated with the pump around will be located between the Canal isolation plates and the block nets to minimize and avoid impacts to sensitive aquatic species should any be present. If necessary block nets will be protected by a log boom to keep large debris from impacting the net.
- CCWD will resume fish monitoring at the Rock Slough Headworks (bar rack) consistent with DFG requirements, during pump around operations.

#### **Hazardous Materials**

- The pump around facilities should require minimal use of hazardous materials since the motors are electric driven. Lubricants such as oil and solvents needed for maintenance of the electric motors will be stored in a construction staging area consistent with HAZ-1.

#### **Public Services and Utilities**

- CCWD will construct a ramp over the pump around pipelines that cross the East Bay Regional Park District Trail. CCWD will adhere to Mitigation Measure PS2.